

SENATE BILL No. 1351

October 17, 2012, Introduced by Senators PAPPAGEORGE and GREGORY and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 8123 and 8132 (MCL 600.8123 and 600.8132),
section 8123 as amended by 2012 PA 37 and section 8132 as amended
by 2011 PA 300.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8123. (1) The forty-third district consists of the cities
2 of Madison Heights, Ferndale, and Hazel Park, is a district of the
3 third class, and has 3 judges.

4 (2) 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 ~~2013, the forty-fourth district has 1 judge beginning on the~~
8 ~~earlier of the following dates:~~

9 ~~— (a) The date on which a vacancy occurs in the office of~~

~~district judge in the forty fourth district.~~

~~—— (b) The beginning date of the term for which an incumbent~~

~~district judge in the forty fourth district no longer seeks~~

~~election or reelection to that office.~~ BEGINNING JANUARY 1, 2015,

THE FORTY-FOURTH DISTRICT CONSISTS OF THE CITIES OF ROYAL OAK AND
BERKLEY, IS A DISTRICT OF THE THIRD CLASS, AND HAS 2 JUDGES.

BEGINNING JANUARY 1, 2015, THE JUDGE OF THE FORTY-FIFTH DISTRICT

WHO WAS ELECTED WITHIN THE CITY OF BERKLEY ON OR BEFORE FEBRUARY

29, 2012 SHALL BECOME JUDGE OF THE FORTY-FOURTH DISTRICT FOR THE

BALANCE OF THE TERM TO WHICH HE OR SHE WAS ELECTED OR APPOINTED.

SECTIONS 8175 AND 8176 DO NOT APPLY TO THE REORGANIZATION OF THE

FORTY-FOURTH DISTRICT. FOR PURPOSES OF THE NOVEMBER 2020 GENERAL

ELECTION ONLY, THE TERM OF THE CANDIDATE FOR DISTRICT JUDGE IN THE

FORTY-FOURTH JUDICIAL DISTRICT WHO RECEIVES THE HIGHEST NUMBER OF

VOTES IS 8 YEARS AND THE TERM OF THE CANDIDATE FOR DISTRICT JUDGE

IN THE FORTY-FIFTH DISTRICT WHO RECEIVES THE SECOND HIGHEST NUMBER

OF VOTES IS 6 YEARS.

(3) Except as otherwise provided in this subsection, the

~~forty fifth a district consists of the city of Berkley, is a~~

~~district of the third class, and has 1 judge. Subject to subsection~~

~~(11), beginning July 1, 2012, the forty fifth district is created.~~

The forty-fifth district consists of the cities of Berkley,

Huntington Woods, Oak Park, and Pleasant Ridge and the township of

Royal Oak in the county of Oakland, is a district of the third

class, and has 3 judges. Beginning July 1, 2012, the forty fifth a

~~district is abolished and the judge of the forty fifth a district~~

~~shall become a judge of the forty fifth district for the balance of~~

~~the term to which he or she was elected or appointed. Sections 8175 and 8176 do not apply to the consolidation of the forty-fifth-a and forty-fifth-b districts. For purposes of the November 2020 general election only, the term of the candidate for district judge in the forty-fifth judicial district who receives the highest number of votes is 8 years and the term of the candidate for district judge in the forty-fifth judicial district who receives the second highest number of votes is 6 years. Beginning July 2, 2012, the forty-fifth district has 2 judges beginning on the earlier of the following dates: BEGINNING JANUARY 1, 2015, THE FORTY-FIFTH DISTRICT CONSISTS OF THE CITIES OF HUNTINGTON WOODS, OAK PARK, AND PLEASANT RIDGE AND THE TOWNSHIP OF ROYAL OAK IN THE COUNTY OF OAKLAND, IS A DISTRICT OF THE THIRD CLASS, AND HAS 2 JUDGES. THE JUDGES OF THE FORTY-FIFTH DISTRICT WHO WERE ELECTED WITHIN THE CITIES OF HUNTINGTON WOODS, OAK PARK, AND PLEASANT RIDGE AND THE TOWNSHIP OF ROYAL OAK IN THE COUNTY OF OAKLAND ON OR BEFORE FEBRUARY 29, 2012 SHALL REMAIN JUDGES OF THE FORTY-FIFTH DISTRICT FOR THE BALANCE OF THE TERM TO WHICH THEY WERE ELECTED. SECTIONS 8175 AND 8176 DO NOT APPLY TO THE REORGANIZATION OF THE FORTY-FIFTH DISTRICT.~~

~~—— (a) The date on which a vacancy occurs in the office of district judge in the forty-fifth district.~~

~~—— (b) The beginning date of the term for which an incumbent district judge in the forty-fifth district no longer seeks election or reelection to that office.~~

~~(4) Except as otherwise provided in this subsection, the forty-fifth-b district consists of the cities of Huntington Woods, Oak Park, and Pleasant Ridge and the township of Royal Oak in the~~

~~county of Oakland, is a district of the third class, and has 2 judges. Beginning July 1, 2012, the forty-fifth b district is abolished and the judges of the forty-fifth b district shall become judges of the forty-fifth district for the balance of the term to which they were elected or appointed.~~ **ANY PHYSICAL REORGANIZATION REQUIRED TO ACCOMPLISH THE REORGANIZATION OF DISTRICT BOUNDARIES UNDER SUBSECTIONS (2) AND (3) SHALL BE COMPLETED NO LATER THAN JANUARY 1, 2021.**

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

(6) The forty-seventh district consists of the cities of Farmington and Farmington Hills, is a district of the third class, and has 2 judges.

(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

1 district judge in this district no longer seeks election or
2 reelection to that office.

3 (8) The fiftieth district consists of the city of Pontiac, is
4 a district of the third class, and has the following number of
5 judges:

6 (a) Until the date determined under subdivision (b), 4 judges.

7 (b) The fiftieth district has 3 judges beginning on the
8 earlier of the following dates:

9 (i) The date on which a vacancy occurs in the office of
10 district judge in this district.

11 (ii) The beginning date of the term for which an incumbent
12 district judge in this district no longer seeks election or
13 reelection to that office.

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

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

26 (a) The first division consists of the cities of Novi, South
27 Lyon, Wixom, and Walled Lake and the townships of Milford,

1 Highland, Commerce, Lyon, and Novi and has 3 judges.

2 (b) The second division consists of the city of the village of
3 Clarkston and the townships of Springfield, Independence, Holly,
4 Groveland, Brandon, Rose, and White Lake and has 2 judges.

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

8 (d) Except as otherwise provided in this subdivision, the
9 fourth division consists of the cities of Troy and Clawson and has
10 3 judges. Beginning 12 noon, January 1, 2013, the fourth division
11 has 2 judges.

12 ~~—— (11) If the district control units for the forty-fifth-a and~~
13 ~~forty-fifth-b district court districts submit an alternative~~
14 ~~judicial reorganization plan that is approved by the state court~~
15 ~~administrative office by July 1, 2012, then the reorganization~~
16 ~~provisions of subsections (3) and (4) do not apply.~~

17 Sec. 8132. (1) Until 12 noon, January 1, 2015, the sixty-
18 fifth-a district consists of the county of Clinton, is a district
19 of the first class, and has 1 judge. Beginning 12 noon, January 1,
20 2015, the sixty-fifth-a district consists of the county of Clinton
21 and is a district of the first class. Under section 810a, the
22 probate judge for the county of Clinton shall serve as a ~~a~~**THE** judge
23 of the sixty-fifth-a district.

24 (2) The sixty-fifth-b district consists of the county of
25 Gratiot, is a district of the first class, and has 1 judge.