

SUBSTITUTE FOR
HOUSE BILL NO. 5123

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 518 and 8121 (MCL 600.518 and 600.8121),
section 518 as amended by 2006 PA 99 and section 8121 as amended by
2012 PA 37.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 518. The seventeenth judicial circuit consists of the
2 county of Kent and has ~~9~~10 judges. Subject to section 550, this
3 judicial circuit may have 1 additional judge ~~effective~~**BEGINNING**
4 January 1, ~~2007~~**2015**.

5 Sec. 8121. (1) The sixteenth district consists of the city of
6 Livonia, is a district of the third class, and has 2 judges.

7 (2) The seventeenth district consists of the township of
8 Redford in the county of Wayne, is a district of the third class,

1 and has 2 judges.

2 (3) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE
3 eighteenth district consists of the city of Westland, is a district
4 of the third class, and has 2 judges. IF THE GOVERNING BODIES OF
5 THE CITY OF WESTLAND AND THE CITY OF WAYNE APPROVE BY RESOLUTIONS
6 THE CONSOLIDATION OF THE EIGHTEENTH AND TWENTY-NINTH DISTRICTS
7 PRIOR TO JANUARY 1, 2016, ALL OF THE FOLLOWING APPLY BEGINNING
8 JANUARY 1, 2016:

9 (A) THE TWENTY-NINTH DISTRICT IS ABOLISHED AND THE EIGHTEENTH
10 DISTRICT CONSISTS OF THE CITY OF WESTLAND AND THE CITY OF WAYNE, IS
11 A DISTRICT OF THE THIRD CLASS, AND HAS 3 JUDGES. THE ADDITIONAL
12 JUDGESHIP IN THE EIGHTEENTH DISTRICT SHALL BE FILLED BY THE
13 INCUMBENT JUDGE OF THE TWENTY-NINTH DISTRICT, WHO SHALL BECOME A
14 JUDGE OF THE EIGHTEENTH DISTRICT FOR THE BALANCE OF THE TERM TO
15 WHICH HE OR SHE WAS ELECTED OR APPOINTED. FOR PURPOSES OF THE
16 NOVEMBER 2018 GENERAL ELECTION ONLY, THE TERM OF THE CANDIDATE FOR
17 DISTRICT JUDGE IN THE EIGHTEENTH DISTRICT WHO RECEIVES THE GREATEST
18 NUMBER OF VOTES IS 10 YEARS AND THE TERM OF THE CANDIDATE FOR
19 DISTRICT JUDGE IN THE EIGHTEENTH DISTRICT WHO RECEIVES THE SECOND
20 GREATEST NUMBER OF VOTES IS 6 YEARS.

21 (B) THE CLERK OF THE CITY OF WESTLAND AND THE CLERK OF THE
22 CITY OF WAYNE SHALL FILE COPIES OF THE RESOLUTIONS WITH THE STATE
23 COURT ADMINISTRATOR, WHO, AS AUTHORIZED BY THE SUPREME COURT, SHALL
24 NOTIFY THE ELECTIONS DIVISION OF THE DEPARTMENT OF STATE THAT THE
25 CONSOLIDATION HAS BEEN APPROVED UNDER THIS SECTION. A RESOLUTION
26 THAT IS FILED BEFORE JANUARY 2, 2015 IS A VALID APPROVAL OF THE
27 CONSOLIDATION.

1 (C) BY PROPOSING OR AUTHORIZING THE CONSOLIDATION OF THE
2 EIGHTEENTH AND TWENTY-NINTH DISTRICTS, THE LEGISLATURE IS NOT
3 CREATING A NEW OBLIGATION FOR ANY AFFECTED DISTRICT CONTROL UNIT.
4 IF A DISTRICT CONTROL UNIT, ACTING THROUGH ITS GOVERNING BODY,
5 APPROVES THE CONSOLIDATION, THEN THE APPROVAL CONSTITUTES AN
6 EXERCISE OF THE DISTRICT CONTROL UNIT'S OPTION TO INCREASE THE
7 LEVEL OF ACTIVITY AND SERVICE OFFERED IN THAT DISTRICT CONTROL UNIT
8 BEYOND THAT REQUIRED BY EXISTING LAW, AS THE ELEMENTS OF THAT
9 OPTION ARE PROVIDED BY 1979 PA 101, MCL 21.231 TO 21.244, AND A
10 VOLUNTARY ACCEPTANCE BY THAT DISTRICT CONTROL UNIT OF ALL EXPENSES
11 AND CAPITAL IMPROVEMENTS THAT MAY RESULT FROM THE CONSOLIDATION OF
12 THE DISTRICTS. HOWEVER, THE EXERCISE OF THE OPTION DOES NOT AFFECT
13 THE STATE'S OBLIGATION TO PAY THE SAME PORTION OF EACH JUDGE'S
14 SALARY THAT IS PAID BY THE STATE TO OTHER DISTRICT JUDGES AS
15 PROVIDED BY LAW, OR TO APPROPRIATE AND DISBURSE FUNDS TO THE
16 DISTRICT CONTROL UNIT FOR THE NECESSARY COSTS OF STATE REQUIREMENTS
17 ESTABLISHED BY A STATE LAW THAT BECOMES EFFECTIVE ON OR AFTER
18 DECEMBER 23, 1978.

