



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bills 850 and 851 (as discharged)
Sponsor: Senator John Pappageorge
Committee: Judiciary

CONTENT

Senate Bill 850 would amend the Revised Judicature Act (RJA) to define "additional circuit judgeship".

Section 550 of the RJA outlines the procedure for creating new circuit judgeships and filling those positions by election. An additional circuit judgeship permitted by the Act may not be authorized to be filled by election unless each county in the circuit adopts a resolution approving the creation of the judgeship. The RJA states that, by permitting an additional judgeship, the Legislature does not create the judgeship, but a county's approval creates the judgeship.

The bill would define "additional circuit judgeship", as used in Section 550, as a judgeship that exceeds the highest number of judgeships approved by a funding unit under this section in a circuit during the preceding six years.

Senate Bill 851 would amend the RJA to reduce temporarily the number of judgeships in the Sixth Judicial Circuit, which consists of Oakland County and has 19 judges. Under the bill, the Sixth Circuit would have 18 judges during the period beginning at noon on January 1, 2011, and ending at noon on January 1, 2015. The temporarily eliminated judgeship would have to be that of a judge who was not eligible to run for re-election due to constitutional limitation on the bill's effective date.

The bills are tie-barred.

MCL 600.550 (S.B. 850)
600.507 (S.B. 851)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would result in annual savings to the State and Oakland County for four years. Annual State savings would total \$158,563.78 (\$634,255 over four years). The amount includes the circuit court judge's salary (\$139,919), FICA (\$8,650.45), travel reimbursement (\$200), and defined contribution retirement (\$9,794.33). Local cost savings would include the judge's fringe benefits, the cost of court personnel, and the cost of equipment. Oakland County estimates its annual savings at \$450,000 (\$1.8 million over four years).

Date Completed: 10-28-09

Fiscal Analyst: Bill Bowerman

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