

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 461 (as reported without amendment)
Sponsor: Senator Alan L. Cropsey
Committee: Judiciary

CONTENT

The bill would amend the Revised Judicature Act to increase from \$43,000 to \$45,724 the additional annual salary that a part-time probate judge may receive from the county, beyond his or her \$20,000 salary; and allow a part-time probate judge to receive another additional salary, for total compensation of up to 85% of the salary of a Justice of the Supreme Court.

The bill would allow the second additional salary if the county paid \$45,724 for the first additional salary; the county determined the amount of the second additional salary and agreed to reimburse the State for that salary; and the Supreme Court or the State Court Administrative Office approved the additional salary. Also, the probate judge would have to agree to participate in a plan of concurrent jurisdiction and in a family court plan; agree not to engage in the practice of law other than as a judge; and agree that, if he or she later became a full-time probate judge, the additional salary would be part of the salary for that position.

The bill also would identify different combinations of counties that could make up the first probate court district. Currently, if approved by the county voters, the first probate district consists of Baraga, Houghton, and Keweenaw Counties. Under the bill, the first district could consist of those three counties or Houghton and Baraga Counties, or Houghton and Keweenaw Counties.

In addition, the bill would eliminate authorization for the 14th probate district (Kalkaska and Crawford Counties), the 16th probate district (Iosco and Arenac Counties), and the 19th probate district (Mason and Lake Counties).

MCL 600.807 & 600.822

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would remove the current \$63,000 cap on the total salary of a part-time probate judge, if a county approved an additional payment and other conditions were met. The salary currently consists of a State salary payment of \$20,000 and an additional amount up to \$43,000 from the county. Under the bill, the total salary of a part-time probate judge could be increased up to the same total maximum salary as a full-time probate judge, which is currently \$139,919. The cost of the increase for any part-time probate judge would be determined and paid for by the county. There are 10 part-time probate judges.

The bill also would allow for the possible realignment of the first probate district (Baraga, Houghton, and Keweenaw Counties).

Date Completed: 5-14-03

Fiscal Analyst: Bill Bowerman
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