

# SENATE BILL No. 709

(As amended February 3, 2016)

January 14, 2016, Introduced by Senator JONES and referred to the Committee on Judiciary.

<<A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending sections 401, 507, 517, 519, 803, 841, 8115, 8121a,  
8123, 8139, and 8304 (MCL 600.401, 600.507, 600.517, 600.519, 600.803,  
600.841, 600.8115, 600.8121a, 600.8123, 600.8139, and 600.8304),  
section 401 as amended by 2012 PA 338, section 507 as amended  
by 2014 PA 57, section 517 as amended by 2014 PA 56, section 519  
as amended by 2012 PA 38, section 803 as amended by 2012 PA 36,  
sections 841 and 8304 as amended by 2013 PA 164, and sections 8121a  
and 8123 as amended by 2014 PA 58.>>

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 401. (1) Within each judicial circuit, subject to  
2       approval by the supreme court and to the limitations contained in  
3       sections 410, 841, and 8304, a plan of concurrent jurisdiction

1 shall be adopted by a majority vote of all of the judges of the  
2 trial courts in the plan unless a majority of all of the judges of  
3 the trial courts in that judicial circuit vote not to have a plan  
4 of concurrent jurisdiction. If a majority of all of the judges of  
5 the trial courts in a judicial circuit vote not to have a plan of  
6 concurrent jurisdiction, the chief judge of the circuit court of  
7 that judicial circuit shall report the results of that vote to the  
8 state court administrator.

9       **(2) AMONG JUDICIAL CIRCUITS, SUBJECT TO APPROVAL BY THE**  
10 **SUPREME COURT AND TO THE LIMITATIONS CONTAINED IN SECTIONS 410,**  
11 **841, AND 8304, A PLAN OF CONCURRENT JURISDICTION MAY BY ADOPTED BY**  
12 **A MAJORITY VOTE OF ALL OF THE JUDGES OF THE TRIAL COURTS IN THE**  
13 **PLAN.**

14       **(3) ~~(2)~~**A plan of concurrent jurisdiction under this section  
15 may provide for 1 or more of the following:

16       (a) The circuit court and 1 or more circuit judges may  
17 exercise the power and jurisdiction of the probate court.

18       (b) The circuit court and 1 or more circuit judges may  
19 exercise the power and jurisdiction of the district court.

20       (c) The probate court and 1 or more probate judges may  
21 exercise the power and jurisdiction of the circuit court.

22       (d) The probate court and 1 or more probate judges may  
23 exercise the power and jurisdiction of the district court.

24       (e) The district court and 1 or more district judges may  
25 exercise the power and jurisdiction of the circuit court.

26       (f) The district court and 1 or more district judges may  
27 exercise the power and jurisdiction of the probate court.

1 (g) If there are multiple district court districts within the  
2 judicial circuit, 1 or more district judges may exercise the power  
3 and jurisdiction of judge of another district court district within  
4 the judicial circuit.

5 (H) IF THE PLAN INVOLVES MULTIPLE CIRCUITS, 1 OR MORE DISTRICT  
6 JUDGES MAY EXERCISE THE POWER AND JURISDICTION OF JUDGE OF ANOTHER  
7 DISTRICT COURT DISTRICT WITHIN THE JUDICIAL CIRCUITS.

8 (I) IF THE PLAN INVOLVES MULTIPLE CIRCUITS, 1 OR MORE PROBATE  
9 JUDGES MAY EXERCISE THE POWER AND JURISDICTION OF JUDGE OF ANOTHER  
10 PROBATE COURT WITHIN THE JUDICIAL CIRCUITS.

11 (J) IF THE PLAN INVOLVES MULTIPLE CIRCUITS, 1 OR MORE CIRCUIT  
12 JUDGES MAY EXERCISE THE POWER AND JURISDICTION OF JUDGE OF ANOTHER  
13 CIRCUIT COURT WITHIN THE JUDICIAL CIRCUITS.

14 (4) ~~(3)~~—A plan of concurrent jurisdiction under this section  
15 shall provide for the transfer or assignment of cases between the  
16 trial courts affected by the plan and to individual judges of those  
17 courts as necessary to implement the plan and to fairly distribute  
18 the workload among those judges.

19 (5) ~~(4)~~—A plan of concurrent jurisdiction under this section  
20 may include agreements as to other matters involving the operation  
21 of the trial courts participating in the plan, as approved by the  
22 supreme court.

