

REVISED JUDICATURE ACT OF 1961 (EXCERPT)

Act 236 of 1961

CHAPTER 25

FEES

600.2501 Fees; allowance.

Sec. 2501. For the services mentioned in this chapter, hereafter done or performed in the several courts in this state, by the officers thereof, or in any proceeding authorized by law, the fees hereinafter prescribed shall be allowed.

History: 1961, Act 236, Eff. Jan. 1, 1963.

600.2504 Fees; special allowance.

Sec. 2504. The allowance of any fees by this chapter, shall not apply to any case where special provision is otherwise made by law for any particular service, but the fees for such service shall be such as are provided in the statute requiring the service, or providing the compensation therefor.

History: 1961, Act 236, Eff. Jan. 1, 1963.

600.2507 Documents; state officers; request for searches and obtaining certified copies; fees.

Sec. 2507. (1) The secretary of state, the auditor general, the state treasurer, and the attorney general may require searches in the respective offices of each other and in the offices of the clerks of any court of record or municipal court, or in the office of a register of deeds, for any papers, records, or documents necessary to the discharge of their respective duties, and may obtain certified copies and certified extracts of such papers, records, or documents without the payment of a fee or charge.

(2) The director of commerce may request searches and obtain certified copies and certified extracts of papers, records, or documents pertaining to criminal matters, medical malpractice, or other public documents or records necessary to the discharge of the duties of the bureau within the department of commerce with responsibility for occupational and professional licensure from the secretary of state, the auditor general, the state treasurer, the clerk of any court of record or municipal court, or from the office of a register of deeds. The secretary of state, the auditor general, the state treasurer, the clerk of any court of record or municipal court, or the office of a register of deeds may charge a reasonable fee for providing the requested information under this subsection, not to exceed the actual cost for providing the requested information.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1993, Act 84, Eff. Apr. 1, 1994.

600.2510 "Page" defined; compliance with format prescribed by state court administrative office.

Sec. 2510. (1) When used as a measure for computing fees or compensation, "page" is defined as follows: a page shall consist of 25 lines written on paper 8-1/2 by 11 inches in size, prepared for binding on the left side, with 1-3/8 inch margin on the left side and 3/8 inch margin on the right side. Typing shall be 10 letter to the inch.

(2) A page prepared in accordance with the format prescribed by the state court administrative office shall be counted, billed, and paid for as a full page.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1972, Act 325, Imd. Eff. Jan. 2, 1973;—Am. 1977, Act 31, Imd. Eff. June 22, 1977.

600.2513 Allowable fees, compensation, or reward for service.

Sec. 2513. A judge of any court, sheriff, bailiff, district court magistrate, or other officer, or other person except attorneys at law to whom any fees or compensation shall be allowed by law for any service, shall not take or receive any other or greater fee or reward for his service, but such as is or shall be allowed by the laws of this state.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1974, Act 297, Eff. Apr. 1, 1975.

600.2516 Fees; for services actually rendered.

Sec. 2516. No fee or compensation allowed by law, shall be demanded or received by any officer or person for any service, unless such service was actually rendered by him; but this section shall not prevent any officer from demanding any fee herein allowed for any service of which he is entitled by law to require the payment previous to rendering such service.

History: 1961, Act 236, Eff. Jan. 1, 1963.

600.2519 Fees; violation; misdemeanor; civil liability; forfeiture of office.

Sec. 2519. A violation of either section 2513 or 2516 shall be deemed a misdemeanor; and the person guilty thereof shall be liable to the party aggrieved for treble the damages sustained by him, and such violation shall be a cause for forfeiture of office.

History: 1961, Act 236, Eff. Jan. 1, 1963.

600.2522 Fees; taxation for services actually rendered.

Sec. 2522. No fee shall be taxed for services as having been rendered by any attorney, clerk, sheriff, or other officer, in the progress of a cause, unless such service was actually rendered, except when otherwise expressly provided.

History: 1961, Act 236, Eff. Jan. 1, 1963.

600.2525 Fees; receipt; liability for refusal.

Sec. 2525. Every officer, upon receiving any fees for any official duty or service, shall, if required by the person paying the same, make out in writing and deliver to such person, a particular account of such fees, specifying for what they respectively accrued, and shall receipt the same; and if he refuse or neglect to do so, he shall be liable to the party paying the same for 3 times the amount so paid.

History: 1961, Act 236, Eff. Jan. 1, 1963.

600.2528 Repealed. 1993, Act 189, Imd. Eff. Oct. 8, 1993.

Compiler's note: The repealed section pertained to fees to clerk of circuit court in county of less than 100,000.

600.2529 Fees paid to clerk of circuit court; payment in full; payment of fees to county treasurer; deposit and use to fund certain services; waiving or suspending fees; affidavit of indigency or inability to pay; court order to pay all or part of fee to other party; payment of fee not required.

Sec. 2529. (1) In the circuit court, the following fees must be paid to the clerk of the court:

(a) Before filing a civil action, including an action for superintending control or another extraordinary writ, the party filing the action shall pay a fee of \$150.00. This subdivision does not apply to an action brought exclusively under section 2950, 2950a, or 2950h to 2950m, an action under the extreme risk protection order act, or an action for a writ of habeas corpus. The clerk at the end of each month shall transmit for each fee collected under this subdivision within the month \$31.00 to the county treasurer and the balance of the filing fee to the state treasurer for deposit in the civil filing fee fund created in section 171.

(b) Before filing a claim of appeal or motion for leave to appeal from the district court, probate court, a municipal court, or an administrative tribunal or agency, the appellant or moving party shall pay a fee of \$150.00. For each fee collected under this subdivision, the clerk shall transmit \$31.00 to the county treasurer and the balance of the fee to the state treasurer for deposit in the civil filing fee fund created in section 171.

(c) At the time a trial by jury is demanded, the party making the demand shall pay a fee of \$85.00. Failure to pay the fee at the time the demand is made constitutes a waiver of the right to a jury trial. The fee paid must be taxed in favor of the party paying it if the party recovers a judgment for costs. For each fee collected under this subdivision, the clerk shall transmit \$25.00 to the state treasurer for deposit in the juror compensation reimbursement fund created in section 151d.

