

HOUSE BILL No. 4868

April 29, 2009, Introduced by Reps. Lipton, Meadows, Coulouris, Tlaib, Lisa Brown, Durhal, Slavens and Constan and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 225 (MCL 600.225), as amended by 1996 PA 388.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 225. (1) The supreme court may assign an elected judge,
2 **OR A JUDGE WHO WAS APPOINTED TO OFFICE AND HAS SERVED AS A JUDGE**
3 **FOR NOT LESS THAN 2 YEARS,** of any court to serve as a judge in any
4 other court in this state, except as provided in subsection (3).
5 The assignment of a judge under this subsection shall be for a
6 limited period or specific assignment.

7 (2) The authority granted by this section may be exercised by
8 the supreme court at its discretion through its direct order, or
9 through the court administrator. The court should particularly
10 consider those cases where the chief judge of a court has asked

1 that another judge be sent to that court and has properly shown any
2 of the following:

3 (a) That the business of that court has increased beyond the
4 capacity of the judge or judges to properly dispose of.

5 (b) That a vacancy exists in the office of the judge of the
6 court.

7 (c) That a judge is unable to discharge the duties of his or
8 her office.

9 (d) Any other sufficient reason.

10 (3) All assignments and reassignments of cases filed in any
11 court in a county shall be made among the judges of that county,
12 unless no trial court judge in that county is qualified and able to
13 undertake a particular case. A judge of 1 county shall not be
14 assigned to serve as a judge in another county unless no other
15 trial court judge in the county needing assistance is able to
16 render that assistance.

17 (4) Judges assigned pursuant to subsection (1) shall hold
18 court and fulfill the duties of the office just as they would had
19 they been elected in the respective court for the time they were
20 assigned to serve.

21 (5) The county or district funding unit responsible for the
22 maintenance and operation of the court shall provide suitable
23 places where judges shall hold court.

24 (6) A judge who is assigned as provided in this section shall
25 receive as salary for each day he or she serves in the court $\frac{1}{250}$
26 of the amount by which the total annual salary of a judge of the
27 court to which he or she is assigned exceeds his or her total

1 annual salary. The salary provided in this subsection is payable by
2 the county or district control unit or units that have provided an
3 additional salary for the judicial office to which the judge is
4 assigned. In addition to that salary, a judge assigned as provided
5 in this section shall be entitled to receive actual and necessary
6 expenses for travel, meals, and lodging from the county or district
7 funding unit or units that are responsible for the maintenance and
8 operation of the trial court to which the judge is assigned. The
9 salary and expenses shall be payable at the same time and in the
10 same manner as provided for the judicial office to which the judge
11 is assigned. As used in this section, "court" means the various
12 circuits of the circuit court, ~~the recorder's court of the city of~~
13 ~~Detroit,~~ the various counties and probate court districts of the
14 probate court, and the various districts of the district court.

15 (7) A municipal judge who is assigned as provided in this
16 section shall be compensated as provided in section 225a.