23 (6) ~~(5)~~—A plan of concurrent jurisdiction becomes effective  
24 upon the approval of the plan by the supreme court.

25 (7) ~~(6)~~—This section does not apply to the counties of  
26 Genesee, Ingham, Kent, Macomb, Oakland, Washtenaw, and Wayne, which  
27 have district court districts of the third class.

1       Sec. 507. (1) The sixth judicial circuit consists of the  
2 county of Oakland and, except as otherwise provided in this  
3 section, has 19 judges.

4       ~~—— (2) Subject to section 550, this circuit has 18 judges during~~  
5 ~~the period beginning 12 noon, January 1, 2011 and ending 12 noon,~~  
6 ~~January 1, 2015. The judgeship temporarily eliminated from this~~  
7 ~~circuit during the period of January 1, 2011 to January 1, 2015~~  
8 ~~shall be the judgeship of a judge who is not eligible to run for~~  
9 ~~reelection due to constitutional limitation on January 5, 2010. In~~  
10 ~~the 2014 election, the initial term of office of the judgeship~~  
11 ~~being restored shall be 8 years.~~

12       (2) ~~(3)~~ Subject to section 550, this judicial circuit may have  
13 1 additional judge beginning January 1, 2019.

14       (3) **SUBJECT TO SECTION 550, THIS JUDICIAL CIRCUIT MAY HAVE 1**  
15 **ADDITIONAL JUDGE BEGINNING JANUARY 1, 2021.**

16       Sec. 517. (1) The sixteenth judicial circuit consists of the  
17 county of Macomb and, except as otherwise provided in this section,  
18 has 13 judges.

19       (2) Subject to section 550, this circuit has 12 judges during  
20 the period beginning 12 noon, January 1, 2011 and ending 12 noon,  
21 January 1, 2017. The 1 judgeship temporarily eliminated from this  
22 circuit during the period of January 1, 2011 to January 1, 2017  
23 shall be the judgeship of a judge who is not eligible to run for  
24 reelection due to constitutional limitation on January 5, 2010.

25       (3) Subject to section 550, this judicial circuit may have 1  
26 additional judge beginning January 1, 2017.

27       (4) Subject to section 550, this judicial circuit may have 1

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1 additional judge beginning January 1, 2019. if this new judgeship  
2 is added to the sixteenth judicial circuit, the initial term of  
3 office of the judgeship shall be 8 years.

4 (5) **SUBJECT TO SECTION 550, THIS JUDICIAL CIRCUIT MAY HAVE 1**  
5 **ADDITIONAL JUDGE BEGINNING JANUARY 1, 2021.**

~~<<Sec. 519. (1) Except as provided in subsection (2), the THE~~  
~~eighteenth judicial circuit consists of the county of Bay and has 3~~  
~~judges.~~

~~(2) Beginning on the earlier of the following dates, the~~  
~~eighteenth judicial circuit has 2 judges:~~

~~(a) The date on which a vacancy occurs in the office of circuit~~  
~~judge in the eighteenth judicial circuit.~~

~~(b) The beginning date of the term for which an incumbent circuit~~  
~~judge in the eighteenth judicial circuit no longer seeks election or~~  
~~reelection to that office.>>~~

6 Sec. 803. (1) Except as otherwise provided in this section,  
7 each county that is not part of a probate court district created by  
8 law has 1 judge of probate.

9 (2) Each probate court district created by law has 1 judge of  
10 probate.

11 (3) The county of Sanilac has 1 judge of probate. Under  
12 section 15 of article VI of the state constitution of 1963, the  
13 office of probate judge for the county of Sanilac shall be combined  
14 with the office of judge of the seventy-third-a judicial district,  
15 and the incumbent judge of the seventy-third-a judicial district  
16 shall become the probate judge for the county of Sanilac for the  
17 balance of the term to which he or she was elected.

18 (4) The county of Huron has the following number of judges of  
19 probate:

20 (a) Until April 1, 2012, 1 judge.

21 (b) Beginning April 1, 2012, under section 15 of article VI of  
22 the state constitution of 1963, the office of probate judge for the  
23 county of Huron shall be combined with the office of judge of the  
24 seventy-third-b judicial district, and the county of Huron shall  
25 have 2 judges of probate. The judgeship added under this  
26 subdivision shall be filled by the incumbent judge of the seventy-  
27 third-b judicial district, who shall become a probate judge for the

1 county of Huron for the balance of the term to which he or she was  
2 elected.