(d) At the time an action in which the custody, support, or parenting time of a minor child is to be determined or modified is filed, the party filing the action shall pay 1 of the following fees:

(i) In an action in which the custody or parenting time of a minor child is to be determined or modified, \$80.00.

(ii) In an action in which the support of a minor child is to be determined or modified, \$40.00. This fee does not apply if a fee is paid under subparagraph (i).

(e) Except as otherwise provided in this section, on filing a motion, the moving party shall pay a fee of \$20.00. In conjunction with an action brought under section 2950 or 2950a, the clerk shall not collect a motion fee for a motion to dismiss the petition, a motion to modify, rescind, or terminate a personal protection order, or a motion to show cause for a violation of a personal protection order. The clerk shall not collect a motion fee for a motion to dismiss a proceeding to enforce a foreign protection order or a motion to show cause for a violation of a foreign protection order under sections 2950h to 2950m. The clerk shall not collect a motion fee for a request for a hearing to contest income withholding under section 7 of the support and parenting time enforcement act, 1982 PA 295, MCL 552.607. For each fee collected under this subdivision, the clerk shall transmit \$10.00 to the state treasurer for deposit in the state court fund created by section 151a.

(f) For services under the direction of the court that are not specifically provided for in this section related

to receiving, safekeeping, or expending money, purchasing, taking, or transferring a security, or collecting interest on a security, a party shall pay the allowance and compensation that the court determines to be just as ordered by the court after notice to the parties.

(g) Upon appeal to the court of appeals or the supreme court, the appellant shall pay \$25.00.

(h) The applicant or requesting party shall pay \$15.00 as a service fee for each writ of garnishment, attachment, or execution and each judgment debtor discovery subpoena issued.

(2) The fees paid as provided in this section are payment in full for all clerk, entry, and judgment fees in an action from the commencement of the action to and including the issuance and return of the execution or other final process, and are taxable as costs.

(3) Except as otherwise provided in this section, the fees paid under this section must be paid to the county treasurer as required by law.

(4) At the end of each month, each fee collected under subsection (1)(d)(i) must be paid to the county treasurer and deposited by the county treasurer as provided under section 2530 to be used to fund services that are not title IV-D services. The fee collected under subsection (1)(d)(ii) must be paid to the county treasurer and deposited by the county treasurer as provided under section 2530.

(5) The court shall order any of the fees prescribed in this section waived or suspended, in whole or in part, upon a showing by affidavit of indigency or inability to pay.

(6) If the person filing an action described in subsection (1)(d) is a public officer acting in his or her official capacity, if the final judgment or order is submitted with the initial filing as a consent judgment or order, or if other good cause is shown, the court shall order the fee under subsection (1)(d) waived or suspended. If a fee is waived or suspended and the action is contested, the court may require that 1 or more of the parties to the action pay the fee under subsection (1)(d).

(7) The court may order a party to pay the other party all or part of a fee paid by the other party under subsection (1)(d).

(8) A party is not required to pay a fee under this section if the party is filing a child protective action or a delinquency action under section 2 of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.2, or under the young adult voluntary foster care act, 2011 PA 225, MCL 400.641 to 400.671.

History: Add. 1963, Act 218, Eff. Sept. 6, 1963;—Am. 1964, Act 21, Eff. Aug. 28, 1964;—Am. 1966, Act 20, Eff. Jan. 1, 1967;—Am. 1967, Act 278, Eff. Nov. 2, 1967;—Am. 1970, Act 248, Eff. Jan. 1, 1971;—Am. 1977, Act 279, Eff. Mar. 30, 1978;—Am. 1982, Act 297, Eff. July 1, 1983;—Am. 1982, Act 511, Eff. Jan. 1, 1983;—Am. 1988, Act 310, Eff. Jan. 1, 1989;—Am. 1992, Act 233, Eff. Mar. 31, 1993;—Am. 1992, Act 292, Imd. Eff. Dec. 18, 1992;—Am. 1993, Act 189, Eff. Oct. 8, 1993;—Am. 1994, Act 403, Eff. Apr. 1, 1995;—Am. 1999, Act 268, Eff. July 1, 2000;—Am. 2001, Act 202, Eff. Apr. 1, 2002;—Am. 2002, Act 605, Eff. Jan. 1, 2003;—Am. 2003, Act 138, Eff. Oct. 1, 2003;—Am. 2003, Act 178, Eff. Oct. 1, 2003;—Am. 2004, Act 205, Eff. Oct. 1, 2004;—Am. 2009, Act 239, Imd. Eff. Jan. 8, 2010;—Am. 2014, Act 532, Eff. Apr. 14, 2015;—Am. 2023, Act 35, Eff. Feb. 13, 2024.

600.2530 Deposit of fees in friend of the court fund; exception; appropriation by county board of commissioners; remitting sums collected to state; appropriation by legislature; remittance to law enforcement agency.

Sec. 2530. (1) Except in any judicial circuit in which employees serving in the circuit court are employees of the state judicial council, the county treasurer shall deposit all fees collected under section 2529(1)(d) and 1/2 of the costs collected under sections 31, 32, and 44 of the support and parenting time enforcement act, Act No. 295 of the Public Acts of 1982, being sections 552.631, 552.632, and 552.644 of the Michigan Compiled Laws, in a fund created for that purpose to be known as the friend of the court fund. The county treasurer shall create the friend of the court fund as an interest bearing account, and interest earned shall be credited to the account to be used as provided in this section.

(2) The county board of commissioners shall appropriate all sums in this fund and additionally shall annually appropriate from the county general fund an amount not less than the total amount appropriated for the office of the friend of the court in the county's last fiscal year ending before July 1, 1983, for the purpose of fulfilling the statutory obligations of the friend of the court as provided in the friend of the court act, Act No. 294 of the Public Acts of 1982, being sections 552.501 to 552.535 of the Michigan Compiled Laws, and Act No. 295 of the Public Acts of 1982, being sections 552.601 to 552.650 of the Michigan Compiled Laws. Money transmitted to the county treasurer under section 31 of Act No. 295 of the Public Acts of 1982 shall supplement and not supplant other money appropriated by the county for friend of the court functions as measured by amounts appropriated by the county for those functions in previous and current fiscal years.

