



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 728 (as reported without amendment)
Sponsor: Senator Dave Robertson
Committee: Judiciary

Date Completed: 3-2-16

RATIONALE

Michigan's 51st judicial district consists of Waterford Township in Oakland County, and is allocated two judgeships by law. Due to a judge's recent retirement, one of those judgeships is now vacant. Evidently, the court's local funding unit would like to continue the court's operation with just one judge. It has been suggested that one of the district's two judgeships be eliminated statutorily before the current vacancy is filled.

CONTENT

The bill would amend the Revised Judicature Act to eliminate one judgeship in the 51st judicial district.

MCL 600.8123

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

In recent years, legislative action in response to judicial resource recommendations of the State Court Administrative Office (SCAO) has focused on "right-sizing" Michigan's judiciary, primarily by eliminating certain judgeships through attrition. Legislation based on the SCAO's 2011 and 2013 recommendations has resulted in a more streamlined judiciary and produced significant savings in court operations to both the State and local units of government. Although the judicial resource recommendations have not included reducing the number of judgeships in 51st district, the SCAO apparently does not object to reducing that court by one judgeship, which would reflect the status quo since a judge recently retired. By requiring the 51st judicial district to have one judge instead of two, the bill would accommodate local wishes regarding the size of that court and would continue the effort to provide for more efficient judicial operations.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have a positive fiscal impact on the State and local units of government. According to the State Court Administrative Office, each district court judgeship has a cost to the State of \$157,303, which includes salary, retirement contributions up to 7%, and the employer share of FICA taxes (OASI and Medicare). The local court system pays for the remaining judgeship costs, including fringe benefits (health care and additional staff), facility costs, and overhead. The costs for local district courts differ by location, but to the extent that the court could reduce staff or equipment costs, it would realize savings.

Fiscal Analyst: Ryan Bergan

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