

**SUBSTITUTE FOR
SENATE BILL NO. 1351**

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 8123 and 8132 (MCL 600.8123 and 600.8132),
section 8123 as amended by 2012 PA 37 and section 8132 as amended
by 2011 PA 300.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8123. (1) The forty-third district consists of the cities
2 of Madison Heights, Ferndale, and Hazel Park, is a district of the
3 third class, and has 3 judges.

4 (2) Except as otherwise provided in this subsection, the
5 forty-fourth district consists of the city of Royal Oak, is a
6 district of the third class, and has 2 judges. Beginning ~~January 2,~~
7 ~~2013,~~ **JANUARY 2, 2015**, the forty-fourth district ~~has 1 judge~~

~~beginning on the earlier of the following dates.~~ CONSISTS OF THE
CITIES OF ROYAL OAK AND BERKLEY AND HAS THE FOLLOWING NUMBER OF
JUDGES:

(A) UNTIL THE DATES DETERMINED UNDER SUBDIVISIONS (B) AND (C),
3 JUDGES.

(B) BEGINNING JANUARY 3, 2015, THE FORTY-FOURTH DISTRICT HAS 2
JUDGES BEGINNING ON THE EARLIER OF THE FOLLOWING DATES:

(i) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF
DISTRICT JUDGE IN THE FORTY-FOURTH DISTRICT.

(ii) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT
DISTRICT JUDGE IN THE FORTY-FOURTH DISTRICT NO LONGER SEEKS
ELECTION OR REELECTION TO THAT OFFICE.

(C) FOLLOWING THE REDUCTION IN THE NUMBER OF JUDGESHIPS FROM 3
TO 2 UNDER SUBDIVISION (B), THE FORTY-FOURTH DISTRICT HAS 1 JUDGE
BEGINNING ON THE EARLIER OF THE FOLLOWING DATES:

(i) ~~(a)~~ The date on which a vacancy occurs in the office of
district judge in the forty-fourth district.

(ii) ~~(b)~~ The beginning date of the term for which an incumbent
district judge in the forty-fourth district no longer seeks
election or reelection to that office.

(3) Except as otherwise provided in this subsection, the
forty-fifth-a district **IS CREATED**, consists of the city of Berkley,
is a district of the third class, and has 1 judge. ~~Subject to~~
~~subsection (11), beginning~~ THE PERSON SERVING AS JUDGE OF THE
FORTY-FIFTH-A DISTRICT ON JUNE 30, 2012, OR HIS OR HER SUCCESSOR,
SHALL SERVE AS JUDGE OF THE FORTY-FIFTH-A DISTRICT UNTIL THAT
DISTRICT IS ABOLISHED UNDER THIS SUBSECTION. FOR PURPOSES OF THE

1 **NOVEMBER 2014 ELECTION ONLY, THE TERM OF THE PERSON ELECTED**
 2 **DISTRICT JUDGE IN THE FORTY-FIFTH-A DISTRICT IS 8 YEARS. BEGINNING**
 3 July 1, 2012, the forty-fifth district is created. The forty-fifth
 4 district consists of the cities of ~~Berkley~~, Huntington Woods, Oak
 5 Park, and Pleasant Ridge and the township of Royal Oak in the
 6 county of Oakland, is a district of the third class, and has ~~3~~2
 7 judges. Beginning ~~July 1, 2012~~ **JANUARY 2, 2015**, the forty-fifth-a
 8 district is abolished and the judge of the forty-fifth-a district
 9 shall become a judge of the ~~forty-fifth~~ **FORTY-FOURTH** district for
 10 the balance of the term to which he or she was elected or
 11 appointed. Sections 8175 and 8176 do not apply to the ~~consolidation~~
 12 **REORGANIZATION** of the **FORTY-FOURTH, FORTY-FIFTH**, forty-fifth-a, and
 13 forty-fifth-b districts. **ANY PHYSICAL REORGANIZATION REQUIRED TO**
 14 **ACCOMPLISH THE REORGANIZATION OF DISTRICT BOUNDARIES UNDER THIS**
 15 **SUBSECTION AND SUBSECTION (2) SHALL BE COMPLETED NO LATER THAN**
 16 **JANUARY 1, 2021.** For purposes of the November ~~2020~~ **2014** general
 17 election only, the term of the candidate for district judge in the
 18 forty-fifth judicial district who receives the highest number of
 19 votes is 8 years and the term of the candidate for district judge
 20 in the forty-fifth judicial district who receives the second
 21 highest number of votes is 6 years. ~~Beginning July 2, 2012, the~~
 22 ~~forty fifth district has 2 judges beginning on the earlier of the~~
 23 ~~following dates:~~
 24 ~~—— (a) The date on which a vacancy occurs in the office of~~
 25 ~~district judge in the forty fifth district.~~
 26 ~~—— (b) The beginning date of the term for which an incumbent~~
 27 ~~district judge in the forty fifth district no longer seeks election~~

