

HOUSE BILL No. 4018

January 28, 2003, Introduced by Rep. Stewart and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 8507 (MCL 600.8507), as amended by 1994
PA 5.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8507. (1) Magistrates shall be registered electors in
2 the county in which they are appointed. All magistrates
3 appointed shall serve at the pleasure of the judges of the
4 district court. Before assuming office, persons appointed
5 magistrates shall take the constitutional oath of office and file
6 a bond with the ~~county treasurer~~ **local funding unit** in an
7 amount determined by the state court administrator. The bond
8 shall also apply to temporary service in another county under
9 subsection (2) or (3).

10 (2) In a district of the first class that consists of more

1 than 1 county, if a magistrate is temporarily absent or
2 incapacitated, the chief or only district judge may direct a
3 magistrate of another county of the same district to serve
4 temporarily in the county where the magistrate is temporarily
5 absent or incapacitated. The district judge shall make his or
6 her order in writing. A magistrate serving temporarily under
7 this subsection ~~shall~~ **is** not ~~be~~ entitled to additional
8 compensation but shall be reimbursed for actual and necessary
9 expenses incurred during the authorized temporary service upon
10 certification and approval by the state court administrator.
11 Upon allowance, the reimbursement shall be paid by the state
12 treasurer out of the appropriation for the state court
13 administrative office.

14 (3) In a district of the first class that consists of more
15 than 1 county, the chief or only district judge may authorize a
16 magistrate appointed in 1 county to serve in another county in
17 the district.

18 (4) Pursuant to a multiple district plan under section 8320
19 involving adjoining districts of the first class, a district
20 court magistrate appointed in a county of 1 district may be
21 authorized to serve in a county of the adjoining district. While
22 serving in the adjoining district, the magistrate shall be
23 subject to the superintending control of the chief or only
24 district judge of that district.

25 (5) Pursuant to a multiple district plan under section 8320
26 involving districts in the same county, a district court
27 magistrate may be authorized to serve in any participating

1 district of the county.