

REVISED JUDICATURE ACT OF 1961 (EXCERPT)

Act 236 of 1961

CHAPTER 83

DISTRICT COURT: JURISDICTION; POWERS

600.8301 Exclusive jurisdiction in civil actions; jurisdiction over civil infraction actions.

Sec. 8301. (1) The district court has exclusive jurisdiction in civil actions when the amount in controversy does not exceed \$25,000.00.

(2) The district court has jurisdiction over civil infraction actions.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1971, Act 148, Eff. Jan. 1, 1972;—Am. 1978, Act 511, Eff. Aug. 1, 1979;—Am. 1996, Act 388, Eff. Jan. 1, 1998.

600.8302 Equitable jurisdiction and authority; injunctive order; order rescinding or reforming contract; equitable claims; judgment or order; jurisdiction and authority of district and circuit courts.

Sec. 8302. (1) In addition to the civil jurisdiction provided in sections 5704 and 8301, the district court has equitable jurisdiction and authority concurrent with that of the circuit court in the matters and to the extent provided by this section.

(2) In cases brought under chapter 84, the district court may issue and enforce an injunctive order or an order rescinding or reforming a contract.

(3) In an action under chapter 57, the district court may hear and determine an equitable claim relating to or arising under chapter 31, 33, or 38 or involving a right, interest, obligation, or title in land. The court may issue and enforce a judgment or order necessary to effectuate the court's equitable jurisdiction as provided in this subsection, including the establishment of escrow accounts and receiverships.

(4) In an action under chapter 87, the district court may issue and enforce any judgment, writ, or order necessary to enforce the ordinance. The grant of equitable jurisdiction and authority to the district court under this subsection does not affect the jurisdiction of the circuit court to do either of the following:

(a) Hear and decide claims based on nuisance or abate nuisances under section 2940.

(b) Hear and decide actions challenging the validity or applicability of an ordinance and, in those actions, enjoin a defendant from enforcing the ordinance in the district court or in a municipal court pending the outcome of the action in circuit court.

History: Add. 1980, Act 438, Eff. Sept. 1, 1981;—Am. 1994, Act 12, Eff. May 1, 1994.

Compiler's note: Sections 2 and 4 of Act 438 of 1980 provide:

“Conditional effective date; action constituting exercise of option; effect of exercising option.

“Section 2. (1) This amendatory act shall not take effect unless the city of Detroit and the county of Wayne, by resolutions adopted not later than May 1, 1981, by the governing bodies of the city and the county, respectively, agree to assume responsibility for any expenses required of the city or the county by this amendatory act, and the bills listed in enacting section 7 which are enacted and take effect.

“(2) If the city of Detroit and the county of Wayne, acting through their governing bodies, agree to assume responsibility for any expenses required of the city and the county by this amendatory act, and the bills listed in enacting section 7 which are enacted and take effect, that action constitutes an exercise of the city's and the county's option to provide a new activity or service or to increase the level of activity or service offered in the city of Detroit and the county of Wayne beyond that required by existing law, as the elements of that option are defined by Act No. 101 of the Public Acts of 1979, being sections 21.231 to 21.244 of the Michigan Compiled Laws, and a voluntary acceptance by the city and the county of all expenses and capital improvements which may result from establishment of the district court in the thirty-sixth district and the reorganization of the circuit court in the third judicial circuit and the recorder's court of the city of Detroit. However, the exercise of the option does not affect the state's obligation to pay the same portion of each district or circuit judge's salary which is paid by the state to the other district or circuit judges, or to appropriate and disburse funds to the district control units, city, or county, for the necessary costs of state requirements established by a state law, other than this amendatory act or the bills listed in enacting section 7 which becomes effective on or after December 23, 1978.”

The resolutions referred to in Section 2 were adopted by the city council of the city of Detroit on April 29, 1981, and by the board of commissioners of the county of Wayne on April 30, 1981.

“Effective date of certain sections.

“Section 4. Sections 304, 555, 563, 564, 567, 591, 592, 593, 594, 595, 641, 821, 1114, 1123, 1168, 1302, 1303, 1306, 1417, 1471, 1481, 5706, 8202, 8271, 8272, 8273, 8275, 8281, 8283, 8302, 8314, 8322, 8501, 8521, 8525, 8535, 8621, 9924, 9944, and 9947 shall take effect September 1, 1981.”

600.8303 Forfeiture proceedings under chapter 47.

Sec. 8303. The district court shall have equitable jurisdiction over forfeiture proceedings brought under chapter 47. The district court may hear and determine a forfeiture action or a motion relating to a forfeiture action, and may issue and enforce any order or judgment relating to a forfeiture action, as provided in chapter 47.

History: Add. 1988, Act 104, Eff. June 1, 1988.

600.8304 District court; jurisdiction.

Sec. 8304. In a district court district in which the district court is affected by a plan of concurrent jurisdiction adopted under chapter 4, the district court has concurrent jurisdiction with the circuit court or the probate court, or both, as provided in the plan of concurrent jurisdiction, except as to the following matters:

(a) The circuit court has exclusive jurisdiction over appeals from the district court and from administrative agencies as authorized by statute.

(b) The circuit court has exclusive jurisdiction and power to issue, hear, and determine prerogative and remedial writs consistent with section 13 of article VI of the state constitution of 1963.

History: Add. 2002, Act 678, Eff. Apr. 1, 2003;—Am. 2012, Act 338, Eff. Jan. 1, 2013;—Am. 2013, Act 164, Imd. Eff. Nov. 12, 2013.

600.8306 Power with respect to attachment and garnishment; conditions upon which relief available; compliance with rules; garnishment proceedings as auxiliary actions; fees.

Sec. 8306. (1) Subject to the limitations of jurisdictional amount and venue otherwise applicable in the particular court, the district court and municipal courts shall have the same power with respect to attachment and garnishment as the circuit court.

(2) The conditions upon which relief is available under this section shall be the same as are applicable to actions in the circuit court under section 4001 with respect to attachment and under sections 4011 and 4012 with respect to garnishment.

(3) The district court and municipal courts may exercise the jurisdiction granted by this section only if action is taken in accordance with rules adopted by the supreme court to protect the parties.

(4) In the district court, except where service of a writ of garnishment is a prerequisite to the exercise of jurisdiction under the conditions prescribed in section 4011(3), all garnishment proceedings shall be treated as auxiliary actions to the principal action. The party commencing such a proceeding in the district court shall not be required to pay an additional filing fee or jury fee with respect to that garnishment proceeding. The clerk shall charge and collect a \$15.00 service fee for each writ of garnishment, attachment, or execution or for each judgment debtor discovery subpoena issued.

(5) Fees shall not be required with respect to attachment and garnishment except as otherwise provided by law.

