

Legislative Analysis



36TH DISTRICT COURT BAILIFFS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 281 as passed by the Senate
Sponsor: Sen. Tonya Schuitmaker
House Committee: Judiciary
Senate Committee: Judiciary
Revised as of 6-23-15

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

The bill adds an additional circumstance under which a bailiff of the 36th District Court (City of Detroit) may be removed from office.

Senate Bill 281 amends the Revised Judicature Act.

Under the act, a person serving as a bailiff of the former common pleas court of Detroit on August 31, 1981, became a bailiff of the 36th district court on September 1, 1981. The RJA provides that a bailiff of the 36th district court holds office until death, retirement, resignation, or removal from office by the court for misfeasance or malfeasance in office. A vacancy in the office of bailiff may not be filled.

The bill also would allow the court to remove a bailiff from office for the inability to perform essential functions of the office. The bill takes effect 90 days after enactment.

MCL 600.8322

FISCAL IMPACT:

Under the bill, in addition to being removed for misfeasance or malfeasance in office, a bailiff of the 36th District Court could also be removed for inability to perform essential functions of the office. Removal of a bailiff would result in decreased expenditures for the City of Detroit, as the annual full-time or part-time salary and associated retirement costs would no longer have to be paid, because vacant positions are not to be filled. The bill would have no fiscal impact on the state.

Legislative Analyst: Susan Stutzky
Fiscal Analyst: Robin Risko

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.