(3) In a judicial circuit in which employees serving in the circuit court are employees of the state judicial council, the county treasurer shall remit all sums collected under section 2529(1)(d) and 1/2 of the costs collected under sections 31, 32, and 44 of Act No. 295 of the Public Acts of 1982 to the state as provided in section 595(4). As provided in section 595(1), the legislature annually shall appropriate the amount received

under this subsection for the purpose of fulfilling the statutory obligations of the friend of the court in the third judicial circuit as provided in Act No. 294 of the Public Acts of 1982 and Act No. 295 of the Public Acts of 1982.

(4) The county treasurer shall remit 1/2 of the costs actually paid by a payer as ordered by the court under section 31, 32, or 44 of Act No. 295 of the Public Acts of 1982 to the law enforcement agency that executes the bench warrant issued for the arrest of that payer.

History: Add. 1982, Act 297, Eff. July 1, 1983;—Am. 1996, Act 10, Eff. June 1, 1996;—Am. 1996, Act 302, Eff. Jan. 1, 1997.

600.2530a Repealed. 1992, Act 234, Eff. Mar. 31, 1993.

Compiler's note: The repealed section pertained to remittance of revenue to the state treasurer.

600.2531 Oath of office; administration without fee.

Sec. 2531. No fee may be charged by any officer, for administering the oath of office to any member of the legislature, to any military officer, or to any other public officer.

History: 1961, Act 236, Eff. Jan. 1, 1963.

600.2534 Publication of legal notice, order, citation, summons, advertisement, or other matter; rates.

Sec. 2534. (1) For publishing a legal notice or an order, citation, summons, advertisement, or other matter arising out of judicial proceedings required by law to be published in a newspaper, except as provided in subsection (2), the cost must not exceed the rate of \$20.50 per folio for the first publication and \$8.45 per folio for each subsequent publication. A minimum cost of \$59.00 is allowed for a notice that must be published 2 times or more, and a minimum cost of \$44.00 is allowed for a notice that must be published 1 time.

(2) For publications after the effective date of the 2017 public act that amended this section, the department of treasury shall adjust the rates described in subsection (1) to reflect the percentage increase in the United States consumer price index from March 1, 2008 to June 1, 2017 and, annually each year from March 1, 2018 to March 1, 2025, shall further adjust the rates by the percentage increase in the United States consumer price index for the preceding calendar year. The result of an adjustment under this subsection must be rounded to the nearest multiple of 5 cents.

(3) A newspaper that publishes an advertisement for this state other than a tax list may charge for the advertisement its regular established commercial rate in effect at the time the advertisement is published.

(4) A newspaper that accepts for publication a legal or public notice as provided by law shall not charge higher rates or collect higher rates for political notices or political advertising than it charges for commercial advertising of the same or similar size.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1966, Act 161, Imd. Eff. July 1, 1966;—Am. 1971, Act 200, Eff. Jan. 1, 1972;—Am. 1976, Act 153, Eff. Jan. 1, 1977;—Am. 1980, Act 35, Eff. Apr. 1, 1980;—Am. 1985, Act 169, Eff. Jan. 1, 1986;—Am. 1996, Act 378, Eff. Oct. 1, 1996;—Am. 2006, Act 506, Eff. Mar. 1, 2007;—Am. 2017, Act 82, Eff. Oct. 10, 2017.

600.2537 Repealed. 1993, Act 189, Imd. Eff. Oct. 8, 1993.

Compiler's note: The repealed section pertained to jury fees.

600.2538 Payments of support or maintenance collected by friend of the court or state disbursement unit; fee; notice; contempt for failure or refusal to pay fee; centralized receipt and disbursement of support; creation of attorney general's operations fund; "state disbursement unit" or "SDU" defined.

Sec. 2538. (1) For services provided that are not reimbursable under the provisions of part D of title IV of the social security act, 42 USC 651 to 669b, every person required to make payments of support or maintenance to be collected by the friend of the court or the state disbursement unit shall pay a fee of \$3.50 per month for every month or portion of a month that support or maintenance is required to be paid. The fee shall be paid monthly, quarterly, or semiannually as required by the friend of the court. The friend of the court shall provide notice of the fee required by this section to the person ordered to pay the support and that the fee shall be paid monthly or as otherwise determined by the friend of the court. The friend of the court or SDU shall transmit each fee collected under this section as follows:

(a) Two dollars and twenty-five cents to the appropriate county treasurer for deposit into the general fund of the county to be used to fund the provision of services by the friend of the court that are not reimbursable under part D of title IV of the social security act, 42 USC 651 to 669b.

(b) For fees assessed on or after October 1, 2003, 25 cents to the state treasurer for deposit in the fund

created in subsection (4).

(c) One dollar to the state treasurer for deposit in the state court fund created in section 151a.

(2) A court may hold a person who fails or refuses to pay a service fee ordered under subsection (1) in contempt.

(3) The SDU is responsible for the centralized receipt and disbursement of support. An office of the friend of the court may continue to receive support and fees.

(4) An attorney general's operations fund is created within the state treasury. The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments. Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund. The department of attorney general shall expend money from the fund, upon appropriation, for operational purposes.

(5) As used in this section, "state disbursement unit" or "SDU" means the entity established in section 6 of the office of child support act, 1971 PA 174, MCL 400.236.

History: Add. 1993, Act 189, Imd. Eff. Oct. 8, 1993;—Am. 1999, Act 151, Imd. Eff. Nov. 3, 1999;—Am. 2003, Act 138, Eff. Oct. 1, 2003;—Am. 2003, Act 178, Eff. Oct. 1, 2003;—Am. 2009, Act 239, Imd. Eff. Jan. 8, 2010.

600.2540 Compensation of juror for attendance on inquest.

Sec. 2540. Each juror sworn before any medical examiner or judge, on an inquest taken by either of them on view of any dead body, is entitled to receive \$6.00 for each day's attendance and \$3.00 for each half day's attendance on the inquest, the accounts for the service to be allowed by the county board of commissioners in counties not having a board of county auditors, and in counties having a board of county auditors by the board, on the certificate of the medical examiner or judge.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1974, Act 297, Eff. Apr. 1, 1975.

