



HOUSE BILL No. 4897

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June 29, 1993, Introduced by Rep. Palamara and referred to the Committee on Judiciary.

A bill to amend sections 301, 302, and 306 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, 600.302, and 600.306 of the Michigan Compiled Laws; and to add section 303d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 301, 302, and 306 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, 600.302, and 600.306 of the
4 Michigan Compiled Laws, are amended and section 303d is added to
5 read as follows:

6 Sec. 301. (1) ~~The~~ UNTIL JANUARY 1, 1995, THE court of
7 appeals ~~shall consist~~ CONSISTS of 24 judges. ~~and~~

1 (2) BEGINNING JANUARY 1, 1995, AND THROUGH DECEMBER 31,
2 1996, THE COURT OF APPEALS CONSISTS OF 27 JUDGES, SUBJECT TO
3 SECTION 303D.

4 (3) BEGINNING JANUARY 1, 1997, AND THROUGH DECEMBER 31,
5 1998, THE COURT OF APPEALS CONSISTS OF 30 JUDGES, SUBJECT TO SEC-
6 TION 303D.

7 (4) BEGINNING JANUARY 1, 1999, AND THROUGH DECEMBER 31,
8 2000, THE COURT OF APPEALS CONSISTS OF 33 JUDGES, SUBJECT TO SEC-
9 TION 303D.

10 (5) BEGINNING JANUARY 1, 2001, THE COURT OF APPEALS CONSISTS
11 OF 36 JUDGES, SUBJECT TO SECTION 303D.

12 (6) THE COURT OF APPEALS is a court of record.

13 Sec. 302. For the election of judges, the state ~~shall be~~
14 IS divided into 3 judicial districts. ~~Districts 1, 2, and 3~~
15 ~~shall be~~ EACH DISTRICT IS entitled to elect ~~8~~ 1/3 OF THE TOTAL
16 NUMBER OF judges ~~for their respective districts~~ PROVIDED FOR IN
17 SECTION 301. The districts ~~shall be~~ ARE constituted and num-
18 bered as follows:

19 District 1 ~~shall consist~~ CONSISTS of the counties of
20 Wayne, Monroe, Lenawee, Jackson, Washtenaw, ~~and Livingston~~
21 HILLSDALE, CALHOUN, BRANCH, ST. JOSEPH, AND CASS.

22 District 2 ~~shall consist~~ CONSISTS of the counties of
23 ~~Ogemaw, Arenac, Gladwin, Midland, Bay, Huron, Tuscola,~~ Sanilac,
24 Genesee, ~~Lapeer,~~ St. Clair, Shiawassee, Oakland, Macomb,
25 LIVINGSTON, ~~and~~ Ingham, CLINTON, GRATIOT, ISABELLA, MECOSTA,
26 AND CLARE.

1 District 3 ~~shall consist~~ CONSISTS of the counties of
2 Berrien, ~~Cass, St. Joseph, Branch, Hillsdale, Calhoun,~~
3 Kalamazoo, Van Buren, Allegan, Barry, Eaton, Ionia, Kent, Ottawa,
4 Muskegon, Montcalm, ~~Clinton, Gratiot,~~ Saginaw, ~~Isabella,~~
5 ~~Mecosta,~~ TUSCOLA, LAPEER, HURON, BAY, MIDLAND, Newaygo, Oceana,
6 Mason, Lake, Osceola, ~~Clare,~~ GLADWIN, ARENAC, Iosco, OGEMAW,
7 Roscommon, Missaukee, Wexford, Manistee, Benzie, Grand Traverse,
8 Leelanau, Kalkaska, Crawford, Oscoda, Alcona, Alpena,
9 Montmorency, Otsego, Antrim, Emmet, Charlevoix, Cheboygan,
10 Presque Isle, Mackinac, Chippewa, Luce, Schoolcraft, Alger,
11 Delta, Menominee, Dickinson, Marquette, Iron, Baraga, Houghton,
12 Keweenaw, Gogebic, and Ontonagon.

13 SEC. 303D. (1) TO EFFECTUATE THE ADDITION OF 12 JUDGESHIPS
14 AS REQUIRED UNDER SECTION 301, THE FOLLOWING SPECIAL PROVISIONS
15 APPLY:

16 (A) TO PROVIDE 27 JUDGES BEGINNING JANUARY 1, 1995, 1 NEW
17 JUDGESHIP SHALL BE FILLED BY ELECTION IN EACH DISTRICT IN 1994.
18 THE CANDIDATE RECEIVING THE HIGHEST NUMBER OF VOTES IN EACH DIS-
19 TRICT IS ELECTED FOR A TERM OF 6 YEARS.

20 (B) TO PROVIDE 30 JUDGES BEGINNING JANUARY 1, 1997, 1 NEW
21 JUDGESHIP SHALL BE FILLED BY ELECTION IN EACH DISTRICT IN 1996.
22 THE CANDIDATE RECEIVING THE HIGHEST NUMBER OF VOTES IN EACH DIS-
23 TRICT IS ELECTED FOR A TERM OF 6 YEARS.

24 (C) TO PROVIDE 33 JUDGES BEGINNING JANUARY 1, 1999, 1 NEW
25 JUDGESHIP SHALL BE FILLED BY ELECTION IN EACH DISTRICT IN 1998.
26 THE CANDIDATE RECEIVING THE HIGHEST NUMBER OF VOTES IN EACH
27 DISTRICT IS ELECTED FOR A TERM OF 6 YEARS.

1 (D) TO PROVIDE 36 JUDGES BEGINNING JANUARY 1, 2001, 1 NEW
2 JUDGESHIP SHALL BE FILLED BY ELECTION IN EACH DISTRICT IN 2000.
3 THE CANDIDATE RECEIVING THE HIGHEST NUMBER OF VOTES IN EACH DIS-
4 TRICT IS ELECTED FOR A TERM OF 6 YEARS.

5 (2) A JUDGE OF THE COURT OF APPEALS WHO IS ELECTED OR
6 APPOINTED TO A FIRST TERM THAT BEGINS ON OR AFTER THE EFFECTIVE
7 DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION SHALL MAINTAIN
8 OFFICES ONLY IN LANSING, GRAND RAPIDS, DETROIT, OR SOUTHFIELD.

9 Sec. 306. The supreme court may transfer judges from the
10 circuit court or probate court or may assign judges pursuant to
11 section 23 of article VI of the state constitution of 1963 to the
12 court of appeals to act as temporary judges. The transfer may be
13 made to replace disabled or disqualified judges, or to enlarge
14 the court of appeals temporarily to not more than ~~36~~ 48 judges
15 if the business of the court of appeals is considered by the
16 supreme court to warrant it. If the court of appeals sits in
17 panels, the temporary judges may be assigned to any panel. Not
18 more than 1 temporary judge shall be assigned to hear a case. A
19 temporary judge is disqualified from hearing, in the court of
20 appeals, cases tried before him or her in the trial court.