History: Add. 1971, Act 41, Eff. Mar. 30, 1972;—Am. 1974, Act 371, Eff. Apr. 1, 1975;—Am. 1984, Act 278, Eff. Jan. 1, 1985;—Am. 1993, Act 189, Eff. Oct. 8, 1993.

Compiler's note: Section 3 of Act 371 of 1974 provides: "The provisions of this act shall apply to all actions pending or commenced on or after the effective date of this act."

600.8307 Actions as cause of discipline or discharge of principal defendant from employment; reinstatement; civil action.

Sec. 8307. A garnishee defendant shall not use the fact that the principal defendant has had 1 or more actions brought against him under the provisions of section 8306 or chapter 40 as a cause of discipline or discharge of the principal defendant from employment. A garnishee defendant who violates the provisions of this section shall be required to reinstate the principal defendant to employment and reimburse all compensation lost by the discipline or discharge. The principal defendant may enforce his rights under this section by appropriate civil action.

History: Add. 1974, Act 371, Eff. Apr. 1, 1975.

Compiler's note: Section 3 of Act 371 of 1974 provides: "The provisions of this act shall apply to all actions pending or commenced on or after the effective date of this act."

600.8308 Unlawful taking or detention of goods or chattels; civil action to recover possession; power of district court, municipal court, and common pleas court; conditions; delivery before judgment.

Sec. 8308. (1) Subject to the limitations of jurisdictional amount and venue otherwise applicable in the particular court, the district court, municipal court, and a common pleas court shall have the same power as the circuit court with respect to civil actions to recover the possession of goods or chattels which are unlawfully taken or unlawfully detained.

(2) The conditions upon which relief is available under this section shall be the same as are applicable to actions in the circuit court under section 2920(1).

(3) Delivery of the goods or chattels to the claimant before judgment may be required only as provided in section 2920(1)(d).

History: Add. 1976, Act 79, Imd. Eff. Apr. 12, 1976.

Compiler's note: Section 2 of Act 79 of 1976 provides: "This amendatory act shall apply to all actions pending or commenced on or after the effective date of this act."

600.8311 District court; jurisdiction.

Sec. 8311. The district court has jurisdiction of all of the following:

- (a) Misdemeanors punishable by a fine or imprisonment not exceeding 1 year, or both.
- (b) Ordinance and charter violations punishable by a fine or imprisonment, or both.
- (c) Arraignments, the fixing of bail and the accepting of bonds.

(d) Probable cause conferences in all felony cases and misdemeanor cases not cognizable by the district court and all matters allowed at the probable cause conference under section 4 of chapter VI of the code of criminal procedure, 1927 PA 175, MCL 766.4.

(e) Preliminary examinations in all felony cases and misdemeanor cases not cognizable by the district court and all matters allowed at the preliminary examination under chapter VI of the code of criminal procedure, 1927 PA 175, MCL 766.1 to 766.22. There shall not be a preliminary examination for any misdemeanor to be tried in a district court.

(f) Circuit court arraignments in all felony cases and misdemeanor cases not cognizable by the district court under section 13 of chapter VI of the code of criminal procedure, 1927 PA 175, MCL 766.13. Sentencing for felony cases and misdemeanor cases not cognizable by the district court shall be conducted by a circuit judge.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1969, Act 261, Eff. Sept. 1, 1969;—Am. 2014, Act 124, Imd. Eff. May 20, 2014.

Compiler's note: Enacting section 2 of Act 124 of 2014 provides:

"Enacting section 2. This amendatory act applies to cases in which the defendant is arraigned in the district court or the municipal court on or after January 1, 2015."

600.8312 Venue.

Sec. 8312. (1) In a district of the first class, venue in criminal actions for violations of state law and all city, village, or township ordinances shall be in the county where the violation took place.

(2) In a district of the second class, venue in criminal actions for violations of state law and all city, village, or township ordinances shall be in the district where the violation took place.

(3) In a district of the third class, venue in criminal actions for violations of state law and all city, village, or township ordinances shall be in the political subdivision where the violation took place, except that when the violation is alleged to have taken place within a political subdivision where the court is not required to sit, the action may be tried in any political subdivision within the district where the court is required to sit.

(4) With regard to state criminal violations cognizable by the district court, the following special provisions shall apply:

(a) If an offense is committed on the boundary of 2 or more counties, districts, or political subdivisions or within 1 mile thereof, venue is proper in any of the counties, districts, or political subdivisions concerned.

(b) If an offense is committed in or upon any railroad train, automobile, aircraft, vessel, or other conveyance in transit, and it cannot readily be determined in which county, district, or political subdivision the offense was committed, venue is proper in any county, district, or political subdivision through or over which the conveyance passed in the course of its journey.

(5) Venue in civil actions, other than civil infraction actions, shall be governed by sections 1601 to 1659 except that for purposes of this subsection all references to "county" in sections 1601 to 1659 shall mean "district" with respect to districts of the second and third class.

(6) Venue in civil infraction actions shall be determined as follows:

(a) In a district of the first class, venue shall be in the county where the civil infraction occurred.

(b) In a district of the second class, venue shall be in the district where the civil infraction occurred.

(c) In a district of the third class, venue shall be in the political subdivision where the civil infraction occurred, except that when the violation is alleged to have taken place within a political subdivision where the court is not required to sit, the action may be heard or an admission entered in any political subdivision within the district where the court is required to sit.

(7) For purposes of venue, a city which is located in more than 1 county and which is placed in 1 district of the first class by chapter 81, shall be considered a part of that county which contains the greater portion of its population.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1969, Act 333, Imd. Eff. Nov. 4, 1969;—Am. 1974, Act 319, Imd. Eff. Dec. 15, 1974;—Am. 1978, Act 511, Eff. Aug. 1, 1979.

600.8313 Prosecution of violations; exception.

Sec. 8313. (1) A violation of state criminal law shall be prosecuted in the district court by the prosecuting attorney. A violation of an ordinance of a political subdivision that is a misdemeanor or that is not designated as a civil infraction shall be prosecuted in the district court by the attorney for the political subdivision whose ordinance was violated. If the violation is a civil infraction, the prosecuting attorney or attorney for the political subdivision shall appear in court only in those civil infraction actions that are contested before a judge of the district court in a formal hearing as provided in any of the following, as applicable:

(a) Section 8721.

(b) Section 8821.

(c) Section 747 of the Michigan vehicle code, 1949 PA 300, MCL 257.747.

(2) This section does not apply to an ordinance violation designated a blight violation by a political subdivision that establishes an administrative hearings bureau pursuant to statute to adjudicate and impose sanctions for blight violations.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1978, Act 511, Eff. Aug. 1, 1979;—Am. 1994, Act 12, Eff. May 1, 1994;—Am. 1995, Act 54, Eff. Jan. 1, 1996;—Am. 2003, Act 319, Imd. Eff. Jan. 12, 2004.