600.2543 Circuit court reporters or recorders; fees for transcripts; fees as part of taxable costs; adjustment; purchase of supplies and equipment.

Sec. 2543. (1) The circuit court reporters or recorders are entitled to demand and receive per page for a transcript ordered by any person \$3.75 per original page and 90 cents per page for each copy, unless a lower rate is agreed on. For a transcript ordered by the circuit judge, reporters or recorders are entitled to receive from the court funding unit the same compensation for work completed outside of normal court business hours. During normal court business hours, a reporter or recorder shall give first priority to appellate transcripts paid for by the court funding unit. The minimum charge for a transcript is \$50.00 for the original and 90 cents per page for any copy requested. On January 1, 2030, and on January 1 of every fifth year after 2030, the state treasurer shall adjust the amounts in this subsection to reflect the cumulative annual percentage change in the Consumer Price Index and publish the adjusted amounts.

(2) Only if the transcript is desired for the purpose of moving for a new trial or preparing a record for appeal may the amount of reporters' or recorders' fees paid for the transcript be recovered as a part of the taxable costs of the prevailing party in the motion, in the court of appeals or the supreme court.

(3) An official court reporter or recorder shall purchase supplies and equipment necessary for the production of transcripts, such as transcript paper, ink, binders, software, and hardware used in the production of transcripts. The court funding unit shall purchase the supplies and equipment necessary to capture and preserve the record, such as steno machines, digital audio-video recording equipment, computers, and digital storage media.

(4) As used in this section, "Consumer Price Index" means the most comprehensive index of consumer prices available for this state from the Bureau of Labor Statistics of the United States Department of Labor.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1963, Act 200, Eff. Sept. 6, 1963;—Am. 1974, Act 158, Eff. Sept. 1, 1974;—Am. 1977, Act 31, Imd. Eff. June 22, 1977;—Am. 1978, Act 522, Eff. Jan. 1, 1979;—Am. 1986, Act 308, Eff. Jan. 1, 1987;—Am. 2004, Act 328, Imd. Eff. Sept. 23, 2004;—Am. 2024, Act 226, Eff. Apr. 2, 2025.

600.2546 Certified copies, exemplifications of records, pleadings, and proceedings; fee.

Sec. 2546. Except as otherwise provided by law, in the circuit court, district court, or probate court, for all certified copies, and exemplifications of records, pleadings and proceedings furnished on request, where no special provision is otherwise made, the fee is \$10.00 plus \$1.00 per page.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1963, Act 240, Eff. Sept. 6, 1963;—Am. 1993, Act 189, Eff. Oct. 8, 1993.

600.2549 Depositions and certified copies; fees taxable as costs.

Sec. 2549. Reasonable and actual fees paid for depositions of witnesses filed in any clerk's office and for

the certified copies of documents or papers recorded or filed in any public office shall be allowed in the taxation of costs only if, at the trial or when damages were assessed, the depositions were read in evidence, except for impeachment purposes, or the documents or papers were necessarily used.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1984, Act 278, Eff. Jan. 1, 1985.

600.2552 Witness fees; traveling expenses; attorneys as witnesses; incarcerated witness; inquests; per-mile rate of reimbursement.

Sec. 2552. (1) A witness who attends any action or proceeding pending in a court of record shall be paid a witness fee of \$12.00 for each day and \$6.00 for each half day, or may be paid for his or her loss of working time but not more than \$15.00 for each day shall be taxable as costs as his or her witness fee. Except as provided in sections 7 and 13 of chapter XV of the code of criminal procedure, 1927 PA 175, MCL 775.7 and 775.13, a witness shall be reimbursed as provided in subsection (5) for his or her traveling expenses in coming to the place of attendance and returning from the place of attendance, to be estimated from the residence of the witness, if his or her residence is within this state, or from the boundary line of this state that the witness passed in coming into this state, if his or her residence is out of this state.

(2) An attorney or counsel in any action or proceeding in which he or she may be interested as attorney or counsel shall not be paid any fee for attending as a witness in that action or proceeding.

(3) A witness who is incarcerated under sentence in a county jail or a state or federal correctional facility when he or she attends an action or proceeding shall not be paid a witness fee and shall not be reimbursed for traveling from or returning to the place where he or she is incarcerated.

(4) A witness who attends a proceeding before any person authorized to hold inquests on the view of dead bodies, or before any officer, person, or board authorized to take the examination of witnesses, shall be paid a witness fee of \$12.00 for each day's attendance and \$6.00 for each half day; and shall be reimbursed as provided in subsection (5) for his or her traveling expenses in that case in coming to the place of attendance and returning from the place of attendance, to be estimated from the residence of the witness, if his or her residence is within this state, or from the boundary line of this state that the witness passed in coming into this state, if his or her residence is out of this state.

(5) Beginning on the effective date of the amendatory act that added this subsection, the per-mile rate of reimbursement of traveling expenses for witnesses shall be the same as the per-mile rate of reimbursement of traveling expenses established by directives of the department of management and budget for state officers and unclassified employees of state agencies while engaged in the performance of state business, pursuant to section 217 of the management and budget act, 1984 PA 431, MCL 18.1217.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1966, Act 20, Eff. Jan. 1, 1967;—Am. 1994, Act 154, Imd. Eff. June 13, 1994;—Am. 2000, Act 85, Eff. Oct. 1, 2000.

600.2555 Process server; traveling fees.

Sec. 2555. A person authorized by this act or supreme court rule to serve process or a paper issued by or filed with a court in this state is only entitled to traveling fees for the service from the place where the court that issued or filed the process or paper is located to the place of service, not to exceed 75 miles each way.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 2003, Act 243, Eff. Jan. 1, 2004.

600.2558 Fees of sheriff; increase; mileage; liability.

Sec. 2558. (1) The sheriff is entitled to the fees provided in this section and section 2559.

(2) The following fees of the sheriff are allowed:

(a) For taking a bond if the sheriff is authorized to take the bond, \$1.50; for a certified copy of the bond, if requested, \$1.00.

(b) For every certificate on the sale of real estate, \$1.50; and for each copy of the certificate, \$1.50, which, together with the register's fee for filing the certificate, shall be collected as other fees on execution.

