

HOUSE BILL No. 4078

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

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 8251 (MCL 600.8251), as amended by 1994 PA
5.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8251. (1) In districts of the first class, the court
2 shall sit at each county seat and at each city having a
3 population of 3,250 or more, except the court ~~shall~~ **is** not ~~be~~
4 required to sit at any city ~~if it is contiguous to~~ **that is 10**
5 **miles or less from** the county seat or **is** contiguous to a city
6 having a greater population. The court shall also sit at other
7 places as the judges of the district determine. The court shall
8 sit not less than once each week in each county of a multicounty
9 district.

10 (2) In districts of the second class, the court shall sit at

1 any county seat within the district, and at each city and
2 incorporated village within the district having a population of
3 3,250 or more, except that if 2 or more cities or incorporated
4 villages are contiguous the court need sit only in the city
5 having the greater population. The court ~~shall~~ **is** not ~~be~~
6 required to sit in any political subdivision if the governing
7 body of that subdivision by resolution and the court agree that
8 the court shall not sit in the political subdivision. If the
9 district does not contain a county seat and does not contain any
10 city or incorporated village having a population of 3,250 or
11 more, the court shall sit at a place or places within the
12 district as the judges of the district determine. In addition to
13 the place or places where the court is required to sit, the court
14 may upon agreement of a majority of the judges of the district
15 and upon approval by resolution of the board of commissioners
16 also sit at the county seat of its district control unit situated
17 outside the district, but the court shall sit not less than once
18 each week within the district. If the district does not contain
19 any city, ~~then~~ the foregoing provisions of this subsection do
20 not apply to the district, and the court shall sit at the county
21 seat of its district control unit situated outside the district.
22 In addition to the place or places where the court is required to
23 sit pursuant to the provisions of this subsection, the court may
24 sit at a place or places within the district as the judges of the
25 district determine. If the court sits at a county seat situated
26 outside the district pursuant to this subsection, it ~~shall~~
27 ~~exercise~~ **has** the same powers, jurisdiction, and venue as if

1 sitting within the district.

2 (3) In districts of the third class, the court shall sit at
3 each city having a population of 3,250 or more and within each
4 township having a population of 12,000 or more and at other
5 places as the judges of the district determine. The court
6 ~~shall~~ **is** not ~~be~~ required to sit in any political subdivision
7 if the governing body of that subdivision by resolution and the
8 court agree that the court shall not sit in the political
9 subdivision.

10 (4) Each judge of the district shall sit at places within the
11 district as the presiding judge designates.

12 (5) A district judge or district court magistrate may sit at
13 a place outside the district under a multiple district plan
14 pursuant to section 8320.

15 (6) As used in this section, "population" means population
16 according to the most recent federal decennial census, except
17 that the most recent census shall not apply until the expiration
18 of 18 months from the date on which the census is taken.