600.8314 Probation departments.

Sec. 8314. In each district of the district court, the judge or judges of the district may establish a probation department within a district control unit. The necessary and reasonable expense of a probation department shall be borne by the district control unit.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1980, Act 438, Eff. Sept. 1, 1981;—Am. 1984, Act 278, Eff. Jan. 1, 1985;—Am. 1996, Act 374, Eff. Oct. 1, 1996.

Compiler's note: Sections 2 and 4 of Act 438 of 1980 provide:

“Conditional effective date; action constituting exercise of option; effect of exercising option.

“Section 2. (1) This amendatory act shall not take effect unless the city of Detroit and the county of Wayne, by resolutions adopted not later than May 1, 1981, by the governing bodies of the city and the county, respectively, agree to assume responsibility for any expenses required of the city or the county by this amendatory act, and the bills listed in enacting section 7 which are enacted and take effect.

“(2) If the city of Detroit and the county of Wayne, acting through their governing bodies, agree to assume responsibility for any expenses required of the city and the county by this amendatory act, and the bills listed in enacting section 7 which are enacted and take effect, that action constitutes an exercise of the city's and the county's option to provide a new activity or service or to increase the level of activity or service offered in the city of Detroit and the county of Wayne beyond that required by existing law, as the elements of that option are defined by Act No. 101 of the Public Acts of 1979, being sections 21.231 to 21.244 of the Michigan Compiled Laws, and a voluntary acceptance by the city and the county of all expenses and capital improvements which may result from establishment of the district court in the thirty-sixth district and the reorganization of the circuit court in the third judicial circuit and the recorder's court of the city of Detroit. However, the exercise of the option does not affect the state's obligation to pay the same portion of each district or circuit judge's salary which is paid by the state to the other district or circuit judges, or to appropriate and disburse funds to the district control units, city, or county, for the necessary costs of state requirements established by a state law, other than this amendatory act or the bills listed in enacting section 7 which becomes effective on or after December 23, 1978.”

The resolutions referred to in Section 2 were adopted by the city council of the city of Detroit on April 29, 1981, and by the board of commissioners of the county of Wayne on April 30, 1981.

“Effective date of certain sections.

“Section 4. Sections 304, 555, 563, 564, 567, 591, 592, 593, 594, 595, 641, 821, 1114, 1123, 1168, 1302, 1303, 1306, 1417, 1471, 1481, 5706, 8202, 8271, 8272, 8273, 8275, 8281, 8283, 8302, 8314, 8322, 8501, 8521, 8525, 8535, 8621, 9924, 9944, and 9947 shall take effect September 1, 1981.”

600.8315 Actions prohibited; exception.

Sec. 8315. The district court shall not have jurisdiction in actions for injunctions, divorce or actions which are historically equitable in nature, except as otherwise provided by law. However, the district court has jurisdiction and power to make any order proper to fully effectuate the district court's jurisdiction and judgments.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1996, Act 374, Eff. Oct. 1, 1996.

600.8316 Marriages; authority to perform; fee; indigent parties; waiver.

Sec. 8316. (1) District judges and magistrates may perform marriages and shall charge a fee of \$10.00 that shall be deposited in the treasury of the district control unit at the end of each month. A fee paid under this section shall be remitted to the district court in which the district judge or magistrate performing the marriage serves.

(2) A district judge or magistrate may waive the fee for performing a marriage ceremony if the parties to the marriage are indigent.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 2012, Act 267, Imd. Eff. July 3, 2012.

600.8317 Powers of district court.

Sec. 8317. The district court has the same power to issue warrants; subpoena witnesses; and require the production of books, papers, records, documents, and other evidence; and to punish for contempt as the circuit court now has or may hereafter have. The district court and the several judges thereof may provide for pleadings and motions; issue process and subpoenas; compel the attendance and testimony of witnesses; enter and set aside defaults and default judgments; allow amendments to pleadings, process, motions, and orders; order adjournments and continuances; appoint attorneys to represent indigent persons accused of misdemeanors or ordinance violations as defined in section 1(h) and (j) of chapter 1 of Act No. 175 of the Public Acts of 1927, being section 761.1 of the Michigan Compiled Laws; make and enforce all other writs and orders; and do all other things necessary to hear and determine matters within the jurisdiction of the court as provided by law. This section shall not be construed as an independent grant of jurisdiction in actions for injunctions, divorce, or actions which are historically equitable in nature. The judges and clerks of the district court and district court magistrates may administer oaths and affirmations and take acknowledgments of instruments in writing.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1974, Act 52, Imd. Eff. Mar. 26, 1974;—Am. 1984, Act 278, Eff. Jan. 1, 1985.

600.8318 Pleadings and procedures; rules.

Sec. 8318. Pleadings and procedures in the district court shall be governed by rules established by the supreme court and the district court under supervision of the supreme court, except as otherwise provided by law.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968.

600.8319 Basis and exercise of jurisdiction.

Sec. 8319. Except as to an action commenced in the small claims division, the existence of any basis of jurisdiction provided for in chapter 7 shall enable the district court to exercise the jurisdiction provided therein.

History: Add. 1971, Act 61, Imd. Eff. July 20, 1971.

600.8320 Definitions; multiple district plans; assignment as district judge.

Sec. 8320. (1) As used in this section:

(a) "Multiple district area" means an area composed of either of the following:

(i) Two or more districts of the district court within a county participating or proposing to participate in a multiple district plan.

(ii) Two adjoining districts of the first class.

(b) "Multiple district plan" means an arrangement in which a district judge or district court magistrate is authorized to conduct arraignments, set bail or recognizances, provide for the appointment of counsel, or make determinations of probable cause and issue warrants, for all of the participating districts within a multiple district area.

(2) The chief or only judges of 2 or more districts of the district court within a county or the chief or only judges of 2 adjoining districts of the first class may create a multiple district plan or plans subject to all of the following limitations and requirements:

(a) A multiple district plan shall be in writing and shall be signed by the chief or only judges of all participating districts in the multiple district area.

(b) A multiple district plan shall specify who has superintending control of a district court magistrate acting under the plan and may include, but shall not be limited to, provisions regarding compensation for the district court magistrate and any support personnel and use of facilities.

(c) A multiple district plan shall not grant to a district court magistrate powers or duties that are not authorized by chapter 85 or that exceed the authorization of the chief or only judge of the district on behalf of which the magistrate is acting.

(d) A multiple district plan may authorize a district court magistrate appointed pursuant to section 8501 to serve at any location, and on behalf of all participating districts, within the multiple district area.

(e) A multiple district plan is subject to approval by the state court administrator.

(3) A district judge shall not serve outside the district for which he or she is elected pursuant to a multiple district plan under this section unless he or she is assigned by the supreme court to act as a district judge for the other district or districts designated by the plan.

