

HOUSE BILL No. 5103

October 19, 2011, Introduced by Rep. Rutledge and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 8121 and 8123 (MCL 600.8121 and 600.8123),
section 8121 as amended by 2001 PA 258 and section 8123 as amended
by 2000 PA 448.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8121. (1) The sixteenth district consists of the city of
2 Livonia, is a district of the third class, and has 2 judges.

3 (2) The seventeenth district consists of the township of
4 Redford in the county of Wayne, is a district of the third class,
5 and has 2 judges.

6 (3) The eighteenth district consists of the city of Westland,
7 is a district of the third class, and has 2 judges.

1 (4) The nineteenth district consists of the city of Dearborn,
2 is a district of the third class, and has 3 judges.

3 (5) The twentieth district consists of the city of Dearborn
4 Heights, is a district of the third class, and has 2 judges.

5 (6) The twenty-first district consists of the city of Garden
6 City, is a district of the third class, and has 1 judge.

7 (7) The twenty-second district consists of the city of
8 Inkster, is a district of the third class, and has 1 judge.

9 (8) The twenty-third district consists of the city of Taylor,
10 is a district of the third class, and has 2 judges.

11 (9) The twenty-fourth district consists of the cities of Allen
12 Park and Melvindale, is a district of the third class, and has 2
13 judges.

14 (10) The twenty-fifth district consists of the city of Lincoln
15 Park, is a district of the third class, and has 2 judges. **THE**
16 **TWENTY-FIFTH DISTRICT SHALL HAVE 1 JUDGE BEGINNING ON THE EARLIER**
17 **OF THE FOLLOWING DATES:**

18 **(A) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF**
19 **DISTRICT JUDGE IN THIS DISTRICT.**

20 **(B) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT**
21 **DISTRICT JUDGE IN THIS DISTRICT NO LONGER SEEKS ELECTION OR**
22 **REELECTION TO THAT OFFICE.**

23 (11) The twenty-sixth district consists of the cities of River
24 Rouge and Ecorse, is a district of the third class, and is divided
25 into the following election divisions:

26 (a) The first division consists of the city of River Rouge and
27 has 1 judge.

(b) The second division consists of the city of Ecorse and has 1 judge.

(12) The twenty-seventh district consists of the following, as applicable:

~~—— (a) Until January 1, 2003 or until a vacancy occurs in a judgeship in the twenty seventh district, whichever occurs first, the twenty seventh district consists of the cities of Wyandotte and Riverview, is a district of the third class, and is divided into the following election divisions:~~

~~—— (i) The first division consists of the city of Wyandotte and has 1 judge.~~

~~—— (ii) The second division consists of the city of Riverview and has 1 judge.~~

~~—— (b) Beginning January 1, 2003 or the date on which a vacancy occurs in a judgeship in the twenty seventh district, whichever occurs first, the twenty seventh district consists of the cities of Wyandotte and Riverview, is a district of the third class, and has 1 judge. The remaining incumbent judge of the twenty seventh district shall serve as the judge of the entire twenty seventh district for the balance of the term to which he or she was elected or appointed.~~

(13) The twenty-eighth district consists of the city of Southgate, is a district of the third class, and has 1 judge.

(14) The twenty-ninth district consists of the city of Wayne, is a district of the third class, and has 1 judge.

(15) The thirtieth district consists of the city of Highland Park, is a district of the third class, and has the following

1 ~~number of judges.~~

2 ~~—— (a) Until subdivision (b) takes effect, this district has 2~~
3 ~~judges.~~

4 ~~—— (b) This district has 1 judge beginning on the earlier of the~~
5 ~~following dates.~~

6 ~~—— (i) The date on which a vacancy occurs in the office of~~
7 ~~district judge in this district.~~

8 ~~—— (ii) 12 noon, January 1, 2003.~~ **1 JUDGE.**

9 (16) The thirty-first district consists of the city of
10 Hamtramck, is a district of the third class, and has 1 judge.

11 (17) The thirty-second-a district consists of the city of
12 Harper Woods, is a district of the third class, and has 1 judge.