1 ~~or reelection to that office.~~

2 (4) Except as otherwise provided in this subsection, the
3 forty-fifth-b district consists of the cities of Huntington Woods,
4 Oak Park, and Pleasant Ridge and the township of Royal Oak in the
5 county of Oakland, is a district of the third class, and has 2
6 judges. Beginning July 1, 2012, the forty-fifth-b district is
7 abolished and the judges of the forty-fifth-b district shall become
8 judges of the forty-fifth district for the balance of the term to
9 which they were elected or appointed.

10 (5) The forty-sixth district consists of the cities of
11 Southfield and Lathrup Village and the township of Southfield in
12 the county of Oakland, is a district of the third class, and has 3
13 judges.

14 (6) The forty-seventh district consists of the cities of
15 Farmington and Farmington Hills, is a district of the third class,
16 and has 2 judges.

17 (7) The forty-eighth district consists of the cities of
18 Birmingham, Bloomfield Hills, Sylvan Lake, Keego Harbor, and
19 Orchard Lake Village and the townships of Bloomfield and West
20 Bloomfield in the county of Oakland, is a district of the third
21 class, and has the following number of judges:

22 (a) Until the date determined under subdivision (b), the
23 forty-eighth district has 3 judges.

24 (b) The forty-eighth district has 2 judges beginning on the
25 earlier of the following dates:

26 (i) The date on which a vacancy occurs in the office of
27 district judge in this district.

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

4 (8) The fiftieth district consists of the city of Pontiac, is
5 a district of the third class, and has the following number of
6 judges:

7 (a) Until the date determined under subdivision (b), 4 judges.

8 (b) The fiftieth district has 3 judges beginning on the
9 earlier of the following dates:

10 (i) The date on which a vacancy occurs in the office of
11 district judge in this district.

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

15 (9) The fifty-first district consists of the township of
16 Waterford in the county of Oakland, is a district of the third
17 class, and has 2 judges.

18 (10) The fifty-second district consists of the county of
19 Oakland except the cities of Madison Heights, Ferndale, Hazel Park,
20 Royal Oak, Berkley, Huntington Woods, Oak Park, Pleasant Ridge,
21 Southfield, Lathrup Village, Farmington, Farmington Hills,
22 Northville, Sylvan Lake, Keego Harbor, Orchard Lake Village,
23 Birmingham, Bloomfield Hills, and Pontiac and the townships of
24 Royal Oak, Southfield, West Bloomfield, Bloomfield, and Waterford,
25 is a district of the second class, and is divided into the
26 following election divisions:

27 (a) The first division consists of the cities of Novi, South

1 Lyon, Wixom, and Walled Lake and the townships of Milford,
2 Highland, Commerce, Lyon, and Novi and has 3 judges.

3 (b) The second division consists of the city of the village of
4 Clarkston and the townships of Springfield, Independence, Holly,
5 Groveland, Brandon, Rose, and White Lake and has 2 judges.

6 (c) The third division consists of the cities of Rochester,
7 Auburn Hills, Rochester Hills, and Lake Angelus and the townships
8 of Oxford, Addison, Orion, and Oakland and has 3 judges.

9 (d) Except as otherwise provided in this subdivision, the
10 fourth division consists of the cities of Troy and Clawson and has
11 3 judges. Beginning 12 noon, January 1, 2013, the fourth division
12 has 2 judges.

13 ~~—— (11) If the district control units for the forty fifth a and~~
14 ~~forty fifth b district court districts submit an alternative~~
15 ~~judicial reorganization plan that is approved by the state court~~
16 ~~administrative office by July 1, 2012, then the reorganization~~
17 ~~provisions of subsections (3) and (4) do not apply.~~

18 Sec. 8132. (1) Until 12 noon, January 1, 2015, the sixty-
19 fifth-a district consists of the county of Clinton, is a district
20 of the first class, and has 1 judge. Beginning 12 noon, January 1,
21 2015, the sixty-fifth-a district consists of the county of Clinton
22 and is a district of the first class. Under section 810a, the
23 probate judge for the county of Clinton shall serve as a ~~THE~~ judge
24 of the sixty-fifth-a district.

25 (2) The sixty-fifth-b district consists of the county of
26 Gratiot, is a district of the first class, and has 1 judge.