History: Add. 1994, Act 5, Imd. Eff. Feb. 24, 1994.

600.8321 Civil process; service.

Sec. 8321. (1) Civil process in the district court shall be served by a sheriff, deputy sheriff or a court officer appointed by the judges of the court for that purpose, except that officers of the department of state police or conservation officers of the department of natural resources may serve civil process in any action to which the state is a party and police officers of an incorporated city or village may serve civil process in any action to which the incorporated city or village is a party.

(2) Under rules of the supreme court, any other person may serve any process or order of the district court that does not require the seizure, attachment, or garnishment of property or the arrest of a person. This section applies notwithstanding section 1908.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 2005, Act 326, Imd. Eff. Dec. 27, 2005.

600.8322 Bailiff of common pleas court as bailiff of thirty-sixth district court; court officer; rotation of process; surety bond; powers; bearing of arms; term; vacancy; peace officer; record of financial transaction; audit; compensation; contributions to retirement system in which bailiff member; payment to Wayne county retirement system; review of retirement fund; copies of actuarial reports.

Sec. 8322. (1) An individual serving as a bailiff of the common pleas court of Detroit on August 31, 1981, under an appointment under section 23 of former 1929 PA 260, shall become a bailiff of the district court in the thirty-sixth district on September 1, 1981. A bailiff is considered a court officer under section 8321(1) for the exclusive purpose of serving civil process in a civil action commenced in the district court in the thirty-sixth district, except for process issued in a summary proceeding under chapter 57. All process issued by the district court in civil actions shall be rotated among the bailiffs under rules adopted by the court. A bailiff shall file with the clerk of the court a surety bond in the amount of \$100,000.00 with a surety company. The district control unit shall pay the premium on the surety bond. A bailiff has only the powers necessary to serve process issued by the court. A bailiff governed under this subsection may bear arms while in office and in the exercise of his or her duties as bailiff. A bailiff shall hold office until death, retirement, resignation, or removal from office by the court for inability to perform essential functions of the office or for misfeasance or malfeasance in office. A vacancy in the office of bailiff as established under this subsection shall not be filled.

(2) An individual serving as a bailiff of the common pleas court on August 31, 1981, under an appointment under section 31 of former 1929 PA 260, shall become a bailiff of the district court in the thirty-sixth district on September 1, 1981. A bailiff is considered a court officer under section 8321(1) for the exclusive purpose of serving civil process in summary proceedings commenced under chapter 57 in the district court in the thirty-sixth district. All process issued by the district court in summary proceedings shall be rotated among the bailiffs under rules adopted by the court, except that a writ of restitution must be issued to the bailiff to whom the summons was issued in the particular proceeding. A bailiff shall file with the clerk of the court a surety bond in an amount of \$100,000.00 with a surety company. The district control unit shall pay the premium on the surety bond. A bailiff governed under this subsection is considered a peace officer only for the purpose of receiving compensation provided by 1937 PA 329, MCL 419.101 to 419.104. A bailiff shall hold office until death, retirement, resignation, or removal from office by the court for inability to perform essential functions of the office or for misfeasance or malfeasance in office. A vacancy in the office of bailiff established under this subsection shall not be filled.

(3) A bailiff governed under this section shall keep a written record of the date, amount, and nature of each financial transaction conducted by the bailiff in the course of his or her service as bailiff. The district control unit shall annually conduct an audit of each bailiff's financial transactions and report the audit immediately to the judges of the district. If the audit prescribed by this subsection is not conducted by the district control unit before June 30 of any year, the judges of the court shall contract with a certified public accountant to perform the audit. If a certified public accountant is required to perform the audit, the district control unit shall pay the cost of the audit.

(4) Upon the existence of a vacancy in the office of bailiff established under this section, the chief judge of the district may appoint a court officer under section 8321(1).

(5) A bailiff serving civil process under subsection (1) or (2) shall be compensated by salary and the fees and mileage prescribed in section 8326. A full-time bailiff, as defined by the employer designated under section 8274(2) or (3), shall receive from the city of Detroit a \$20,000.00 annual salary. For each part-time bailiff, as defined by the employer designated under section 8274(2) or (3), the employer designated under section 8274(2) or (3) shall establish a salary that is a pro rata portion of \$20,000.00 based on that portion of a full-time bailiff's workload to be assigned to the bailiff. A bailiff described in this subsection is not entitled to any compensation from the city of Detroit other than that specifically authorized in this subsection.

(6) A bailiff serving civil process under subsection (1) or (2) shall not become a member of the state employees' retirement system created by the state employees' retirement act, 1943 PA 240, MCL 38.1 to 38.69. Beginning September 1, 1981, the city of Detroit shall contribute to the retirement system in which the bailiff is a member on August 31, 1981, an amount equal to the amount that the state would have contributed to the state employees' retirement system under the state employees' retirement act, 1943 PA 240, MCL 38.1 to 38.69, if the bailiff had become a member of the state employees' retirement system, based on the salary paid by the city of Detroit under subsection (5). Beginning September 1, 1981, each bailiff shall continue to contribute to the retirement system in which the bailiff is a member on August 31, 1981, as required by ordinance, based on salary and fees received under subsection (5), except mileage.

(7) From each filing fee collected under section 8371, the clerk of the court shall pay to the Wayne county retirement system \$1.00, to be credited to the retirement fund of the bailiffs of the district court in the thirty-sixth district serving civil process under subsection (1). The county of Wayne shall annually review the retirement fund and shall ensure that the fund is maintained in an actuarially sound condition. Copies of the actuarial reports shall be provided to the employer designated under section 8274(2) or (3) and to the chief judge of the thirty-sixth district.

(8) From each filing fee collected for filing a summary proceeding under section 5756, the clerk of the court shall pay to the Wayne county retirement system \$1.00 for each defendant served in the proceeding, to be credited to the retirement fund of the bailiffs of the district court in the thirty-sixth district serving civil process under subsection (2). However, the amount credited to the retirement fund under this subsection shall not exceed 1/2 of the fee collected in a proceeding. The county of Wayne shall annually review the retirement fund and shall ensure that the fund is maintained in an actuarially sound condition. Copies of the actuarial reports shall be provided to the employer designated under section 8274(2) or (3) and to the chief judge of the thirty-sixth district.

History: Add. 1980, Act 438, Eff. Sept. 1, 1981;—Am. 1981, Act 8, Eff. Sept. 1, 1981;—Am. 1996, Act 388, Eff. Oct. 1, 1996;—Am. 2005, Act 326, Imd. Eff. Dec. 27, 2005;—Am. 2015, Act 132, Eff. Dec. 29, 2015.

Compiler's note: Sections 2 and 4 of Act 438 of 1980 provide:

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“Section 2. (1) This amendatory act shall not take effect unless the city of Detroit and the county of Wayne, by resolutions adopted not later than May 1, 1981, by the governing bodies of the city and the county, respectively, agree to assume responsibility for any expenses required of the city or the county by this amendatory act, and the bills listed in enacting section 7 which are enacted and take effect.

