

Act No. 190  
Public Acts of 1993  
Approved by the Governor  
October 8, 1993  
Filed with the Secretary of State  
October 8, 1993

**STATE OF MICHIGAN  
87TH LEGISLATURE  
REGULAR SESSION OF 1993**

Introduced by Rep. Nye

# **ENROLLED HOUSE BILL No. 4842**

AN ACT to amend sections 301, 302, and 306 of Act No. 236 of the Public Acts of 1961, entitled as amended "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," as amended by Act No. 279 of the Public Acts of 1986, being sections 600.301, 600.302, and 600.306 of the Michigan Compiled Laws; and to add section 303d.

*The People of the State of Michigan enact:*

Section 1. Sections 301, 302, and 306 of Act No. 236 of the Public Acts of 1961, as amended by Act No. 279 of the Public Acts of 1986, being sections 600.301, 600.302, and 600.306 of the Michigan Compiled Laws, are amended and section 303d is added to read as follows:

Sec. 301. The court of appeals consists of 28 judges and is a court of record.

Sec. 302. For the election of judges, the state is divided into 4 judicial districts. Each district is entitled to elect 7 judges. The districts are constituted and numbered as follows:

District 1 consists of the counties of Wayne, Monroe, and Lenawee.

District 2 consists of the counties of Genesee, Shiawassee, Oakland, and Macomb.

District 3 consists of the counties of Berrien, Cass, St. Joseph, Branch, Hillsdale, Washtenaw, Livingston, Jackson, Calhoun, Kalamazoo, Van Buren, Allegan, Barry, Kent, Ottawa, and Muskegon.

District 4 consists of the counties of Eaton, Ingham, Ionia, Montcalm, Clinton, Gratiot, Saginaw, Tuscola, Lapeer, St. Clair, Sanilac, Huron, Bay, Midland, Isabella, Mecosta, Newaygo, Oceana, Mason, Lake, Osceola, Clare, Gladwin, Arenac, Iosco, Ogemaw, Roscommon, Missaukee, Wexford, Manistee, Benzie, Grand Traverse, Leelanau, Kalkaska, Crawford, Oscoda, Alcona, Alpena, Montmorency, Otsego, Antrim, Emmet, Charlevoix, Cheboygan, Presque Isle, Mackinac, Chippewa, Luce, Schoolcraft, Alger, Delta, Menominee, Dickinson, Marquette, Iron, Baraga, Houghton, Keweenaw, Gogebic, and Ontonagon.

Sec. 303d. (1) To effectuate the transition from 3 districts having a total of 24 judges to 4 districts having a total of 28 judges, the following special provisions apply:

(a) The judgeship in district 1 filled on the effective date of this section by an incumbent whose term expires January 1, 1995 and who is not eligible to seek reelection, shall terminate January 1, 1995 and shall not be filled by election in 1994.

(b) To provide 7 judges in districts 3 and 4:

(i) In district 3, 4 new judgeships shall be filled by election in 1994. The candidate receiving the highest number of votes is elected for a term of 10 years, the candidates receiving the second and third highest number of votes are elected for terms of 8 years each, and the candidate receiving the fourth highest number of votes is elected for a term of 6 years.

(ii) In district 4, 1 new judgeship shall be filled by election in 1994. The candidate receiving the highest number of votes is elected for a term of 6 years.

(2) A judge of the court of appeals who is elected or appointed to a first term that begins on or after the effective date of this section shall maintain offices only in Lansing, Grand Rapids, Detroit, or Southfield.

Sec. 306. The supreme court may transfer judges from the circuit court or probate court or may assign judges pursuant to section 23 of article VI of the state constitution of 1963 to the court of appeals to act as temporary judges. The transfer may be made to replace disabled or disqualified judges, or to enlarge the court of appeals temporarily to not more than 48 judges if the business of the court of appeals is considered by the supreme court to warrant it. If the court of appeals sits in panels, the temporary judges may be assigned to any panel. Not more than 1 temporary judge shall be assigned to hear a case. A temporary judge is disqualified from hearing, in the court of appeals, cases tried before him or her in the trial court.

Section 2. This amendatory act shall not take effect unless House Bill No. 4873 of the 87th Legislature is enacted into law.

This act is ordered to take immediate effect.

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Co-Clerk of the House of Representatives.

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Secretary of the Senate.

Approved -----

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Governor.