

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.

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.~~

22 (7) The forty-eighth district consists of the cities of
23 Birmingham, Bloomfield Hills, Sylvan Lake, Keego Harbor, and
24 Orchard Lake Village and the townships of Bloomfield and West
25 Bloomfield in the county of Oakland, is a district of the third
26 class, and has 3 judges. ~~Subject to section 8175, this district~~
27 ~~may have 1 additional judge effective January 1, 1993.~~

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

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

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

16 (a) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION,
17 THE first division consists of the cities of Novi, South Lyon,
18 Wixom, and Walled Lake and the townships of Milford, Highland,
19 Rose, White Lake, Commerce, Lyon, and Novi and has 3 judges. IF
20 THE OAKLAND COUNTY BOARD OF COMMISSIONERS APPROVES THE REORGANI-
21 ZATION OF THE FIRST DIVISION BY RESOLUTION ADOPTED AND FILED WITH
22 THE STATE COURT ADMINISTRATOR NOT LATER THAN SEPTEMBER 1, 2001,
23 THE FIRST DIVISION CONSISTS OF THE CITIES OF NOVI, SOUTH LYON,
24 VILLAGE OF CLARKSTON,
25 WIXOM, AND WALLED LAKE AND THE TOWNSHIPS OF MILFORD, HIGHLAND,
26 ROSE, WHITE LAKE, COMMERCE, LYON, NOVI, SPRINGFIELD,
27 INDEPENDENCE, HOLLY, GROVELAND, AND BRANDON AND HAS 4 JUDGES,
EFFECTIVE JANUARY 1, 2002. Subject to section 8175, this

1 division may have 1 additional judge effective January 1, ~~1991~~
2 2003.

3 (b) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION,
4 THE second division consists of the CITY OF VILLAGE OF CLARKSTON AND
5 THE townships of Springfield,
6 Independence, Holly, Groveland, and Brandon and has 1 judge. IF
7 THE OAKLAND COUNTY BOARD OF COMMISSIONERS APPROVES THE REORGANI-
8 ZATION OF THE FIRST DIVISION AS PROVIDED IN SUBDIVISION (A), THIS
9 ELECTION DIVISION IS ABOLISHED EFFECTIVE JANUARY 1, 2002, AND THE
10 INCUMBENT JUDGE IN THIS DIVISION SHALL BECOME A JUDGE OF THE
11 FIRST DIVISION FOR THE BALANCE OF THE TERM TO WHICH HE OR SHE WAS
12 ELECTED OR APPOINTED.

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

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

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

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

25 ~~(g) Subject to either section 8177 or 8178, effective~~
26 ~~January 2, 1991, the seventh division shall consist of the cities~~
27 ~~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. If the new district judgeship autho-
4 rized in the first election division of the fifty-second district
5 by this amendatory act is approved by the county of Oakland as
6 provided by law, that new judgeship shall appear on the ballot
7 separate and apart from other judicial offices on the ballot in
8 the primary and general election in that election division. If
9 another judicial office of the same court is to be filled by
10 election in the same election division, a candidate for a new
11 judgeship authorized in that election division by this amendatory
12 act shall indicate, at the time of filing nominating petitions,
13 whether the candidate is filing for a new judgeship or for 1 of
14 the other judicial offices of the same court to be filled by
15 election in 2002. Petitions for a candidate for a new judgeship
16 created pursuant to this amendatory act shall bear signatures
17 affixed to the petition after the date by which the county of
18 Oakland has adopted the resolution required by law to create that
19 office. If a new office of judge is added to the first election
20 division of the fifty-second district to be filled by election in
21 2002, the term of office for that election only shall be 4
22 years.

23 Enacting section 2. This amendatory act does not take
24 effect unless Senate Bill No. 769 of the 90th Legislature is
25 enacted into law.