13 (18) The thirty-second-b district consists of the cities of
14 Grosse Pointe Woods, Grosse Pointe Park, Grosse Pointe, and Grosse
15 Pointe Farms, and the village of Grosse Pointe Shores, is a
16 district of the third class, and has 1 judge.

17 (19) The thirty-third district consists of the cities of
18 Trenton, Gibraltar, Woodhaven, Rockwood, and Flat Rock and the
19 townships of Brownstown and Grosse Ile in the county of Wayne, is a
20 district of the third class, and has **THE FOLLOWING NUMBER OF**
21 **JUDGES:**

22 **(A) UNTIL THE DATE DETERMINED UNDER SUBDIVISION (B), 3 judges.**

23 **(B) BEGINNING ON THE EARLIER OF THE FOLLOWING DATES, 2 JUDGES:**

24 **(i) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF**
25 **DISTRICT JUDGE IN THIS DISTRICT.**

26 **(ii) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT**
27 **DISTRICT JUDGE IN THIS DISTRICT NO LONGER SEEKS ELECTION OR**

1 **REELECTION TO THAT OFFICE.**

2 (20) The thirty-fourth district consists of the townships of
3 Sumpter, Van Buren, and Huron in the county of Wayne and the cities
4 of Romulus and Belleville, is a district of the third class, and
5 has 3 judges.

6 (21) The thirty-fifth district consists of the cities of
7 Northville and Plymouth and the townships of Northville, Plymouth,
8 and Canton in the county of Wayne, is a district of the third
9 class, and has 2-3 judges. ~~Subject to section 8175, this district~~
10 ~~may have 1 additional judge effective January 1, 2003. If a new~~
11 ~~office of judge is added to this district to be filled by election~~
12 ~~in 2002, the term of office of the judge for that election only~~
13 ~~shall be 8 years.~~

14 Sec. 8123. (1) ~~The~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS**
15 **SUBSECTION, THE** forty-third district consists of the cities of
16 Madison Heights, Ferndale, and Hazel Park, is a district of the
17 third class, and has 3 judges. **BEGINNING JANUARY 2, 2015, THE**
18 **FORTY-THIRD DISTRICT CONSISTS OF THE CITIES OF MADISON HEIGHTS,**
19 **FERNDALE, HAZEL PARK, AND ROYAL OAK, IS A DISTRICT OF THE THIRD**
20 **CLASS, AND HAS 5 JUDGES. THE ADDITIONAL JUDGESHIP IN THIS DISTRICT**
21 **SHALL BE FILLED BY THE INCUMBENT JUDGES OF THE FORTY-FOURTH**
22 **DISTRICT, WHO SHALL BECOME JUDGES OF THE FORTY-THIRD DISTRICT FOR**
23 **THE BALANCE OF THE TERMS TO WHICH THEY WERE ELECTED OR APPOINTED.**
24 **BEGINNING JANUARY 2, 2015, THE FORTY-THIRD DISTRICT HAS 4 JUDGES**
25 **BEGINNING ON THE EARLIER OF THE FOLLOWING DATES:**

26 (A) **THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF**
27 **DISTRICT JUDGE IN THE FORTY-THIRD DISTRICT.**

1 (B) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT
2 DISTRICT JUDGE IN THE FORTY-THIRD DISTRICT NO LONGER SEEKS ELECTION
3 OR REELECTION TO THAT OFFICE.

4 (2) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE
5 forty-fourth district consists of the city of Royal Oak, is a
6 district of the third class, and has 2 judges. BEGINNING JANUARY 2,
7 2015, THE FORTY-FOURTH DISTRICT IS ABOLISHED AND THE JUDGES OF THE
8 FORTY-FOURTH DISTRICT SHALL BECOME JUDGES OF THE FORTY-THIRD
9 DISTRICT FOR THE BALANCE OF THE TERMS TO WHICH THEY WERE ELECTED OR
10 APPOINTED.

