

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 257

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 8123 (MCL 600.8123), as amended by 1990
PA 54.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 8123. (1) The forty-third district consists of the
2 cities of Madison Heights, Ferndale, and Hazel Park, is a dis-
3 trict of the third class, and has 3 judges. ~~Subject to either~~
4 ~~section 8177 or 8178, this district shall be consolidated with~~
5 ~~the fifty-second district and become the fifth division effective~~
6 ~~January 2, 1991.~~
- 7 (2) The forty-fourth district consists of the city of Royal
8 Oak, is a district of the third class, and has 2 judges.
- 9 (3) The forty-fifth-a district consists of the city of
10 Berkley, is a district of the third class, and has 1 judge.

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1 ~~Subject to either section 8177 or 8178, this district shall be~~
2 ~~consolidated with the fifty-second district and become the sixth~~
3 ~~division effective January 2, 1991.~~

4 (4) The forty-fifth-b district consists of the cities of
5 Huntington Woods, Oak Park, and Pleasant Ridge and the township
6 of Royal Oak in the county of Oakland, is a district of the third
7 class, and has 2 judges. ~~Subject to either section 8177 or~~
8 ~~8178, this district shall be consolidated with the fifty-second~~
9 ~~district and become the seventh division effective January 1,~~
10 ~~1991.~~

11 (5) The forty-sixth district consists of the cities of
12 Southfield and Lathrup Village and the township of Southfield in
13 the county of Oakland, is a district of the third class, and has
14 3 judges.

15 (6) The forty-seventh district consists of the cities of
16 Farmington and Farmington Hills, is a district of the third
17 class, and has 2 judges. Subject to section 8175, this district
18 may have 1 additional judge ~~effective January 1, 1991. If a new~~
19 ~~office of judge is added to this district to be filled by elec-~~
20 ~~tion in 1990, the term of office of the judge for that election~~
21 ~~only shall be 4 years.~~ SUBJECT TO REVIEW AND RECOMMENDATION BY
22 THE STATE COURT ADMINISTRATOR TO THE LEGISLATURE AND SUBSEQUENT
23 LEGISLATION, IF AND WHEN A DISTRICT COURT JUDGESHIP IS ELIMINATED
24 WITHIN THE STATE OF MICHIGAN.

25 (7) The forty-eighth district consists of the cities of
26 Birmingham, Bloomfield Hills, Sylvan Lake, Keego Harbor, and
27 Orchard Lake Village and the townships of Bloomfield and West

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1 Bloomfield in the county of Oakland, is a district of the third
2 class, and has 3 judges. ~~Subject to section 8175, this district~~
3 ~~may have 1 additional judge effective January 1, 1993.~~

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

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

9 (10) ~~Except as otherwise provided by this subsection, the~~
10 THE fifty-second district consists of the county of Oakland
11 except the cities of Madison Heights, Ferndale, Hazel Park, Royal
12 Oak, Berkley, Huntington Woods, Oak Park, Pleasant Ridge,
13 Southfield, Lathrup Village, Farmington, Farmington Hills,
14 Northville, Sylvan Lake, Keego Harbor, Orchard Lake Village,
15 Birmingham, Bloomfield Hills, and Pontiac and the townships of
16 Royal Oak, Southfield, West Bloomfield, Bloomfield, and
17 Waterford, is a district of the second class, and is divided into
18 the following election divisions:

19 (a) The first division consists of the cities of Novi, South
20 Lyon, Wixom, and Walled Lake and the townships of Milford,
21 Highland, ~~Rose, White Lake,~~ Commerce, Lyon, and Novi. ~~and~~
22 UNTIL JANUARY 1, 2003, THE FIRST DIVISION ALSO INCLUDES THE TOWN-
23 SHIPS OF ROSE AND WHITE LAKE. THE FIRST DIVISION has 3 judges.
24 Subject to section 8175, this division may have 1 additional
25 judge effective January 1, ~~1991~~ 2003. IF THE OAKLAND COUNTY
26 BOARD OF COMMISSIONERS APPROVES THAT ADDITIONAL JUDGESHIP, THE
27 JUDGESHIP IN THE FIRST DIVISION THAT IS FILLED BY THE DISTRICT

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1 JUDGE OF THE FIRST DIVISION WHOSE TERM EXPIRES JANUARY 1, 2005 IS
2 TRANSFERRED TO THE SECOND DIVISION, EFFECTIVE JANUARY 1, 2003.