3 (c) Beginning the earlier of the following dates, the county  
4 of Huron has 1 judge of probate:

5 (i) The date on which a vacancy occurs in the office of  
6 probate judge in this county.

7 (ii) The beginning date of the term for which an incumbent  
8 probate judge in this county no longer seeks election or reelection  
9 to that office.

10 (5) The county of Chippewa has the following number of judges  
11 of probate:

12 (a) Until April 1, 2012, 1 judge.

13 (b) Beginning April 1, 2012, under section 15 of article VI of  
14 the state constitution of 1963, the office of probate judge for the  
15 county of Chippewa shall be combined with the office of judge of  
16 the ninety-first judicial district, and the county of Chippewa  
17 shall have 2 judges of probate. The judgeship added under this  
18 subdivision shall be filled by the incumbent judge of the ninety-  
19 first judicial district, who shall become a probate judge for the  
20 county of Chippewa for the balance of the term to which he or she  
21 was elected.

22 (c) Beginning the earlier of the following dates, the county  
23 of Chippewa has 1 judge of probate:

24 (i) The date on which a vacancy occurs in the office of  
25 probate judge in this county.

26 (ii) The beginning date of the term for which an incumbent  
27 probate judge in this county no longer seeks election or reelection

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22 (6)>>The counties of Berrien, Genesee, Ingham, Macomb,  
23 Monroe, Muskegon, Saginaw, St. Clair, and Washtenaw each ~~has~~**HAVE** 2  
24 judges of probate.

25 << (7)>> The county of Kalamazoo has 3 judges of probate.

26 << (8)>> The county of Kent has 4 judges of probate.

27 << (9)>> The county of Oakland has 4 judges of probate.

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1           <<    (10)>>The county of Wayne has 8 judges of probate.

2           <<(11)>> EXCEPT AS PROVIDED IN THIS SUBSECTION, THE COUNTY OF  
3 INGHAM HAS 2 JUDGES OF PROBATE. BEGINNING ON THE EARLIER OF THE  
4 FOLLOWING DATES, THE COUNTY OF INGHAM HAS 1 JUDGE OF PROBATE:

5           (A) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF  
6 PROBATE JUDGE IN INGHAM COUNTY, UNLESS THE VACANCY OCCURS AFTER THE  
7 VACATING JUDGE HAS BEEN DEFEATED IN A PRIMARY OR GENERAL ELECTION.

8           (B) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT  
9 PROBATE JUDGE IN INGHAM COUNTY NO LONGER SEEKS ELECTION OR  
10 REELECTION TO THAT OFFICE.

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20           (12)>> EXCEPT AS PROVIDED IN THIS SUBSECTION, THE COUNTY OF  
21 SAGINAW HAS 2 JUDGES OF PROBATE. BEGINNING ON THE EARLIER OF THE  
22 FOLLOWING DATES, THE COUNTY OF SAGINAW HAS 1 JUDGE OF PROBATE:

23           (A) THE DATE ON WICH A VACANCY OCCURS IN THE OFFICE OF  
24 PROBATE JUDGE IN SAGINAW COUNTY, UNLESS THE VACANCY OCCURS AFTER  
25 THE VACATING JUDGE HAS BEEN DEFEATED IN A PRIMARY OR GENERAL  
26 ELECTION.

27           (B) THE BEGINNING DATE OF THE TERM FOR WHICH AS INCUMBENT



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1 PROBATE JUDGE IN SAGINAW COUNTY NO LONGER SEEKS ELECTION OR  
2 REELECTION TO THAT OFFICE.

3 (13)>> EXCEPT AS PROVIDED IN THIS SUBSECTION, THE COUNTY OF ST.  
4 CLAIR HAS 2 JUDGES OF PROBATE. BEGINNING ON THE EARLIER OF THE  
5 FOLLOWING DATES, THE COUNTY OF ST. CLAIR HAS 1 JUDGE OF PROBATE:

6 (A) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF  
7 PROBATE JUDGE IN ST. CLAIR COUNTY, UNLESS THE VACANCY OCCURS AFTER  
8 THE VACATING JUDGE HAS BEEN DEFEATED IN A PRIMARY OR GENERAL  
9 ELECTION.

10 (B) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT  
11 PROBATE JUDGE IN ST. CLAIR COUNTY NO LONGER SEEKS ELECTION OR  
12 REELECTION TO THAT OFFICE.