(c) For taking a bond for the liberties of the jail, \$1.50.

(d) For summoning a jury upon a writ of inquiry, attending the jury, and making and returning the inquisition, \$5.00.

(e) For summoning a jury pursuant to any precept or summons of any officer in any special proceeding, \$5.00, and for attending the jury when required, \$5.00.

(f) For bringing up a prisoner upon habeas corpus, \$3.00, and for traveling each mile from the jail, 15 cents; for attending any court with that prisoner, \$5.00 per day, plus actual necessary expenses.

(g) For attending before any officer with a prisoner for the purpose of having the prisoner surrendered in exoneration of his or her bail, or for attending to receive a prisoner so surrendered, who was not committed at the time, and receiving that prisoner into the sheriff's custody, in either case, \$15.00.

(h) For attending a view, when ordered by the court, \$15.00 per day, including the time occupied in going and returning.

(i) For making and returning an inventory and appraisal to the appraisers, \$10.00 for each day actually employed, and \$5.00 for each half day. The court, by rule, may adjust a schedule fixing the amount of appraisal fees if the court considers the statutory fee to be inadequate.

(j) For drafting an inventory, \$1.25 for each page and for copying the inventory, 10 cents for each page.

(k) For giving notice for general or special election to the inspectors of the different townships and wards of the county, \$1.00 for each township or ward, and the expenses of publishing the notices required by law, those fees and expenses to be paid by the county, as other contingent expenses of the election.

(l) For attending the supreme court by the order of the court, \$10.00 for each day, to be allowed by the state treasurer on the certificate of the clerk, and paid out of the state treasury, not taxable as costs.

(m) For attending the circuit court, by the order of the court, \$15.00 for each day, except in the county of Wayne; not taxable as costs. In the county of Wayne there shall be paid to the deputy sheriffs in actual attendance on the circuit court in the county such compensation as shall be fixed by the board of commissioners in accordance with the county uniform salary plan to be allowed and paid as other contingent charges of the county are paid; the number of deputies shall not exceed 2 for each judge of the third judicial circuit.

(n) For summoning grand or petit jurors to attend the circuit court, \$2.00 for each juror summoned, not taxable as costs.

(o) For keeping and providing for a debtor in jail where the debtor is unable to support himself or herself, \$1.00 for each day or such sum as shall be fixed by the board of commissioners, to be paid by the creditor each week, in advance, and which sum the creditor shall be entitled to recover from the debtor.

(p) For posting notices on property for foreclosure sales, \$16.00 for each posting, plus mileage.

(q) For selling lands on the foreclosure of a mortgage by advertisement; and executing a deed to the purchaser and for all services required on that sale, \$50.00.

(r) For each adjournment of the sale of land on the foreclosure of a mortgage by advertisement, \$8.00.

(s) For serving notice of a person claiming title under a tax deed, in person and by mail, \$16.00 plus mileage

(3) Mileage allowed under subsection (2) shall be computed in the same manner as provided for process served out of the circuit court under section 2559(3).

(4) Any sheriff or other officer who demands or receives any greater fees or compensation for performing any of the services mentioned in this section than as allowed by this section, shall, in addition to all other liabilities now provided by law, be liable to the party injured, for paying the illegal fees, in 3 times the amount so demanded, received, or paid, together with all costs of the action.

(5) Any sheriff or other officer who neglects or refuses any of the services required by law, after the fees specified have been tendered, shall be liable to the party injured for all damages which the party sustains by reason of that neglect or refusal.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1963, Act 170, Eff. Sept. 6, 1963;—Am. 1974, Act 306, Eff. Jan. 1, 1975;—Am. 1982, Act 173, Eff. Sept. 1, 1982;—Am. 1996, Act 214, Imd. Eff. May 28, 1996;—Am. 2002, Act 429, Imd. Eff. June 5, 2002.

600.2559 Fees for service of process; fee for process with incorrect address; mileage; fee for advertising; liability; charging fee in excess of law; tax costs; "order for the seizure of property" defined.

Sec. 2559. (1) Except as provided in subsection (7) or (9), the following is the schedule of fees allowed for process or papers served out of a court in this state by a person authorized under this act or supreme court rule to serve process:

(a) For personal service of a summons and complaint in a civil action, along with supporting documents, for each defendant, \$26.00 plus mileage.

(b) For personal service of an affidavit and account, for each defendant, \$26.00 plus mileage.

(c) For a request for and writ of garnishment, for each garnishee and defendant, \$23.00 plus mileage.

(d) For personal service of an order to seize goods that are the subject of a claim and delivery action, \$40.00 plus mileage, plus the actual and reasonable expense of seizing, keeping, and delivering the goods.

(e) For receiving and filing a bond from or on behalf of a defendant in a claim and delivery action, \$20.00.

(f) For an order to show cause, for each person served, \$26.00 plus mileage.

(g) For a subpoena on discovery, for each person served, \$26.00 plus mileage.

(h) For levying under or serving an order for the seizure of property and any accompanying paper, \$40.00 plus mileage, plus the actual and reasonable expense of seizing and keeping the property under the order.

(i) If the person has seized property under an order for the seizure of property issued in an action in which

a judgment is entered against the owner of the property, regardless of whether the judgment is entered before or after the order is issued, and if the judgment is satisfied before sale of the seized property by full payment of the judgment or settlement between the parties, 7% of the first \$8,000.00 of the payment or settlement amount and 3% of the payment or settlement amount exceeding the first \$8,000.00.

(j) For sale of property seized under an order for the seizure of property, 7% of the first \$8,000.00 in receipts and 3% of any receipts exceeding the first \$8,000.00.

(k) For each notice of sale under an order for the seizure of property or construction lien posted in a public place in the city or township, \$26.00 plus mileage.

(l) For an order of eviction or a writ for the restitution of premises, for each defendant, \$40.00 plus mileage, plus the actual and reasonable expense for the physical removal of property from the premises.

(m) For a subpoena directed to a witness, including a judgment debtor, \$26.00 plus mileage.

(n) For a civil bench warrant or body execution, \$40.00 plus mileage, plus a reasonable fee per hour for the amount of time involved in executing the warrant.

(o) For service by mail, \$13.00 plus the actual cost of postage.

