



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bills 632 and 633 (as reported without amendment)
Sponsor: Senator Tonya Schuitmaker
Committee: Judiciary

CONTENT

Senate Bill 632 would amend the Revised Judicature Act (RJA) to do the following:

- Specify that the Court of Appeals would have jurisdiction on appeals from final judgments and final orders from the probate court, as a matter of right.
- Delete certain probate court final judgments or orders from the matters that are appealable to the Court of Appeals only by application for leave to appeal.
- Delete a provision under which another court that had concurrent jurisdiction with the probate court may hear the action by appeal or review after the matter was transferred to probate court.
- Specify that, after an appeal of right from the probate court was filed with the Court of Appeals, further proceedings in pursuance of the probate court's judgment, order, or sentence would be stayed for 21 days, or until the appeal was determined if a motion for stay pending appeal were granted.

The bill also would repeal Sections 861 and 863, which provide for appeals from probate court to the Court of Appeals in certain matters, and to the circuit court in other matters.

Senate Bill 633 would amend the Estates and Protected Individuals Code to delete a provision under which another court that had concurrent jurisdiction with the probate court may hear the action by appeal or review after the matter was transferred to probate court.

The bills are tie-barred and would take effect 90 days after enactment.

MCL 600.308 et al. (S.B. 632)
700.1303 (S.B. 633)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Date Completed: 1-25-16

Fiscal Analyst: Ryan Bergan