“(2) If the city of Detroit and the county of Wayne, acting through their governing bodies, agree to assume responsibility for any expenses required of the city and the county by this amendatory act, and the bills listed in enacting section 7 which are enacted and take effect, that action constitutes an exercise of the city's and the county's option to provide a new activity or service or to increase the level of activity or service offered in the city of Detroit and the county of Wayne beyond that required by existing law, as the elements of that option are defined by Act No. 101 of the Public Acts of 1979, being sections 21.231 to 21.244 of the Michigan Compiled Laws, and a voluntary acceptance by the city and the county of all expenses and capital improvements which may result from establishment of the district court in the thirty-sixth district and the reorganization of the circuit court in the third judicial circuit and the recorder's court of the city of Detroit. However, the exercise of the option does not affect the state's obligation to pay the same portion of each district or circuit judge's salary which is paid by the state to the other district or circuit judges, or to appropriate and disburse funds to the district control units, city, or county, for the necessary costs of state requirements established by a state law, other than this amendatory act or the bills listed in enacting section 7 which becomes effective on or after December 23, 1978.”

The resolutions referred to in Section 2 were adopted by the city council of the city of Detroit on April 29, 1981, and by the board of commissioners of the county of Wayne on April 30, 1981.

“Effective date of certain sections.

“Section 4. Sections 304, 555, 563, 564, 567, 591, 592, 593, 594, 595, 641, 821, 1114, 1123, 1168, 1302, 1303, 1306, 1417, 1471, 1481, 5706, 8202, 8271, 8272, 8273, 8275, 8281, 8283, 8302, 8314, 8322, 8501, 8521, 8525, 8535, 8621, 9924, 9944, and 9947 shall take effect September 1, 1981.”

Section 2 of Act 8 of 1981 provides:

“Conditional effective date; action constituting exercise of option; effect of exercising option.

“(1) This amendatory act shall not take effect unless the city of Detroit and the county of Wayne, by resolutions adopted not later than May 1, 1981, by the governing bodies of the city and the county, respectively, agree to assume responsibility for any expenses required of the city or the county by this amendatory act and Act Nos. 438, 439, 440, 441, 442, and 443 of the Public Acts of 1980.

“(2) If the city of Detroit and the county of Wayne, acting through their governing bodies, agree to assume responsibility for any expenses required of the city and the county by this amendatory act and Act Nos. 438, 439, 440, 441, 442, and 443 of the Public Acts of 1980, that action constitutes an exercise of the city's and the county's option to provide a new activity or service or to increase the level of activity or service offered in the city of Detroit and the county of Wayne beyond that required by existing law, as the elements of that option are defined by Act No. 101 of the Public Acts of 1979, being sections 21.231 to 21.244 of the Michigan Compiled Laws, and a voluntary acceptance by the city and the county of all expenses and capital improvements which may result from establishment of the district court in the thirty-sixth district and the reorganization of the circuit court in the third judicial circuit and the recorder's court of the city of Detroit. However, the exercise of the option does not affect the state's obligation to pay the same portion of each district or circuit judge's salary which is paid by the state to the other district or circuit judges, or to appropriate and disburse funds to the district control units, city, or county, for the necessary costs of state requirements established by a state law, other than this amendatory act or Act Nos. 438, 439, 440, 441, 442, and 443 of the Public Acts of 1980, which becomes effective on or after December 23, 1978.”

The resolutions referred to in Section 2 were adopted by the city council of the city of Detroit on April 29, 1981, and by the board of

commissioners of the county of Wayne on April 30, 1981.

600.8323 District court; witnesses, fees; payment.

Sec. 8323. Witnesses in the district court shall be entitled to receive the same fees and mileage allowances to which witnesses in circuit court are entitled. Where the county is responsible for such expenses in the circuit court, the district control unit for the place where the trial occurs shall be responsible for such expenses in the district court.

History: Add. 1969, Act 269, Eff. Sept. 1, 1969.

600.8326 Service of process; schedule of fees; mileage rate.

Sec. 8326. The schedule of fees and the rate for mileage provided in section 2559 shall be the fees and the rate of mileage for process served out of the district court.

History: Add. 1979, Act 182, Imd. Eff. Dec. 19, 1979;—Am. 1982, Act 173, Eff. Sept. 1, 1982.

600.8331 Proceedings to be recorded.

Sec. 8331. All proceedings in the district court, except as otherwise provided by law or supreme court rule, shall be recorded.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1986, Act 308, Eff. Jan. 1, 1987;—Am. 2005, Act 326, Imd. Eff. Dec. 27, 2005.

600.8341 Appeals on record.

Sec. 8341. Appeals from the district court shall be on a written transcript of the record made in the district court or on a record settled and agreed to by the parties and approved by the court.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968.

600.8342 Appeals from district court; appeals to court of appeals from circuit court or recorder's court; appeals based on pleas of guilty or nolo contendere.

Sec. 8342. (1) Appeals from the district court shall be to the circuit court in the county in which the judgment is rendered.

(2) Except as provided in subsections (4) and (5), all appeals from final judgments shall be as of right and all other appeals shall be by application.

(3) All appeals to the court of appeals from judgments entered by the circuit court or the recorder's court on appeals from the district court shall be by application.

(4) All appeals from final orders and judgments based upon pleas of guilty or nolo contendere shall be by application.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1981, Act 206, Eff. Jan. 1, 1982;—Am. 1994, Act 375, Imd. Eff. Dec. 27, 1994;—Am. 1996, Act 374, Eff. Oct. 1, 1997.

600.8343 Judgments of abolished courts.

Sec. 8343. All orders and judgments entered prior to January 1, 1969 by courts abolished under section 9921 shall be appealable in like manner and to the same courts as applicable prior to January 1, 1969.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968.

600.8344 Register of actions as replacement for destroyed paper upon which judgment entered; applicability of section.

Sec. 8344. The validity and enforceability of a judgment are not affected by the destruction of the piece of paper upon which the judgment is entered, but the register of actions itself, or a certified reproduction of the register of actions under the records reproduction act, 1992 PA 116, MCL 24.401 to 24.406, is a complete replacement of the judgment and the records of the action. This section applies to all of the following:

(a) Judgments of municipal and common pleas courts abolished after January 1, 1969, if the judgment was entered or the action disposed of after January 1, 1969.

(b) Actions entered in the small claims division of the district court, except that a register of actions is not required to be preserved or maintained after destruction of the file.

History: Add. 1976, Act 371, Imd. Eff. Dec. 23, 1976;—Am. 1984, Act 43, Imd. Eff. Mar. 26, 1984;—Am. 1992, Act 192, Imd. Eff. Oct. 5, 1992;—Am. 2005, Act 326, Imd. Eff. Dec. 27, 2005;—Am. 2013, Act 199, Imd. Eff. Dec. 18, 2013.