(p) For each verification by a process server, \$10.00 plus mileage.

(q) For each postal change of address verification requested by the plaintiff, \$10.00.

(r) For each global positioning service verification requested by the plaintiff, \$5.00.

(s) For each photo verification requested by the plaintiff, \$5.00.

(2) On submitting a sworn affidavit, a person authorized by this act or supreme court rule to serve process or papers out of a court in this state is entitled to receive a \$10.00 fee plus mileage for each process that has an incorrect address. This fee is in addition to any fee the person is entitled to receive under subsection (1).

(3) Mileage is allowed under subsection (1) at 1-1/2 times the rate allowed by the state civil service commission for employees in the state classified civil service. Mileage is computed, each way, using the shortest reasonable route from the place where the court that issued or filed the process or paper is located to the place of service.

(4) The fees and expenses allowed under subsection (1)(h) to (k) must be collected in the same manner as the sum directed to be levied or collected under the order for the seizure of property. If at the time of advertising property for sale a sheriff or other officer has several orders for the seizure of property against the same defendant, the sheriff or officer shall charge only 1 advertising fee on the whole, and shall elect on which order he or she will receive the fee.

(5) A person authorized by this act or supreme court rule to serve process or papers out of a court in this state who demands and receives a greater fee or compensation for performing a service mentioned in this section than allowed by this section is, in addition to all other liability provided by law, liable to the party injured by paying the illegal fees for 3 times the amount of illegal fees actually paid and all costs of the action.

(6) A sheriff or other officer who, after the fees specified by this section have been tendered, neglects or refuses a service required by law is liable to the party injured for all damages that the party sustains as a result of the neglect or refusal.

(7) A person authorized under this act or supreme court rule to serve process may charge a fee for service of process that exceeds the fee prescribed under this section or other law if the fee is agreed to in advance in writing by the person serving process and the person requesting the service.

(8) Regardless of whether a fee charged or paid for service of process exceeds the fee prescribed by this section or other law, including a fee allowed under subsection (7), a person entitled to tax costs shall not attempt to tax and is not entitled to recover a fee for service of process that exceeds the fee prescribed by this section or other law.

(9) A person shall not charge or collect a fee for serving process issued in an action brought under the extreme risk protection order act, or for serving any order issued in the action.

(10) As used in this section, "order for the seizure of property" includes a writ of attachment and a writ of execution, including, but not limited to, execution in a claim and delivery action on property other than the property that is the subject of the claim and delivery action.

History: Add. 1982, Act 173, Eff. Sept. 1, 1982;—Am. 1994, Act 133, Eff. Oct. 1, 1994;—Am. 2003, Act 243, Eff. Jan. 1, 2004;—Am. 2012, Act 558, Eff. Mar. 28, 2013;—Am. 2018, Act 261, Eff. Sept. 26, 2018;—Am. 2023, Act 35, Eff. Feb. 13, 2024.

600.2561 Coroners; compensation or fees.

Sec. 2561. Coroners shall be entitled to such compensation as shall be determined by the board of supervisors, or to the following fees:

(1) For all services rendered by them, the same fees as are herein allowed to sheriffs for similar services.

(2) For the view of a dead body, and for taking and returning an inquisition thereof, \$5.00.

- (3) For traveling to the place of such view, 10 cents for each mile both ways.
- (4) For every subpoena, warrant or venire for a jury, 25 cents.
- (5) Swearing each witness, 10 cents; but the charges for swearing witnesses in any one case, shall not exceed 50 cents.
- (6) For taking a recognizance, 25 cents.
- (7) All the fees herein allowed to coroners, except for such services authorized to be performed as sheriff as are not chargeable to the county, shall be allowed and paid by the proper county.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1962, Act 73, Eff. Mar. 28, 1963.

600.2564 Repealed. 2003, Act 238, Eff. Apr. 1, 2004.

Compiler's note: The repealed section pertained to fees of notaries public.

600.2567 Register of deeds; fees.

Sec. 2567. (1) Except as provided in subsection (3), a register of deeds is entitled to the following fees, which are not taxable as costs except as indicated:

(a) For entering and recording a document, regardless of the number of pages, \$30.00, which includes the fee required to be collected under section 2567a. In addition to remitting a portion of the fee to satisfy section 2567a, the register of deeds shall deposit \$5.00 of the total fee collected for each recording into the automation fund established under section 2568.

(b) For a document that assigns or discharges more than 1 instrument, in addition to the fee under subdivision (a), \$3.00 for each additional instrument assigned or discharged.

(c) For copies of any records or papers, if required, \$1.00 per page, taxable as costs if otherwise allowed.

(d) To certify a recorded document, \$5.00.

(e) For searching the records and files, on request, by the office of the register of deeds, 50 cents for each year for which grantor/grantee searches are made, with a minimum fee of \$5.00, except that the fee for tract index searches must be based on the cost of establishing and maintaining a tract index.

(f) For filing every other paper, and making an entry of it, if necessary, \$1.00, unless otherwise specifically provided for.

(g) For searching for every other paper, on request, by the office of the register of deeds, \$1.00 for each paper examined.

(2) A fee under subsection (1)(a) or (b) must be paid when the document is left for recording, unless 1 of the following applies:

(a) If the document is a document as that term is defined in section 2 of the uniform real property electronic recording act, 2010 PA 123, MCL 565.842, the register of deeds accepts electronic documents for recording, and the fee is paid electronically, the fee must be paid within 1 business day after receipt of the electronic document by the register of deeds.

(b) If the document is a document left for recording by a governmental entity pursuant to an agreement between the governmental entity and the register of deeds that includes a payment schedule for the fee, the fee must be paid pursuant to the payment schedule.

(c) If the document is a forfeiture certificate or a redemption certificate for tax delinquent property under section 78g of the general property tax act, 1893 PA 206, MCL 211.78g, the fee must be paid within 30 days after redemption of the tax delinquent property or by an alternative date under an agreement between the register of deeds and the foreclosing governmental unit.

(d) If the document is a notice of judgment of foreclosure under section 78k of the general property tax act, 1893 PA 206, MCL 211.78k, or a deed under section 78m of the general property tax act, 1893 PA 206, MCL 211.78m, for tax foreclosed property, the fee must be paid within 30 days after the sale or transfer of the property or by an alternative date under an agreement between the register of deeds and the foreclosing governmental unit.

