

# HOUSE BILL No. 4626

May 13, 1987, Introduced by Reps. Stabenow, Berman, Kilpatrick, Johnson, Farhat, Miller, Hart, Hollister, Jondahl and Brown and referred to the Committee on Judiciary.

A bill to amend section 1701 of Act No. 236 of the Public Acts of 1961, entitled as amended  
"Revised judicature act of 1961,"  
being section 600.1701 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1701 of Act No. 236 of the Public Acts  
2 of 1961, being section 600.1701 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 1701. ~~Supreme~~ THE SUPREME court, circuit courts, and  
5 all other courts of record, have power to punish by fine or  
6 imprisonment, or both, persons guilty of any neglect or violation  
7 of duty or misconduct in ALL OF the following cases:

8 (A) ~~(+)~~ Disorderly, contemptuous, or insolent behavior,  
9 committed during its sitting, in its immediate view and presence,

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1 and directly tending to interrupt its proceedings or impair the  
2 respect due to its authority. ~~—~~

3 (B) ~~—(2)—~~ Any breach of the peace, noise, or disturbance  
4 directly tending to interrupt its proceedings. ~~—~~

5 (C) ~~—(3)—~~ All attorneys, counselors, clerks, registers,  
6 sheriffs, coroners, and all other persons in any manner duly  
7 elected or appointed to perform any judicial or ministerial serv-  
8 ices, for any misbehavior in their office or trust, or for any  
9 willful neglect or violation of duty, for disobedience of any  
10 process of the court, or any lawful order of the court, or any  
11 lawful order of a judge of the court or of any officer authorized  
12 to perform the duties of the judge. ~~—~~

13 (D) ~~—(4)—~~ Parties to actions for putting in fictitious bail  
14 or sureties or for any deceit or abuse of the process or proceed-  
15 ings of the court. ~~—~~

16 (E) ~~—(5)—~~ Parties to actions, attorneys, counselors, and all  
17 other persons for the nonpayment of any sum of money which the  
18 court has ordered to be paid, in cases where by law execution  
19 cannot be awarded for the collection of the sum. ~~—, or the dis-~~  
20 ~~obedience of—~~

21 (F) PARTIES TO ACTIONS, ATTORNEYS, COUNSELORS, AND ALL OTHER  
22 PERSONS FOR DISOBEYING or ~~—refusal—~~ REFUSING to comply with any  
23 order of the court for the payment of temporary or permanent ali-  
24 mony or support money or costs made in any action for divorce or  
25 separate maintenance. ~~—, or any other disobedience to—~~

1 (G) PARTIES TO ACTIONS, ATTORNEYS, COUNSELORS, AND ALL OTHER  
2 PERSONS FOR DISOBEYING any lawful order, decree, or process of  
3 the court. ~~—~~

4 (H) ~~(6)~~ All persons for assuming to be and acting as offi-  
5 cers, attorneys, or counselors of any court without authority;  
6 for rescuing any property or persons which are in the custody of  
7 an officer by virtue of process issued from that court; for  
8 unlawfully detaining any witness or party to an action while he  
9 is going to, remaining at, or returning from the court where the  
10 action is pending for trial, or for any other unlawful interfer-  
11 ence with or resistance to the process or proceedings in any  
12 action. ~~—~~

13 (I) ~~(7)~~ All persons who, ~~are duly~~ HAVING BEEN subpoenaed  
14 to appear before or attend, REFUSE OR NEGLECT TO OBEY THE SUBPOE-  
15 NA, TO ATTEND, TO BE SWORN, OR WHEN SWORN, TO ANSWER ANY LEGAL  
16 AND PROPER INTERROGATORY IN ANY OF THE FOLLOWING CIRCUMSTANCES:

17 (i) ~~(a) as~~ AS a witness in any court in this state.

18 ~~, or~~

19 (ii) ~~(b) any~~ ANY officer of a court of record who is  
20 empowered to receive evidence. ~~, or~~

21 (iii) ~~(c) any~~ ANY commissioner appointed by any court of  
22 record to take testimony. ~~, or~~

23 (iv) ~~(d) any~~ ANY referees or auditors appointed according  
24 to the law to hear any cause or matter. ~~, or~~

25 (v) ~~(e) any~~ ANY notary public or other person before whom  
26 any affidavit or deposition is to be taken. ~~for refusal or~~

1 ~~neglect to obey the subpoena, or to attend, or to be sworn, or~~  
2 ~~when sworn to answer any legal and proper interrogatory;~~

3 (J) ~~-(8)-~~ Persons summoned as jurors in any court, for  
4 improperly conversing with any party to an action which is to be  
5 tried in that court, or with any other person in regard to merits  
6 of the action, or for receiving communications from any party to  
7 the action or any other person in relation to the merits of the  
8 action without immediately disclosing the communications to the  
9 court. ~~—~~

10 (K) ~~-(9)-~~ All inferior magistrates, officers, and tribunals  
11 for disobedience of any lawful order or process of a superior  
12 court, or for proceeding in any cause or matter contrary to law  
13 after the cause or matter has been removed from their  
14 jurisdiction. ~~—~~

15 (L) ~~-(10)-~~ The publication of a false or grossly inaccurate  
16 report of its proceedings, but no court shall punish as a con-  
17 tempt the publication of true, full, and fair reports of any  
18 trial, argument, proceedings, or decision had in the court. ~~—~~

19 (M) ~~-(11)-~~ All other cases where attachments and proceedings  
20 as for contempts have been usually adopted and practiced in  
21 courts of record to enforce the civil remedies of any parties or  
22 to protect the rights of any party.