

HOUSE BILL No. 5568

February 27, 1992, Introduced by Reps. Strand, Joe Young, Jr. and Nye and referred to the Committee on Judiciary.

A bill to amend sections 301 and 302 of Act No. 236 of the Public Acts of 1961, entitled as amended

"Revised judicature act of 1961,"

as amended by Act No. 279 of the Public Acts of 1986, being sections 600.301 and 600.302 of the Michigan Compiled Laws; and to add section 303d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 301 and 302 of Act No. 236 of the
2 Public Acts of 1961, as amended by Act No. 279 of the Public Acts
3 of 1986, being sections 600.301 and 600.302 of the Michigan
4 Compiled Laws, are amended and section 303d is added to read as
5 follows:

6 Sec. 301. The court of appeals ~~shall consist~~ CONSISTS of
7 24 judges, ~~and~~ EXCEPT AS PROVIDED IN SECTION 303D. THE COURT
8 OF APPEALS is a court of record.

1 Sec. 302. For the election of judges, the state ~~shall be~~
2 IS divided into ~~3~~ 8 judicial districts. ~~Districts 1, 2, and 3~~
3 ~~shall be~~ EACH DISTRICT IS entitled to elect ~~8~~ 3 judges, ~~for~~
4 ~~their respective districts~~ EXCEPT AS PROVIDED IN SECTION 303D.
5 The districts ~~shall be~~ ARE constituted and numbered as
6 follows:

7 District 1 ~~shall consist of the counties of Wayne, Monroe,~~
8 ~~Lenawee, Jackson, Washtenaw, and Livingston~~ CONSISTS OF THE
9 CITIES OF DETROIT, ECORSE, GROSSE POINTE, GROSSE POINTE FARMS,
10 GROSSE POINTE PARK, GROSSE POINTE WOODS, HAMTRAMCK, HARPER WOODS,
11 HIGHLAND PARK, MELVINDALE, AND RIVER ROUGE, AND THE TOWNSHIP OF
12 GROSSE POINTE IN THE COUNTY OF WAYNE.

13 District 2 ~~shall consist of the counties of Ogemaw, Arenac,~~
14 ~~Gladwin, Midland, Bay, Huron, Tuscola, Sanilac, Genesee, Lapeer,~~
15 ~~St. Clair, Shiawassee, Oakland, Macomb, and Ingham~~ CONSISTS OF
16 THE CITIES OF ALLEN PARK, BELLEVILLE, DEARBORN, DEARBORN HEIGHTS,
17 FLAT ROCK, GARDEN CITY, GIBRALTAR, INKSTER, LINCOLN PARK,
18 LIVONIA, PLYMOUTH, RIVERVIEW, ROCKWOOD, ROMULUS, SOUTHGATE,
19 TAYLOR, TRENTON, WAYNE, WESTLAND, WOODHAVEN, AND WYANDOTTE; THE
20 PORTION OF THE CITY OF NORTHVILLE IN THE COUNTY OF WAYNE; THE
21 TOWNSHIPS OF BROWNSTOWN, CANTON, GROSSE ILE, HURON, NORTHVILLE,
22 PLYMOUTH, REDFORD, SUMPTER, AND VAN BUREN IN THE COUNTY OF WAYNE;
23 AND THE COUNTIES OF MONROE AND LENAWEE.

24 DISTRICT 3 CONSISTS OF THE COUNTIES OF JACKSON, WASHTENAW,
25 LIVINGSTON, GENESEE, SHIAWASSEE, CLINTON, AND IONIA.

26 DISTRICT 4 CONSISTS OF THE COUNTIES OF OAKLAND AND LAPEER.

1 DISTRICT 5 CONSISTS OF THE COUNTIES OF ALCONA, IOSCO,
2 ARENAC, BAY, HURON, TUSCOLA, SANILAC, ST. CLAIR, AND MACOMB.

3 DISTRICT 6 CONSISTS OF THE COUNTIES OF BERRIEN, CASS,
4 ST. JOSEPH, BRANCH, HILLSDALE, CALHOUN, KALAMAZOO, VAN BUREN,
5 EATON, AND INGHAM.

6 DISTRICT 7 CONSISTS OF THE COUNTIES OF ALLEGAN, BARRY, KENT,
7 OTTAWA, MUSKEGON, MONTCALM, MECOSTA, NEWAYGO, OCEANA, AND
8 OSCEOLA.

