

SENATE BILL No. 1056

January 13, 2010, Introduced by Senator CROPSEY 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 2003 PA 7.

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. In districts of the first class
3 consisting of 1 county having a population of 130,000 or more, the
4 court shall also sit at each city having a population of 6,500 or
5 more, except the court is not required to sit at any city that is
6 contiguous to the county seat or is contiguous to a city having a
7 greater population. The court shall also sit at other places as the
8 judges of the district determine. The court shall sit not less than
9 once each week in each county of a multicounty district.

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

1 any county seat within the district, and **MAY SIT** at each city and
2 incorporated village within the district having a population of
3 ~~3,250-10,000~~ or more, except that if 2 or more cities or
4 incorporated villages are contiguous the court need sit only in the
5 city having the greater population. The court is not required to
6 sit in any political subdivision if the governing body of that
7 subdivision by resolution and the **PRESIDING JUDGE OF THE** court
8 agree that the court shall not sit in the political subdivision. If
9 the district does not contain a county seat and does not contain
10 any city or incorporated village having a population of ~~3,250~~
11 **10,000** or more, the court shall sit at a place or places within the
12 district as the ~~judges~~ **PRESIDING JUDGE** of the district ~~determine~~
13 **DETERMINES**. In addition to the place or places where the court is
14 required to sit, the court may upon ~~agreement of a majority of the~~
15 ~~judges of the district~~ **THE ASSENT OF THE PRESIDING JUDGE** and upon
16 approval by resolution of the board of commissioners also sit at
17 the county seat of its district control unit situated outside the
18 district, but the court shall sit not less than once each week
19 within the district. If the district does not contain any city, the
20 foregoing provisions of this subsection do not apply to the
21 district, and the court shall sit at the county seat of its
22 district control unit situated outside the district. In addition to
23 the place or places where the court is required to sit pursuant to
24 the provisions of this subsection, the court may sit at a place or
25 places within the district as the ~~judges~~ **PRESIDING JUDGE** of the
26 district ~~determine~~ **DETERMINES**. If the court sits at a county seat
27 situated outside the district pursuant to this subsection, it has

1 the same powers, jurisdiction, and venue as if sitting within the
2 district.

3 (3) In districts of the third class, the court shall sit at
4 each city having a population of 3,250 or more and within each
5 township having a population of 12,000 or more and at other places
6 as the judges of the district determine. The court is not required
7 to sit in any political subdivision if the governing body of that
8 subdivision by resolution and the court agree that the court shall
9 not sit in the political 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 a
13 place outside the district under a multiple district plan pursuant
14 to section 8320.

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