600.8345 Causes transferred from abolished courts.

Sec. 8345. All causes of action transferred to the district court by the provisions of this act from any court abolished by the provisions of this act shall be as valid and subsisting as they were in the court from which

they were transferred.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968.

600.8351 Jurors; selection; compensation; failure to respond to jury duty.

Sec. 8351. Jurors for the district court shall be selected in accordance with the provisions of chapter 13. Jurors in the district court shall be paid by the county in districts of the first and second class and by the political subdivisions where the trial takes place in districts of the third class in like amount as is paid to jurors of the circuit court. Failure to respond to jury duty in the district court shall be punishable in like manner as in the circuit court.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1969, Act 326, Eff. Sept. 1, 1969.

600.8353 Civil jury; number; verdict.

Sec. 8353. In civil actions in the district court the jury shall consist of 6 persons. The court shall receive the verdict of 5 of such 6 jurors.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968.

600.8355 Criminal jury; number; verdict.

Sec. 8355. In criminal actions in the district court the jury shall consist of 6 persons. The court shall receive only a unanimous verdict.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968.

600.8361 Repealed. 1984, Act 278, Eff. Jan. 1, 1985.

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

600.8371 Filing fees paid to clerk of district court; disposition; waiver or suspension; exception; filing fee for civil action; fee in trial by jury; motion filing fees.

Sec. 8371. (1) In the district court, the fees prescribed in this section shall be paid to the clerk of the court.

(2) Before a civil action is commenced in the district court, the party commencing the action shall pay to the clerk the sum of \$150.00 if the amount in controversy exceeds \$10,000.00. For each fee collected under this subsection, the clerk shall transmit \$31.00 to the treasurer of the district funding unit in which the action was commenced, and shall transmit the balance to the state treasurer for deposit in the civil filing fee fund created by section 171.

(3) Before a civil action is commenced in the district court, the party commencing the action shall pay to the clerk the sum of \$65.00 if the amount in controversy exceeds \$1,750.00 but does not exceed \$10,000.00. For each fee collected under this subsection, the clerk shall transmit \$23.00 to the treasurer of the district funding unit in which the action was commenced, of which not less than \$5.00 shall be used by the district funding unit to fund a drug treatment court if one is planned, established, or operated in that judicial district. If the entire amount attributable to the \$5.00 portion is not needed for the operation of a drug treatment court, the balance that is not needed for that purpose shall be used for the operation of the district court. If a drug treatment court is not planned, established, or operated in that judicial district, all \$23.00 shall be used for the operation of the district court. The clerk of the district court shall transmit the balance of the filing fee to the state treasurer for deposit in the civil filing fee fund created by section 171.

(4) Before a civil action is commenced in the district court, the party commencing the action shall pay to the clerk the sum of \$45.00 if the amount in controversy exceeds \$600.00 but does not exceed \$1,750.00. For each fee collected under this subsection, the clerk shall transmit \$17.00 to the treasurer of the district funding unit in which the action was commenced, of which not less than \$5.00 shall be used by the district funding unit to fund a drug treatment court if one is planned, established, or operated in that judicial district. If the entire amount attributable to the \$5.00 portion is not needed for the operation of a drug treatment court, the balance that is not needed for that purpose shall be used for the operation of the district court. If a drug treatment court is not planned, established, or operated in that judicial district, all \$17.00 shall be used for the operation of the district court. The clerk of the district court shall transmit the balance of the filing fee to the state treasurer for deposit in the civil filing fee fund created by section 171.

(5) Before a civil action is commenced in the district court, the party commencing the action shall pay to the clerk the sum of \$25.00 if the amount in controversy does not exceed \$600.00. For each fee collected under this subsection, the clerk shall transmit \$11.00 to the treasurer of the district funding unit in which the action was commenced, of which not less than \$5.00 shall be used by the district funding unit to fund a drug treatment court if one is planned, established, or operated in that judicial district. If the entire amount attributable to the \$5.00 portion is not needed for the operation of a drug treatment court, the balance that is

not needed for that purpose shall be used for the operation of the district court. If a drug treatment court is not planned, established, or operated in that judicial district, all \$11.00 shall be used for the operation of the district court. The clerk of the district court shall transmit the balance of the filing fee to the state treasurer for deposit in the civil filing fee fund created by section 171.

(6) The judge shall order payment of any statutory fees waived or suspended if the person subject to the fee is receiving public assistance or is determined by the court to be indigent.

(7) Neither this state nor a political subdivision of this state shall be required to pay a filing fee in a civil infraction action.

(8) Except for civil actions filed for relief under chapter 43, 57, or 84, if a civil action is filed for relief other than money damages, the filing fee shall be equal to the filing fee in actions for money damages in excess of \$1,750.00 but not in excess of \$10,000.00 as provided in subsection (3) and shall be transmitted in the same manner as a fee under subsection (3) is transmitted. If a claim for money damages is joined with a claim for relief other than money damages, the plaintiff shall pay a supplemental filing fee in the same amount as required under subsections (2) to (5).

(9) If a trial by jury is demanded, the party making the demand at the time shall pay the sum of \$50.00. Failure to pay the fee at the time the demand is made constitutes a waiver of the right to a jury trial. The sum shall be taxed in favor of the party paying the fee, in case the party recovers a judgment for costs. For each fee collected under this subsection, the clerk shall transmit \$10.00 to the state treasurer for deposit in the juror compensation reimbursement fund created in section 151d.

(10) A sum of \$20.00 shall be assessed for all motions filed in a civil action. A motion fee shall not be assessed in a civil infraction action. For each fee collected under this subsection, the clerk shall transmit \$10.00 to the state treasurer for deposit in the state court fund created in section 151a and the balance shall be transmitted to the treasurer of the district funding unit for the district court in the district in which the action was commenced.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1970, Act 248, Eff. Jan. 1, 1971;—Am. 1971, Act 202, Eff. Jan. 1, 1972;—Am. 1978, Act 511, Eff. Aug. 1, 1979;—Am. 1982, Act 511, Eff. Jan. 1, 1983;—Am. 1984, Act 278, Eff. Jan. 1, 1985;—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. 1996, Act 388, Eff. Jan. 1, 1998;—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. 2005, Act 151, Imd. Eff. Sept. 30, 2005.

600.8372, 600.8373 Repealed. 1993, Act 189, Imd. Eff. Oct. 8, 1993.

Compiler's note: The repealed sections pertained to trial and jury fees.

