

Act No. 137  
Public Acts of 2008  
Approved by the Governor  
May 21, 2008  
Filed with the Secretary of State  
May 21, 2008

EFFECTIVE DATE: 91st day after final adjournment of 2008 Regular Session

**STATE OF MICHIGAN  
94TH LEGISLATURE  
REGULAR SESSION OF 2008**

Introduced by Senator Stamas

# **ENROLLED SENATE BILL No. 435**

AN ACT to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 8152 (MCL 600.8152), as amended by 2002 PA 92.

*The People of the State of Michigan enact:*

Sec. 8152. (1) Except as provided in subsections (2) and (3), the eighty-seventh district consists of the counties of Crawford, Kalkaska, and Otsego, is a district of the first class, and has 1 judge.

(2) If the condition in subsection (3) is met, all of the following apply effective January 2, 2009:

(a) The eighty-seventh district consists of the county of Otsego, is a district of the first class, and has 1 judge, and shall be redesignated as the eighty-seventh-A district.

(b) The eighty-seventh-B district consists of the county of Kalkaska and is a district of the first class. Pursuant to section 810a, the Kalkaska county probate judge shall serve as judge of the eighty-seventh-B district.

(c) The eighty-seventh-C district consists of the county of Crawford and is a district of the first class. Pursuant to section 810a, the Crawford county probate judge shall serve as judge of the eighty-seventh-C district.

(3) Subsection (2) does not take effect unless the county of Otsego by resolution adopted by the governing body of the district funding unit approves the reformation of the eighty-seventh district and its redesignation as the eighty-seventh-A district and files a copy of the resolution with the state court administrator.

Enacting section 1. The judge of the eighty-seventh district at 11:59 p.m. on January 1, 2009, who resides in the county of Otsego, shall serve as judge of the eighty-seventh-A district for the balance of the term to which he or she was elected or appointed judge of the eighty-seventh district.

Enacting section 2. If Otsego county, acting through its governing body, approves the reformation of the eighty-seventh district to consist of the county of Otsego with 1 district judgeship, that approval constitutes an exercise of the district funding unit's option to provide a new activity or service or to increase the level of activity or service offered in the district funding unit beyond that required by existing law, as the elements of that option are defined by 1979 PA 101, MCL 21.231 to 21.244, and a voluntary acceptance by the district funding unit of all expenses and capital improvements that may result from reformation of the district. However, the exercise of the option does not affect the state's obligation to pay the same portion of each judge's salary which is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district funding unit for the necessary costs of state requirements established by a state law which becomes effective on or after December 23, 1978.

*Carol Morey Viventi*

Secretary of the Senate

*Richard J. Brown*

Clerk of the House of Representatives

Approved .....

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Governor