19 (4) The nineteenth district consists of the city of Dearborn,
20 is a district of the third class, and has 3 judges.

21 (5) The twentieth district consists of the city of Dearborn
22 Heights, is a district of the third class, and has 2 judges.

23 (6) The twenty-first district consists of the city of Garden
24 City, is a district of the third class, and has 1 judge.

25 (7) The twenty-second district consists of the city of
26 Inkster, is a district of the third class, and has 1 judge.

27 (8) The twenty-third district consists of the city of Taylor,

1 is a district of the third class, and has 2 judges.

2 (9) The twenty-fourth district consists of the cities of Allen
3 Park and Melvindale, is a district of the third class, and has 2
4 judges.

5 (10) The twenty-fifth district consists of the ~~city of Lincoln~~
6 ~~Park, is a district of the third class, and has 2 judges. Beginning~~
7 ~~April 1, 2012, the twenty fifth district consists of the cities of~~
8 ~~Ecorse, Lincoln Park, and River Rouge, is a district of the third~~
9 ~~class, and has 3 judges. The additional judgeship in the twenty-~~
10 ~~fifth district shall be filled by the incumbent judge of the~~
11 ~~twenty sixth district, who shall become a judge of the twenty fifth~~
12 ~~district for the balance of the term to which he or she was elected~~
13 ~~or appointed. Sections 8175 and 8176 do not apply to the~~
14 ~~consolidation of the twenty fifth and twenty sixth districts.~~
15 ~~Beginning April 2, 2012, the twenty fifth district has 2 judges.~~

16 ~~—— (11) The twenty sixth district consists of the cities of River~~
17 ~~Rouge and Ecorse, is a district of the third class, and has 1~~
18 ~~judge. Beginning on April 1, 2012, the twenty sixth district is~~
19 ~~abolished and the judge of the twenty sixth district shall become a~~
20 ~~judge of the twenty fifth district for the balance of the term to~~
21 ~~which he or she was elected or appointed.~~

22 (11) IF THE GOVERNING BODIES OF THE CITIES OF SOUTHGATE,
23 WYANDOTTE, AND RIVERVIEW APPROVE BY RESOLUTIONS THE FORMATION OF
24 THE TWENTY-SIXTH DISTRICT BY THE CONSOLIDATION OF THE TWENTY-
25 SEVENTH AND TWENTY-EIGHTH DISTRICTS PRIOR TO JANUARY 1, 2016, ALL
26 OF THE FOLLOWING APPLY BEGINNING JANUARY 1, 2016:

27 (A) THE TWENTY-SIXTH DISTRICT IS CREATED BY THE CONSOLIDATION

1 OF THE FORMER TWENTY-SEVENTH AND TWENTY-EIGHTH DISTRICTS, CONSISTS
2 OF THE CITIES OF SOUTHGATE, WYANDOTTE, AND RIVERVIEW, IS A DISTRICT
3 OF THE THIRD CLASS, AND HAS 2 JUDGES. THE JUDGESHIPS IN THE TWENTY-
4 SIXTH DISTRICT SHALL BE FILLED BY THE INDIVIDUALS WHO WERE JUDGES
5 OF THE TWENTY-SEVENTH AND TWENTY-EIGHTH DISTRICTS ON DECEMBER 31,
6 2015, AND WHO SHALL SERVE AS JUDGES OF THE TWENTY-SIXTH DISTRICT
7 FOR THE BALANCE OF THE TERMS TO WHICH THEY WERE ELECTED OR
8 APPOINTED. THE TWENTY-SEVENTH AND TWENTY-EIGHTH DISTRICTS SHALL
9 CEASE TO EXIST AS SEPARATE DISTRICTS.

10 (B) THE CLERKS OF THE CITIES OF SOUTHGATE, WYANDOTTE, AND
11 RIVERVIEW SHALL FILE COPIES OF THE RESOLUTIONS WITH THE STATE COURT
12 ADMINISTRATOR, WHO, AS AUTHORIZED BY THE SUPREME COURT, SHALL
13 NOTIFY THE ELECTIONS DIVISION OF THE DEPARTMENT OF STATE THAT THE
14 CONSOLIDATION HAS BEEN APPROVED UNDER THIS SECTION. A RESOLUTION
15 THAT IS FILED BEFORE JANUARY 2, 2015 IS A VALID APPROVAL OF THE
16 CONSOLIDATION.