3 (b) The second division consists of the CITY OF THE VILLAGE
4 OF CLARKSTON AND THE townships of Springfield, Independence,
5 Holly, Groveland, and Brandon. ~~and~~ BEGINNING JANUARY 1, 2003,
6 THE SECOND DIVISION ALSO INCLUDES THE TOWNSHIPS OF ROSE AND WHITE
7 LAKE. THE SECOND DIVISION has 1 judge; HOWEVER, EFFECTIVE
8 JANUARY 1, 2003, THIS DIVISION SHALL HAVE 2 JUDGES IF A JUDGESHIP
9 IS TRANSFERRED TO THIS DIVISION FROM THE FIRST DIVISION PURSUANT
10 TO SUBDIVISION (A).

11 (c) The third division consists of the cities of Rochester,
12 Auburn Hills, Rochester Hills, and Lake Angelus and the townships
13 of Oxford, Addison, Orion, and Oakland and has ~~2~~ 3 judges.
14 ~~Subject to section 8175, this division may have 1 additional~~
15 ~~judge effective January 2, 1989.~~

16 (d) The fourth division consists of the cities of Troy and
17 Clawson and has 3 judges.

18 ~~(e) Subject to either section 8177 or 8178, effective~~
19 ~~January 1, 1991, the fifth division shall consist of the cities~~
20 ~~of Madison Heights, Ferndale, and Hazel Park, and have 3 judges.~~

21 ~~(f) Subject to either section 8177 or 8178, effective~~
22 ~~January 2, 1991, the sixth division shall consist of the city of~~
23 ~~Berkley, and have 1 judge.~~

24 ~~(g) Subject to either section 8177 or 8178, effective~~
25 ~~January 2, 1991, the seventh division shall consist of the cities~~
26 ~~of Huntington Woods, Oak Park, and Pleasant Ridge and the~~

~~1 township of Royal Oak in the county of Oakland, and have 2
2 judges.~~

3 Enacting section 1. The changes in the composition of first
4 and second election divisions of the fifty-second district court
5 district as provided in this amendatory act shall be effective
6 for election purposes on March 1, 2002, and for judicial purposes
7 on January 1, 2003. Electors of the townships of Rose and White
8 Lake in Oakland county shall not be eligible to be a candidate
9 for the office of district judge in the first election division
10 of the fifty-second district in the primary and general elections
11 of 2002, shall not be eligible to vote for that office in the
12 primary and general elections of 2002, and are not qualified to
13 sign nominating petitions for candidates for that office in
14 2002. If a vacancy occurs in the second election division of the
15 fifty-second district prior to the filing deadline for the office
16 of district judge in 2002, the townships of Rose and White Lake
17 shall be considered part of the second election division for pur-
18 poses of the election to fill the unexpired term of that
19 judgeship.

20 Enacting section 2. (1) If a new office of judge is added
21 to the first election division of the fifty-second district to be
22 filled by election in 2002, both of the following apply:

23 (a) The term of office for the new judge elected in the
24 first election division of the fifty-second district in the
25 November 2002 general election shall be 4 years, for that elec-
26 tion only.

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1 (b) The term of office for the judge elected in the first
2 election division of the fifty-second district in the November
3 2006 general election shall be 4 years, for that election only.

4 (2) The judge serving in the first election division of the
5 fifty-second district who is transferred to the second election
6 division of the fifty-second district pursuant to this amendatory
7 act shall serve as a judge of the second election division of the
8 fifty-second district for the balance of the term for which he or
9 she was elected or appointed.

10 Enacting section 3. This amendatory act does not take
11 effect unless Senate Bill No. 769 of the 90th Legislature is
12 enacted into law.