11 (3) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE
12 forty-fifth-a district consists of the city of Berkley, is a
13 district of the third class, and has 1 judge. BEGINNING JANUARY 1,
14 2012, THE FORTY-FIFTH-A DISTRICT IS ABOLISHED AND THE FORTY-FIFTH
15 DISTRICT IS CREATED. THE FORTY-FIFTH DISTRICT CONSISTS OF THE
16 CITIES OF BERKLEY, HUNTINGTON WOODS, OAK PARK, AND PLEASANT RIDGE
17 AND THE TOWNSHIP OF ROYAL OAK IN THE COUNTY OF OAKLAND, IS A
18 DISTRICT OF THE THIRD CLASS, AND HAS 3 JUDGES. BEGINNING JANUARY 1,
19 2012, THE JUDGE OF THE FORTY-FIFTH-A DISTRICT SHALL BECOME A JUDGE
20 OF THE FORTY-FIFTH DISTRICT FOR THE BALANCE OF THE TERM TO WHICH HE
21 OR SHE WAS ELECTED OR APPOINTED. FOR PURPOSES OF THE NOVEMBER 2020
22 GENERAL ELECTION ONLY, THE TERM OF THE CANDIDATE FOR DISTRICT JUDGE
23 IN THE FORTY-FIFTH JUDICIAL DISTRICT WHO RECEIVES THE HIGHEST
24 NUMBER OF VOTES IS 8 YEARS AND THE TERM OF THE CANDIDATE FOR
25 DISTRICT JUDGE IN THE FORTY-FIFTH JUDICIAL DISTRICT WHO RECEIVES
26 THE SECOND HIGHEST NUMBER OF VOTES IS 6 YEARS. THE FORTY-FIFTH
27 DISTRICT HAS 2 JUDGES BEGINNING ON THE EARLIER OF THE FOLLOWING

1 DATES:

2 (A) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF
3 DISTRICT JUDGE IN THE FORTY-FIFTH DISTRICT.

4 (B) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT
5 DISTRICT JUDGE IN THE FORTY-FIFTH DISTRICT NO LONGER SEEKS ELECTION
6 OR REELECTION TO THAT OFFICE.

7 (4) The forty-fifth-b district consists of the cities of
8 Huntington Woods, Oak Park, and Pleasant Ridge and the township of
9 Royal Oak in the county of Oakland, is a district of the third
10 class, and has 2 judges. BEGINNING JANUARY 1, 2012, THE FORTY-
11 FIFTH-B DISTRICT IS ABOLISHED AND THE JUDGES OF THE FORTY-FIFTH-B
12 DISTRICT SHALL BECOME JUDGES OF THE FORTY-FIFTH DISTRICT FOR THE
13 BALANCE OF THE TERM TO WHICH THEY WERE ELECTED OR APPOINTED. FOR
14 PURPOSES OF THE NOVEMBER 2020 GENERAL ELECTION ONLY, THE TERM OF
15 THE CANDIDATE FOR DISTRICT JUDGE IN THE FORTY-FIFTH JUDICIAL
16 DISTRICT WHO RECEIVES THE HIGHEST NUMBER OF VOTES SHALL BE 8 YEARS.

17 (5) The forty-sixth district consists of the cities of
18 Southfield and Lathrup Village and the township of Southfield in
19 the county of Oakland, is a district of the third class, and has 3
20 judges.

21 (6) The forty-seventh district consists of the cities of
22 Farmington and Farmington Hills, is a district of the third class,
23 and has 2 judges. ~~Subject to section 8175, this district may have 1~~
24 ~~additional judge subject to review and recommendation by the state~~
25 ~~court administrator to the legislature and subsequent legislation,~~
26 ~~if and when a district court judgeship is eliminated within the~~
27 ~~state of Michigan.~~

(7) The forty-eighth district consists of the cities of Birmingham, Bloomfield Hills, Sylvan Lake, Keego Harbor, and Orchard Lake Village and the townships of Bloomfield and West Bloomfield in the county of Oakland, is a district of the third class, and has **THE FOLLOWING NUMBER OF JUDGES:**

(A) UNTIL THE DATE DETERMINED UNDER SUBDIVISION (B), THE FORTY-EIGHTH DISTRICT HAS 3 judges.