13 <<(14)>>—(11)—When 1 or more new judges of probate are authorized  
14 in a county under this section, the new judgeship or judgeships  
15 shall appear on the ballot separate and apart from other judicial  
16 offices of the same court in the primary and general election.

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Sec. 841. (1) The probate court has jurisdiction and power as follows:

(a) As conferred upon it under the estates and protected individuals code, 1998 PA 386, MCL 700.1101 to 700.8206.

(b) As conferred upon it under the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106.

(c) As conferred upon it under this act.

(d) As conferred upon it under another law or compact.

(2) In a judicial circuit **OR CIRCUITS** in which the probate court is affected by a plan of concurrent jurisdiction adopted under chapter 4, the probate court has concurrent jurisdiction with the circuit court or the district court, or both, as provided in the plan of concurrent jurisdiction, except as to the following matters:

(a) The circuit court has exclusive jurisdiction over appeals from the district court and from administrative agencies as authorized by law.

(b) The circuit court has exclusive jurisdiction and power to issue, hear, and determine prerogative and remedial writs consistent with section 13 of article VI of the state constitution of 1963.

Sec. 8115. (1) ~~The~~ **EXCEPT AS PROVIDED IN SUBSECTION (2), THE** fifth district consists of the county of Berrien, is a district of

1 the first class and has 5 judges.

2 (2) BEGINNING ON THE EARLIER OF THE FOLLOWING DATES, THE FIFTH  
3 DISTRICT HAS 4 JUDGES:

4 (A) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF  
5 DISTRICT JUDGE IN THE FIFTH DISTRICT, UNLESS THE VACANCY OCCURS  
6 AFTER THE VACATING JUDGE HAS BEEN DEFEATED IN A PRIMARY OR GENERAL  
7 ELECTION.

8 (B) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT  
9 DISTRICT JUDGE IN THE FIFTH DISTRICT NO LONGER SEEKS ELECTION OR  
10 REELECTION TO THAT OFFICE.

11 Sec. 8121a. (1) ~~The~~ EXCEPT AS PROVIDED IN SUBSECTION (2), THE  
12 thirty-sixth district consists of the city of Detroit, is a  
13 district of the third class, and has ~~the following number of~~  
14 ~~judges~~ 30 JUDGES.

15 ~~— (a) Until 12 noon, January 1, 2015, 31 judges.~~

16 ~~— (b) Beginning 12 noon, January 1, 2015, 30 judges. The 1~~  
17 ~~judgeship eliminated from this district at 12 noon, January 1, 2015~~  
18 ~~shall be the judgeship of a judge who is not eligible to run for~~  
19 ~~reelection in 2014 due to constitutional limitation on the~~  
20 ~~effective date of the amendatory act that added this subdivision.~~

21 (2) BEGINNING ON THE EARLIER OF THE FOLLOWING DATES, THE  
22 THIRTY-SIXTH DISTRICT HAS 29 JUDGES:

23 (A) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF  
24 DISTRICT JUDGE IN THE THIRTY-SIXTH JUDICIAL DISTRICT, UNLESS THAT  
25 VACANCY OCCURS AFTER THE VACATING JUDGE HAS BEEN DEFEATED IN A  
26 PRIMARY OR GENERAL ELECTION.

27 (B) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT

**DISTRICT JUDGE IN THE THIRTY-SIXTH JUDICIAL DISTRICT NO LONGER  
SEEKS ELECTION OR REELECTION TO THAT OFFICE.**

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

(2) ~~Except as otherwise provided in this subsection, the~~ **THE** forty-fourth district consists of the ~~city~~ **CITIES** of Royal Oak **AND** **BERKLEY**, is a district of the third class, and has 2 judges.

~~Beginning January 2, 2015, the forty fourth district consists of the cities of Royal Oak and Berkley and has the following number of judges:~~

~~—— (a) Until the dates determined under subdivisions (b) and (c), 3 judges.~~

~~—— (b) Beginning January 3, 2015, the forty fourth 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 the forty fourth district, unless the vacancy occurs after the vacating judge has been defeated in a primary or general election.~~

~~—— (ii) 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.~~

~~—— (c) Following the reduction in the number of judgeships from 3 to 2 under subdivision (b), the forty fourth district has 1 judge beginning on the earlier of the following dates:~~

~~—— (i) The date on which a vacancy occurs in the office of district judge in the forty fourth district, unless the vacancy~~