(3) A charter county may impose a fee schedule by ordinance or resolution with different amounts than the amounts prescribed by subsection (1). A charter county shall not impose a fee that is greater than the cost of the service for which the fee is charged.

(4) Subject to subsection (6), in addition to the recording fee under subsection (1), when a register of deeds accepts a discharge of lien under section 15 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.15, to be recorded, the register of deeds shall collect an amount equal to the fee paid for recording the discharged lien as stated on the notice of lien recording fee provided under section 15 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.15. The register of deeds shall transmit to the unemployment agency the additional amounts collected under this subsection and any information requested by the unemployment agency that is contained in the notice of lien recording fee. A register of deeds shall

transmit the money and information on the following schedule:

- (a) If the register of deeds serves a county with a population of less than 750,000, on a quarterly basis.
- (b) If the register of deeds serves a county with a population of 750,000 or more, on a monthly basis.
- (5) Unless the discharge of lien is submitted to be recorded by the unemployment agency, a register of deeds shall not accept a discharge of lien under section 15 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.15, for recording that is not accompanied by a notice of lien recording fee provided under section 15 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.15.
- (6) A register of deeds shall not charge an additional amount under subsection (4) if the discharge of lien is submitted for recording by the unemployment agency.
- (7) As used in this section, "page" means 1 side of a single sheet of paper at least 8-1/2 inches by 11 inches in length and not exceeding 8-1/2 inches by 14 inches in length and not less than 20-pound weight.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1963, Act 240, Eff. Sept. 6, 1963;—Am. 1964, Act 179, Eff. Jan. 1, 1965;—Am. 1972, Act 102, Eff. Jan. 1, 1973;—Am. 1984, Act 127, Eff. July 1, 1984;—Am. 1984, Act 300, Imd. Eff. Dec. 21, 1984;—Am. 1990, Act 346, Eff. Jan. 1, 1991;—Am. 2002, Act 698, Eff. Mar. 31, 2003;—Am. 2004, Act 538, Eff. Mar. 30, 2005;—Am. 2016, Act 224, Eff. Oct. 1, 2016.

600.2567a Fee for recording instrument; amount and payment; additional to other fees; remittance and disposition of fees; limitation; applicability of section; "county plan" defined.

Sec. 2567a. (1) Except as otherwise provided in subsection (4), the county register of deeds shall collect a fee for recording any instrument. Before January 1, 2043, the fee is \$4.00. Beginning January 1, 2043, the fee is \$2.00. The fee must be paid when the instrument is left for record.

(2) The fee required by this section is in addition to any fees required in section 2567 or fees or charges otherwise required by law for the recording of instruments.

(3) The fees collected under this section must be remitted to the state treasurer quarterly, and must be deposited by the state treasurer in the survey and remonumentation fund created in section 11 of the state survey and remonumentation act, 1990 PA 345, MCL 54.271, except that a county may retain not more than 1-1/2% of each fee collected under subsection (1) to cover the costs of administering this section.

(4) If, pursuant to a contract under section 8(5) of the state survey and remonumentation act, 1990 PA 345, MCL 54.268, a county has expended funds to expedite the completion of its county plan, the county may apply not more than 50% of its annual grant revenue under section 12(1)(a) of the state survey and remonumentation act, 1990 PA 345, MCL 54.272, to reimburse itself for these expenditures, until these expenditures have been fully reimbursed.

(5) This section does not apply to any of the following:

(a) An agency of this state when filing or recording any instrument with the county register of deeds under the state tax lien registration act, 1968 PA 203, MCL 211.681 to 211.687.

(b) An individual or any public or private legal entity when recording a lien or discharge of a lien with the county register of deeds under section 15 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.15.

(c) An agency of the federal government when filing or recording any instrument with the county register of deeds under the uniform federal lien registration act, 1983 PA 102, MCL 211.661 to 211.668.

(d) An individual or any public or private legal entity when recording any instrument with the county register of deeds under the uniform commercial code, 1962 PA 174, MCL 440.1101 to 440.9994.

(e) A foreclosing governmental unit when recording any instrument required under sections 78 to 78o of the general property tax act, 1893 PA 206, MCL 211.78 to 211.78o.

(6) As used in this section, "county plan" means a monumentation and remonumentation plan under section 8 of the state survey and remonumentation act, 1990 PA 345, MCL 54.268.

History: Add. 1990, Act 346, Eff. Jan. 1, 1991;—Am. 2002, Act 700, Eff. Mar. 31, 2003;—Am. 2006, Act 662, Eff. Mar. 30, 2007;—Am. 2022, Act 271, Imd. Eff. Dec. 22, 2022.

600.2568 Automation fund.

Sec. 2568. (1) Each county in this state shall establish an automation fund, and that fund shall receive money deposited by the register of deeds of the county in accordance with section 2567. The county treasurer shall direct investment of the fund and shall credit to the fund interest and earnings from fund investments.

(2) The county register of deeds of each county shall expend the fees credited to the fund under section 2567 subject to an appropriation under the uniform budgeting and accounting act, 1968 PA 2, MCL 141.421 to 141.440a, for upgrading technology in the register of deeds office, with priority given to upgrading search capabilities. Upgrading includes the design and purchase of equipment and supplies, and implementation of

systems and procedures that allow the register of deeds to receive, enter, record, certify, index, store, search, retrieve, copy, and otherwise process by automated procedures and advanced technology documents, instruments, abstracts, maps, plats, and other items recorded and maintained by the register of deeds.

(3) Not later than 90 days after the effective date of the amendatory act that added this subsection, each register of deeds shall begin to implement procedures to process and make available all items recorded, compiled, or maintained by that register of deeds, using the automated procedures and advanced technology described in subsection (2) to the maximum extent feasible utilizing the fund created under subsection (1).

(4) Four years after the effective date of the amendatory act that added this section, the register of deeds of each county shall prepare a report to the legislature that addresses, but is not limited to, each of the following issues:

(a) The progress that has been made by the register of deeds since the effective date of the amendatory act that added this section in achieving a goal of timely processing of recordable instruments.