9 ~~District 3 shall consist of the counties of Berrien, Cass,~~
10 ~~St. Joseph, Branch, Hillsdale, Calhoun, Kalamazoo, Van Buren,~~
11 ~~Allegan, Barry, Eaton, Ionia, Kent, Ottawa, Muskegon, Montcalm,~~
12 ~~Clinton, Gratiot, Saginaw, Isabella, Mecosta, Newaygo, Oceana,~~

13 DISTRICT 8 CONSISTS OF THE COUNTIES OF GRATIOT, SAGINAW,
14 ISABELLA, MIDLAND, Mason, Lake, ~~Osceola,~~ Clare, ~~Iosco,~~
15 GLADWIN, OGEMAW, Roscommon, Missaukee, Wexford, Manistee, Benzie,
16 Grand Traverse, Leelanau, Kalkaska, Crawford, Oscoda, ~~Alcona,~~
17 Alpena, Montmorency, Otsego, Antrim, Emmet, Charlevoix,
18 Cheboygan, Presque Isle, Mackinac, Chippewa, Luce, Schoolcraft,
19 Alger, Delta, Menominee, Dickinson, Marquette, Iron, Baraga,
20 Houghton, Keweenaw, Gogebic, and Ontonagon.

21 SEC. 303D. TO EFFECTUATE THE TRANSITION FROM 3 DISTRICTS
22 HAVING A TOTAL OF 24 JUDGES TO 8 DISTRICTS HAVING A TOTAL OF 24
23 JUDGES, THE FOLLOWING SPECIAL PROVISIONS APPLY:

24 (A) THE JUDGESHIP IN DISTRICT 1 FILLED ON THE EFFECTIVE DATE
25 OF THIS SECTION BY AN INCUMBENT WHOSE TERM EXPIRES JANUARY 1,
26 1993 AND WHO IS NOT ELIGIBLE TO SEEK REELECTION SHALL TERMINATE
27 JANUARY 1, 1993 AND SHALL NOT BE FILLED BY ELECTION IN 1992.

1 (B) THE COURT OF APPEALS SHALL TEMPORARILY HAVE 30 JUDGES
2 AFTER JANUARY 1, 1993. THE FIRST 3 VACANCIES IN DISTRICT 1, THE
3 FIRST 2 VACANCIES IN DISTRICT 4, AND THE FIRST VACANCY IN DIS-
4 TRICT 8 THAT OCCUR AFTER THE EFFECTIVE DATE OF THIS SECTION AS A
5 RESULT OF DEATH, RETIREMENT, OR RESIGNATION OF A JUDGE SHALL NOT
6 BE FILLED BY APPOINTMENT OR ELECTION.

7 (C) A JUDGESHIP TO WHICH THE INCUMBENT WAS APPOINTED BEFORE
8 THE EFFECTIVE DATE OF THIS SECTION TO FILL A VACANCY CONTINUES
9 AND THE UNEXPIRED PORTION OF THAT TERM SHALL BE FILLED BY ELEC-
10 TION IN 1992.

11 (D) TO PROVIDE 3 JUDGES IN DISTRICTS 2, 3, 5, AND 6:

12 (i) IN DISTRICTS 2 AND 5, 2 JUDGESHIPS SHALL BE FILLED BY
13 ELECTION IN 1992. THE CANDIDATE RECEIVING THE HIGHEST NUMBER OF
14 VOTES IS ELECTED FOR A TERM OF 10 YEARS AND THE CANDIDATES
15 RECEIVING THE SECOND AND THIRD HIGHEST NUMBER OF VOTES ARE
16 ELECTED FOR TERMS OF 6 YEARS EACH.

17 (ii) IN DISTRICT 3, 2 JUDGESHIPS SHALL BE FILLED BY ELECTION
18 IN 1992. THE CANDIDATE RECEIVING THE HIGHEST NUMBER OF VOTES IS
19 ELECTED FOR A TERM OF 8 YEARS AND THE CANDIDATE RECEIVING THE
20 SECOND HIGHEST NUMBER OF VOTES IS ELECTED FOR A TERM OF 6 YEARS.

21 (iii) IN DISTRICT 6, 1 JUDGESHIP SHALL BE FILLED BY ELECTION
22 IN 1992. THE CANDIDATE RECEIVING THE HIGHEST NUMBER OF VOTES IS
23 ELECTED FOR A TERM OF 8 YEARS.