



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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Senate Bill 43 (as reported without amendment)  
Sponsor: Senator Rick Jones  
Committee: Judiciary

### **CONTENT**

The bill would amend the Revised Judicature Act to reduce the 29<sup>th</sup> Judicial Circuit (Clinton and Gratiot Counties) by one judgeship, by attrition; and delete a provision reducing the 65<sup>th</sup>-A Judicial District (Clinton County) by one judgeship, and requiring the Clinton County probate judge to serve as a district judge, beginning on January 1, 2015.

Currently, the 29<sup>th</sup> Judicial Circuit consists of Clinton and Gratiot Counties and has two judges. Under the bill, beginning on the earlier of the following dates, the 29<sup>th</sup> circuit would have one judge:

- The date on which a vacancy occurred in the office of circuit judge in the 29<sup>th</sup> circuit.
- The beginning date of the term for which an incumbent circuit judge in the 29<sup>th</sup> circuit no longer sought election or re-election to that office.

Under the Act, until noon on January 1, 2015, the 65<sup>th</sup>-A Judicial District, which consists of Clinton County, has one judge. At that time, the probate judge for Clinton County will serve as a judge of the 65<sup>th</sup>-A district. The bill would delete the requirement that the probate judge serve as a district judge beginning at noon on January 1, 2015.

MCL 600.530 & 600.8132

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The long-run impact of the bill would be to reduce the number of circuit court judges by one while also preventing the reduction of one district judgeship. Therefore, the total number of judges would remain unchanged, but there would be one more district judge and one fewer circuit judge. Circuit court judges cost the State approximately \$159,000 per year while district court judges cost \$157,000, so savings to the State for the salary, payroll taxes, and defined contribution retirement for the affected positions would be only \$2,000.

Although the bill itself would not change the long-run number of judgeships, it would have an indeterminate impact on the timing of the reduction. Current law calls for the district judge position to be eliminated on January 1, 2015; the bill instead would have the reduction occur by attrition in the circuit court, and it cannot be known with certainty at this time when that attrition would occur. If the attrition occurred after January 1, 2015, then the bill would create additional costs to the State of \$159,000 per year until the attrition occurred. Similarly, if the attrition occurred before January 1, 2015, then the State would realize savings.

Date Completed: 1-23-13

Fiscal Analyst: Dan O'Connor