17 (C) BY PROPOSING OR AUTHORIZING THE CONSOLIDATION OF THE
18 TWENTY-SEVENTH AND TWENTY-EIGHTH DISTRICTS, THE LEGISLATURE IS NOT
19 CREATING A NEW OBLIGATION FOR ANY AFFECTED DISTRICT CONTROL UNIT.
20 IF A DISTRICT CONTROL UNIT, ACTING THROUGH ITS GOVERNING BODY,
21 APPROVES THE CONSOLIDATION, THEN THE APPROVAL CONSTITUTES AN
22 EXERCISE OF THE DISTRICT CONTROL UNIT'S OPTION TO INCREASE THE
23 LEVEL OF ACTIVITY AND SERVICE OFFERED IN THAT DISTRICT CONTROL UNIT
24 BEYOND THAT REQUIRED BY EXISTING LAW, AS THE ELEMENTS OF THAT
25 OPTION ARE PROVIDED BY 1979 PA 101, MCL 21.231 TO 21.244, AND A
26 VOLUNTARY ACCEPTANCE BY THAT DISTRICT CONTROL UNIT OF ALL EXPENSES
27 AND CAPITAL IMPROVEMENTS THAT MAY RESULT FROM THE CONSOLIDATION OF

1 THE DISTRICTS. HOWEVER, THE EXERCISE OF THE OPTION DOES NOT AFFECT
2 THE STATE'S OBLIGATION TO PAY THE SAME PORTION OF EACH JUDGE'S
3 SALARY THAT IS PAID BY THE STATE TO OTHER DISTRICT JUDGES AS
4 PROVIDED BY LAW, OR TO APPROPRIATE AND DISBURSE FUNDS TO THE
5 DISTRICT CONTROL UNIT FOR THE NECESSARY COSTS OF STATE REQUIREMENTS
6 ESTABLISHED BY A STATE LAW THAT BECOMES EFFECTIVE ON OR AFTER
7 DECEMBER 23, 1978.

8 (12) ~~The~~ EXCEPT AS PROVIDED IN SUBSECTION (11), THE twenty-
9 seventh district consists of the cities of Wyandotte and Riverview,
10 is a district of the third class, and has 1 judge.

11 (13) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (11), THE
12 twenty-eighth district consists of the city of Southgate, is a
13 district of the third class, and has 1 judge.

14 (14) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3), THE
15 twenty-ninth district consists of the city of Wayne, is a district
16 of the third class, and has 1 judge.

17 (15) The thirtieth district consists of the city of Highland
18 Park, is a district of the third class, and has 1 judge.

19 (16) The thirty-first district consists of the city of
20 Hamtramck, is a district of the third class, and has 1 judge.

21 (17) The thirty-second-a district consists of the city of
22 Harper Woods, is a district of the third class, and has 1 judge.

23 (18) The thirty-second-b district consists of the cities of
24 Grosse Pointe Woods, Grosse Pointe Park, Grosse Pointe, and Grosse
25 Pointe Farms, and the village of Grosse Pointe Shores, is a
26 district of the third class, and has 1 judge.

27 (19) The thirty-third district consists of the cities of

1 Trenton, Gibraltar, Woodhaven, Rockwood, and Flat Rock and the
2 townships of Brownstown and Grosse Ile in the county of Wayne, is a
3 district of the third class, and has the following number of
4 judges:

5 (a) Until the date determined under subdivision (b), 3 judges.

6 (b) Beginning on the earlier of the following dates, 2 judges:

7 (i) The date on which a vacancy occurs in the office of
8 district judge in this district, **UNLESS THE VACANCY OCCURS AFTER A**
9 **JUDGE'S SUCCESSOR IN OFFICE HAS BEEN ELECTED BUT BEFORE THAT**
10 **SUCCESSOR TAKES OFFICE.**

11 (ii) The beginning date of the term for which an incumbent
12 district judge in this district no longer seeks election or
13 reelection to that office.

14 (20) The thirty-fourth district consists of the townships of
15 Sumpter, Van Buren, and Huron in the county of Wayne and the cities
16 of Romulus and Belleville, is a district of the third class, and
17 has 3 judges.

18 (21) The thirty-fifth district consists of the cities of
19 Northville and Plymouth and the townships of Northville, Plymouth,
20 and Canton in the county of Wayne, is a district of the third
21 class, and has 3 judges.

22 Enacting section 1. Section 8121 of the revised judicature act
23 of 1961, 1961 PA 236, MCL 600.8121, as amended by this amendatory
24 act, takes effect on January 2, 2015.