(B) THE FORTY-EIGHTH DISTRICT HAS 2 JUDGES BEGINNING ON THE EARLIER OF THE FOLLOWING DATES:

(i) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF DISTRICT JUDGE IN THIS DISTRICT.

(ii) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT DISTRICT JUDGE IN THIS DISTRICT NO LONGER SEEKS ELECTION OR REELECTION TO THAT OFFICE.

(8) The fiftieth district consists of the city of Pontiac, is a district of the third class, and has **THE FOLLOWING NUMBER OF JUDGES:**

(A) UNTIL THE DATES DETERMINED UNDER SUBDIVISIONS (B) AND (C), 4 judges.

(B) THE FIFTIETH DISTRICT HAS 3 JUDGES BEGINNING ON THE EARLIER OF THE FOLLOWING DATES:

(i) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF DISTRICT JUDGE IN THIS DISTRICT.

(ii) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT DISTRICT JUDGE IN THIS DISTRICT NO LONGER SEEKS ELECTION OR REELECTION TO THAT OFFICE.

(C) FOLLOWING, OR SIMULTANEOUSLY WITH, THE REDUCTION IN THE

1 NUMBER OF JUDGEShips FROM 4 TO 3 UNDER SUBDIVISION (B), THE
2 FIFTIETH DISTRICT HAS 2 JUDGES BEGINNING ON THE EARLIER OF THE
3 FOLLOWING DATES:

4 (i) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF
5 DISTRICT JUDGE IN THIS DISTRICT.

6 (ii) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT
7 DISTRICT JUDGE IN THIS DISTRICT NO LONGER SEEKS ELECTION OR
8 REELECTION TO THAT OFFICE.

9 (9) The fifty-first district consists of the township of
10 Waterford in the county of Oakland, is a district of the third
11 class, and has 2 judges.

12 (10) The fifty-second district consists of the county of
13 Oakland except the cities of Madison Heights, Ferndale, Hazel Park,
14 Royal Oak, Berkley, Huntington Woods, Oak Park, Pleasant Ridge,
15 Southfield, Lathrup Village, Farmington, Farmington Hills,
16 Northville, Sylvan Lake, Keego Harbor, Orchard Lake Village,
17 Birmingham, Bloomfield Hills, and Pontiac and the townships of
18 Royal Oak, Southfield, West Bloomfield, Bloomfield, and Waterford,
19 is a district of the second class, and is divided into the
20 following election divisions:

21 (a) The first division consists of the cities of Novi, South
22 Lyon, Wixom, and Walled Lake and the townships of Milford,
23 Highland, Commerce, Lyon, and Novi **AND HAS 3 JUDGES.** ~~Until January~~
24 ~~1, 2003, the first division also includes the townships of Rose and~~
25 ~~White Lake. The first division has 3 judges. Subject to section~~
26 ~~8175, this division may have 1 additional judge effective January~~
27 ~~1, 2003. If the Oakland county board of commissioners approves that~~

1 ~~additional judgeship, the judgeship in the first division that is~~
2 ~~filled by the district judge of the first division whose term~~
3 ~~expires January 1, 2005 is transferred to the second division,~~
4 ~~effective January 1, 2003.~~

5 (b) The second division consists of the city of the village of
6 Clarkston and the townships of Springfield, Independence, Holly,
7 Groveland, and Brandon, ~~. Beginning January 1, 2003, the second~~
8 ~~division also includes the townships of Rose, and White Lake~~ **AND**
9 **HAS 2 JUDGES.** ~~The second division has 1 judge; however, effective~~
10 ~~January 1, 2003, this division shall have 2 judges if a judgeship~~
11 ~~is transferred to this division from the first division pursuant to~~
12 ~~subdivision (a).~~

13 (c) The third division consists of the cities of Rochester,
14 Auburn Hills, Rochester Hills, and Lake Angelus and the townships
15 of Oxford, Addison, Orion, and Oakland and has 3 judges.

16 (d) The fourth division consists of the cities of Troy and
17 Clawson and has 3 judges.