600.8375 Assessment of costs.

Sec. 8375. The district court may assess the same costs as are permitted in the circuit court. In civil infraction actions, the district court may assess costs as provided in section 907 of the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being section 257.907 of the Michigan Compiled Laws, section 8727, or section 8827, as applicable. A district court magistrate may assess costs in an amount fixed by rule of the district court.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1978, Act 511, Eff. Aug. 1, 1979;—Am. 1994, Act 12, Eff. May 1, 1994;—Am. 1995, Act 54, Eff. Jan. 1, 1996.

600.8379 Fines and costs assessed in district court; payment; disposition; definitions.

Sec. 8379. (1) Fines and costs assessed in the district court must be paid to the clerk of the court who shall appropriate them as follows:

(a) Except as provided in subsections (3) and (4), a fine imposed for the violation of a penal law of this state and a civil fine ordered in a civil infraction action for violation of a law of this state must be paid to the county treasurer and applied for library purposes as provided by law.

(b) In districts of the first and second class, costs imposed for the violation of a penal law of this state or ordered in a civil infraction action for the violation of a law of this state must be paid to the treasurer of the county in which the action was commenced. In districts of the third class, costs imposed for the violation of a penal law of this state or ordered in a civil infraction action for the violation of a law of this state must be paid to the treasurer of the political subdivision where the guilty plea or civil infraction admission was entered or where the trial or civil infraction action hearing took place.

(c) Except as provided for fines and costs in subsection (2) and for fines under subsections (3) and (4), in districts of the first and second class, 1/3 of all fines and costs, other than those imposed for the violation of a penal law of this state or ordered in a civil infraction action for the violation of a law of this state, must be paid to the political subdivision whose law was violated and 2/3 must be paid to the county in which the

political subdivision is located. Except as provided for fines under subsections (3) and (4), in districts of the third class, all fines and costs, other than those imposed for the violation of a penal law of this state or ordered in a civil infraction action for the violation of a law of this state, must be paid to the political subdivision whose law was violated, except that where fines and costs are assessed in a political subdivision other than the political subdivision whose law was violated, 2/3 must be paid to the political subdivision where the guilty plea or civil infraction admission was entered or where the trial or civil infraction action hearing took place and the balance must be paid to the political subdivision whose law was violated.

(d) In a district of the third class, if each political subdivision within the district, by resolution of its governing body, agrees to a distribution of fines and costs, other than fines imposed for the violation of a penal law of this state or ordered in a civil infraction action for the violation of a law of this state or for a violation as provided in subsection (3) or (4), differently than as provided by this section, the distribution of those fines and costs among the political subdivisions of that district must be as agreed to. An existing agreement applicable to the distribution of fines and costs must apply with the same effect to the distribution of civil fines and costs ordered in civil infraction actions.

(e) Except as provided in subsections (3) and (4), a civil fine imposed on a person for violation of a provision of a code or an ordinance of a political subdivision of this state regulating the operation of a commercial vehicle that substantially corresponds to a provision of the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, must be paid to the county treasurer and allocated as follows:

(i) Seventy percent to the political subdivision in which the citation is issued.

(ii) Thirty percent for library purposes as provided by law.

(f) Except as provided in subsections (3) and (4), a civil fine imposed on a person for violation of a provision of a code or an ordinance regulating the operation of a commercial vehicle adopted by a city, township, or village under section 1 of 1956 PA 62, MCL 257.951, must be paid to the county treasurer and allocated as follows:

(i) Seventy percent to the political subdivision in which the citation is issued.

(ii) Thirty percent for library purposes as provided by law.

(2) Except as provided in subsections (3) and (4), in the fifty-second district, 30% of all fines and costs, other than those imposed for the violation of a penal law of this state or ordered in a civil infraction action for the violation of a law of this state, must be paid to the political subdivision whose law was violated and 70% must be paid to the county in which the political subdivision is located. This subsection applies only if the consolidation of the forty-fifth-b district with the fifty-second district, as provided in section 8123, takes place pursuant to section 8177.

(3) A civil fine ordered in a civil infraction action for a violation of section 682 of the Michigan vehicle code, 1949 PA 300, MCL 257.682, or an ordinance of a political subdivision that substantially corresponds to section 682 of the Michigan vehicle code, 1949 PA 300, MCL 257.682, that is a camera-based violation as defined in section 682 must be paid to the county treasurer or the county treasurer's designee and distributed as provided in section 909 of the Michigan vehicle code, 1949 PA 300, MCL 257.909.

(4) A civil fine ordered in a civil infraction action for a violation of section 627c of the Michigan vehicle code, 1949 PA 300, MCL 257.627c, must be paid to the state transportation department and distributed as provided in section 909 of the Michigan vehicle code, 1949 PA 300, MCL 257.909.

(5) As used in subsection (1)(e) and (f):

(a) "Commercial vehicle" includes a motor vehicle used for the transportation of passengers for hire or constructed or used for transportation of goods, wares, or merchandise and a motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load on the vehicle independently or any part of the weight of a vehicle or load so drawn.

(b) "Operation" means being in actual physical control of a vehicle regardless of whether the person is licensed under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, as an operator or chauffeur.

(c) "Person" means every natural person, partnership, association, or corporation and their legal successors.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1969, Act 239, Eff. Sept. 1, 1969;—Am. 1978, Act 511, Eff. Aug. 1, 1979;—Am. 1979, Act 67, Eff. Aug. 1, 1979;—Am. 1990, Act 54, Imd. Eff. Apr. 11, 1990;—Am. 2000, Act 93, Imd. Eff. May 15, 2000;—Am. 2024, Act 162, Eff. Apr. 2, 2025;—Am. 2024, Act 165, Eff. Apr. 2, 2025.

Compiler's note: Section 2 of Act 54 of 1990 provides:

"If a new judicial circuit of the circuit court is created under this amendatory act pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1991. If the fifty-sixth judicial circuit is created pursuant to this amendatory act, the incumbent judge of the fifth judicial circuit who resides in Eaton county shall become the judge of the fifty-sixth judicial circuit on January 1, 1991, and shall serve until the term for which he or she was elected in the fifth judicial circuit expires."

600.8381 Fines and costs; conviction; civil infraction determination, guilty plea, or civil

infraction admission; disposition; court filing fee report; definitions.

Sec. 8381. (1) Until October 1, 2003, when fines and costs are assessed by a magistrate, a traffic bureau, or a judge of the district court, not less than \$9.00 shall be assessed as costs and collected for each conviction or civil infraction determination and each guilty plea or civil infraction admission except for parking violations. Of the costs assessed and collected, for each conviction or civil infraction determination and each guilty plea or civil infraction admission, \$9.00 shall be paid to the clerk of the district court.