(b) The extent to which the register of deeds has made records in the register's possession computer accessible by way of internet websites or other on-line media.

(5) The reports required under subsection (4) may be compiled into a single report by an agent of the county registers of deeds before it is submitted to the legislature.

History: Add. 2002, Act 698, Eff. Mar. 31, 2003.

600.2570 Fees of appraisers; mileage.

Sec. 2570. All appraisers of property taken on any writ of attachment, and sheriffs' aids in criminal cases or in the execution of legal process, where no express provision is made for compensation therefor, shall be entitled to \$5.00 for each day and \$2.50 for each half day for their services, and 6 cents a mile for travel in going and returning.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1965, Act 284, Imd. Eff. July 22, 1965.

600.2573 Repealed. 1974, Act 297, Eff. Apr. 1, 1975.

Compiler's note: The repealed section pertained to fees of circuit court commissioners.

600.2576 Counties over 1,000,000; proceedings relating to realty; fees; dispositions.

Sec. 2576. (1) Before any action or proceeding for the recovery of possession of lands and buildings shall be commenced before referees, in counties having a population of 1,000,000 or more, there shall be paid to the clerk of the referees, by the party bringing the same the sum of \$8.00, if there is only 1 defendant to said action or proceeding. Should there be more than 1 defendant to such action or proceeding, the party bringing the same shall pay to the clerk an additional sum of \$5.00 for each additional defendant. Of the fees so collected the sum of 50 cents for each defendant shall be paid by the clerk to the Wayne county retirement system to be credited to the circuit court referees bailiff's retirement fund.

(2) The bailiff serving the summons in said action or proceeding shall receive for his services the sum of \$4.50 for each defendant served.

(3) A fee in the amount of \$8.00 shall be paid to the clerk of said commissioners for the issuance of a writ of restitution on the consummation of any action or proceeding before a circuit court commissioner. The bailiff serving said writ of restitution shall receive for his services the sum of \$4.50.

(4) A fee in the amount of \$2.00 shall be paid to the clerk of said commissioners upon the institution of proceedings under RJA chapter 61 for hearing and examination before a circuit court commissioner, and application for dissolution of attachment and also upon the filing of a demand for the examination of a garnishee defendant before a circuit court commissioner.

(5) Before any affidavit on appeal shall be served on a commissioner, in addition to the costs now provided by law for making returns to appeals, the further sum of \$4.00 shall be paid to said clerk by the appellant or plaintiff in error, and the clerk therewith shall pay the entry fee in the circuit court and at the same time file therein the return to the appeal.

(6) The moneys so paid shall be for the use of the county and shall be held in full of all fees now allowed by law to said commissioners, from the commencement of such proceeding to and including the issuing of such final process as may be necessary to give effect to an order or judgment of such commissioner.

(7) The sum or sums so paid, including jury fees, shall be taxed as costs of suit in favor of the party paying the same if he is the prevailing party in the action in addition to any other to which he may be entitled by law.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1963, Act 198, Eff. Sept. 6, 1963;—Am. 1969, Act 259, Imd. Eff. Aug. 11, 1969.

600.2579 Supreme court crier; fees.

Sec. 2579. For the service of all orders, processes or writs issued from the supreme court, the supreme

court crier shall collect for such service the fees allowed by law to sheriffs. Any and all fees collected by the crier shall be paid into the state treasury to be credited to the general fund.

History: 1961, Act 236, Eff. Jan. 1, 1963.

600.2582 Service on corporation and securities commission; fee.

Sec. 2582. If service on a corporation is made by service on the corporation and securities commission, there shall be paid to the corporation and securities commission at the time of such service a fee of \$3.00, which sum may be taxed as costs to the plaintiff, in case he prevails in the proceedings.

History: 1961, Act 236, Eff. Jan. 1, 1963.

600.2591 Frivolous civil action or defense to civil action; awarding costs and fees to prevailing party; definitions.

Sec. 2591. (1) Upon motion of any party, if a court finds that a civil action or defense to a civil action was frivolous, the court that conducts the civil action shall award to the prevailing party the costs and fees incurred by that party in connection with the civil action by assessing the costs and fees against the nonprevailing party and their attorney.

(2) The amount of costs and fees awarded under this section shall include all reasonable costs actually incurred by the prevailing party and any costs allowed by law or by court rule, including court costs and reasonable attorney fees.

(3) As used in this section:

(a) "Frivolous" means that at least 1 of the following conditions is met:

(i) The party's primary purpose in initiating the action or asserting the defense was to harass, embarrass, or injure the prevailing party.

(ii) The party had no reasonable basis to believe that the facts underlying that party's legal position were in fact true.

(iii) The party's legal position was devoid of arguable legal merit.

(b) "Prevailing party" means a party who wins on the entire record.

History: Add. 1986, Act 178, Eff. Oct. 1, 1986.

Compiler's note: Section 3 of Act 178 of 1986 provides:

"(1) Sections 2925b, 5805, 5838, and 5851 of Act No. 236 of the Public Acts of 1961, as amended by this amendatory act, shall not apply to causes of action arising before October 1, 1986.

"(2) Sections 1483, 5838a, and 6304 of Act No. 236 of the Public Acts of 1961, as added by this amendatory act, shall apply to causes of action arising on or after October 1, 1986.

"(3) Sections 1629, 1653, 2169, 2591, 2912c, 2912d, 2912e, 6098, 6301, 6303, 6305, 6306, 6307, 6309, and 6311 of Act No. 236 of the Public Acts of 1961, as added by this amendatory act, shall apply to cases filed on or after October 1, 1986.

"(4) Sections 1651 and 6013 of Act No. 236 of the Public Acts of 1961, as amended by this amendatory act, shall not apply to cases filed before October 1, 1986.

"(5) Chapter 49 of Act No. 236 of the Public Acts of 1961, as added by this amendatory act, shall apply to cases filed on or after January 1, 1987.

"(6) Chapter 49a of Act No. 236 of the Public Acts of 1961, as added by this amendatory act, shall apply to cases filed in judicial circuits which are comprised of more than 1 county on or after July 1, 1990 and shall apply to cases filed in judicial circuits which are comprised of 1 county on or after October 1, 1988."