(2) The clerk of the district court, on or before the fifteenth day of the month following the month in which costs are collected under subsection (1), shall transmit the following amounts:

(a) Until October 1, 2003, the clerk shall transmit 45 cents of the costs collected to the executive secretary of the Michigan judges retirement system created by the judges retirement act of 1992, 1992 PA 234, MCL 38.2101 to 38.2670, and shall transmit \$8.55 of the costs collected to the state treasurer. Of each \$8.55 received, the state treasurer shall deposit 30 cents in the legislative retirement fund created by the Michigan legislative retirement system act, 1957 PA 261, MCL 38.1001 to 38.1080; \$4.25 in the court equity fund created under section 151b; and shall deposit the balance in the state court fund created by section 151a.

(b) Beginning October 1, 2003, the clerk shall transmit \$9.00 of any costs assessed before October 1, 2003 to the justice system fund created in section 181 of the revised judicature act of 1961, 1961 PA 236, MCL 600.181.

(3) Until October 1, 2003, the clerk of the district court shall prepare and submit a court filing fee report to the executive secretary of the Michigan judges retirement system created by the judges retirement act of 1992, 1992 PA 234, MCL 38.2101 to 38.2670, at the same time the clerk of the district court transmits the portion of the costs collected under this section to the executive secretary.

(4) Beginning October 1, 2003, when fines and costs are assessed by a judge or district court magistrate, the defendant shall be ordered to pay costs of not less than \$50.00 for each conviction for a misdemeanor or for any ordinance violation.

(5) Beginning October 1, 2003, when fines and costs are assessed by a judge or district court magistrate in a civil infraction action, the defendant shall be ordered to pay the state assessment required by section 8727 or 8827 of this act or by section 907 of the Michigan vehicle code, 1949 PA 300, MCL 257.907.

(6) As used in this section, "ordinance violation" means that term as defined in section 1 of chapter I of the code of criminal procedure, 1927 PA 175, MCL 761.1.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1970, Act 248, Eff. Jan. 1, 1971;—Am. 1975, Act 324, Imd. Eff. Jan. 2, 1976;—Am. 1978, Act 511, Eff. Aug. 1, 1979;—Am. 1992, Act 233, Eff. Mar. 31, 1993;—Am. 1993, Act 189, Imd. Eff. Oct. 8, 1993;—Am. 1996, Act 374, Eff. Oct. 1, 1996;—Am. 2003, Act 96, Eff. Oct. 1, 2003;—Am. 2011, Act 296, Eff. Apr. 1, 2012.

600.8391 Traffic bureau; establishment; administration; purpose; authority over personnel; location and number of offices; appeals.

Sec. 8391. With the approval of the governing body of a district control unit, the district court may establish within the court a traffic bureau which may be administered by clerks or other personnel of the district court to accept, as authorized by the judges of the district, admissions for civil infractions under Act No. 300 of the Public Acts of 1949, as amended, being sections 257.1 to 257.923 of the Michigan Compiled Laws, or a local ordinance corresponding thereto, and to collect civil fines and costs as prescribed by the judges of the district. Beginning August 1, 1979, a traffic bureau may also accept pleas of guilty for such traffic offenses as authorized by the judges of the district, except for violations of sections 625, 625b, 626, 626b, and 904 of Act No. 300 of the Public Acts of 1949, as amended, or a local ordinance corresponding thereto, and collect fines and costs as prescribed by the judges of the district, if the offense occurred before August 1, 1979 and if the maximum permissible punishment for the offense at the time the offense was committed did not exceed 90 days in jail or a fine of not more than \$100.00, or both. The presiding judge of the district, subject to the supervision of the supreme court, shall have authority over the personnel and determine the location and number of traffic bureau offices. Appeals as of right may be taken from the traffic bureau to the district court. Appeals shall be taken within 7 days after the entry of the civil infraction admission and shall be heard de novo.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1978, Act 511, Eff. Aug. 1, 1979;—Am. 1979, Act 67, Eff. Aug. 1, 1979.

600.8392 State civil infraction bureau.

Sec. 8392. (1) Upon the approval of the governing body of a district control unit, the district court may establish within the court a state civil infraction bureau. The state civil infraction bureau may utilize clerks or other personnel of the district court to accept, as authorized by the judges of the district, admissions for civil infractions under chapter 88, and to collect civil fines and costs as prescribed by the judges of the district. The

chief or only judge of the district, subject to the supervision of the supreme court, has authority over the state civil infraction bureau personnel and shall determine the location and number of state civil infraction bureau offices. Appeals by leave of the court may be taken from the state civil infraction bureau to the district court. Appeals shall be taken within 7 days after the entry of the civil infraction admission and shall be heard de novo.

(2) A state civil infraction bureau may be combined with a traffic bureau.

History: Add. 1995, Act 54, Eff. Jan. 1, 1996.

600.8395 Parking violations bureau; establishment; purpose; operating expense; operation by downtown development authority; definition.

Sec. 8395. (1) A city, village, or township may establish a parking violations bureau to accept civil infraction admissions in parking violation cases and to collect and retain civil fines and costs as prescribed by ordinance. Beginning August 1, 1979, a parking violations bureau may also accept pleas of guilty in parking violation cases if the violation occurred before August 1, 1979, and may collect and retain fines and costs as prescribed by ordinance at the time the violation occurred. Except as otherwise provided in subsection (2), the expense of operating parking violations bureaus shall be borne by the city, village, or township and the personnel of the bureau shall be city, village, or township employees.

(2) A city, village, or township may designate a downtown development authority located in that city, village, or township to operate a parking violations bureau under this section. The administration, expenses, personnel, distribution of parking violation revenue, and related matters shall be determined by a written agreement between the downtown development authority and the legislative body of the city, village, or township in which the downtown development authority is located.

(3) As used in this section, "downtown development authority" means an authority as defined under section 1 of 1975 PA 197, MCL 125.1651.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1978, Act 511, Eff. Aug. 1, 1979;—Am. 1979, Act 67, Eff. Aug. 1, 1979;—Am. 2005, Act 287, Imd. Eff. Dec. 19, 2005.

600.8396 Municipal ordinance violations bureau.

Sec. 8396. A county, city, village, or township may by ordinance establish a municipal ordinance violations bureau to accept admissions of responsibility for municipal civil infractions and to collect and retain civil fines and costs pursuant to a schedule as prescribed by ordinance. The expense of operating a municipal ordinance violations bureau must be borne by the county, city, village, or township, and the personnel of the bureau must be county, city, village, or township employees. If the county, city, village, or township has an ordinance that substantially corresponds to section 682 of the Michigan vehicle code, 1949 PA 300, MCL 257.682, a civil fine ordered for a violation of that ordinance that is a camera-based violation as defined in section 682 of the Michigan vehicle code, 1949 PA 300, MCL 257.682, must be paid to the county treasurer or the county treasurer's designee and distributed as provided in section 909 of the Michigan vehicle code, 1949 PA 300, MCL 257.909.

History: Add. 1994, Act 12, Eff. May 1, 1994;—Am. 2024, Act 162, Eff. Apr. 2, 2025.