~~occurs after the vacating judge has been defeated in a primary or general election.~~

~~—— (ii) 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.~~

(3) Except as otherwise provided in this subsection, the forty-fifth-a district is created, consists of the city of Berkley, is a district of the third class, and has 1 judge. The person serving as judge of the forty-fifth-a district on June 30, 2012, or his or her successor, shall serve as judge of the forty-fifth-a district until that district is abolished under this subsection. For purposes of the November 2014 general election only, the term of the person elected district judge in the forty-fifth-a district is 8 years. Beginning January 2, 2015, the forty-fifth-a district is abolished and the judge of the forty-fifth-a district shall become a 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, forty-fifth, forty-fifth-a, and forty-fifth-b districts. Any physical reorganization required to accomplish the reorganization of district boundaries under this subsection and subsection (2) shall be completed no later than January 1, 2021.

(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 district is

1 created. The forty-fifth district consists of the cities of  
2 Huntington Woods, Oak Park, and Pleasant Ridge and the township of  
3 Royal Oak in the county of Oakland, is a district of the third  
4 class, and has 2 judges. Beginning July 1, 2012, the forty-fifth-b  
5 district is abolished and the judges of the forty-fifth-b district  
6 shall become judges of the forty-fifth district for the balance of  
7 the term to which they were elected or appointed. For purposes of  
8 the November 2014 general election only, the term of the candidate  
9 for district judge in the forty-fifth judicial district who  
10 receives the greatest number of votes is 8 years and the term of  
11 the candidate for district judge in the forty-fifth judicial  
12 district who receives the second greatest number of votes is 6  
13 years.

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

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

21 (7) The forty-eighth district consists of the cities of  
22 Birmingham, Bloomfield Hills, Sylvan Lake, Keego Harbor, and  
23 Orchard Lake Village and the townships of Bloomfield and West  
24 Bloomfield in the county of Oakland, is a district of the third  
25 class, and has the following number of judges:

26 (a) Until the date determined under subdivision (b), the  
27 forty-eighth district has 3 judges.

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1 (b) The forty-eighth district has 2 judges beginning on the  
2 earlier of the following dates:

3 (i) The date on which a vacancy occurs in the office of  
4 district judge in this district, unless the vacancy occurs after  
5 the vacating judge has been defeated in a primary or general  
6 election.

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

10 (8) The fiftieth district consists of the city of Pontiac, is  
11 a district of the third class, and has the following number of  
12 judges:

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

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

16 (i) The date on which a vacancy occurs in the office of  
17 district judge in this district, unless the vacancy occurs after  
18 the vacating judge has been defeated in a primary or general  
19 election.

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

23 (9) The fifty-first district consists of the township of  
24 Waterford in the county of Oakland, is a district of the third  
25 class, and has ~~<<2-judges~~1 JUDGE>>.

26 (10) The fifty-second district consists of the county of  
27 Oakland except the cities of Madison Heights, Ferndale, Hazel Park,



1 Royal Oak, Berkley, Huntington Woods, Oak Park, Pleasant Ridge,  
2 Southfield, Lathrup Village, Farmington, Farmington Hills,  
3 Northville, Sylvan Lake, Keego Harbor, Orchard Lake Village,  
4 Birmingham, Bloomfield Hills, and Pontiac and the townships of  
5 Royal Oak, Southfield, West Bloomfield, Bloomfield, and Waterford,  
6 is a district of the second class, and, **EXCEPT AS PROVIDED IN**  
7 **SUBSECTION (11), HAS 10 JUDGES AND** is divided into the following  
8 election divisions:

9 (a) The first division consists of the cities of Novi, South  
10 Lyon, Wixom, and Walled Lake and the townships of Milford,  
11 Highland, Commerce, Lyon, and Novi and has 3 judges.

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

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

18 (d) The fourth division consists of the cities of Troy and  
19 Clawson and has 2 judges.

20 (11) **BEGINNING ON THE EARLIER OF THE FOLLOWING DATES, THE**  
21 **FIFTY-SECOND DISTRICT REMAINS DIVIDED IN THE ELECTION DIVISIONS**  
22 **REFLECTED IN SUBSECTION (10), BUT HAS 9 JUDGES:**

23 (A) **THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF**  
24 **DISTRICT JUDGE IN THE FIRST OR THIRD DIVISION OF THE FIFTY-SECOND**  
25 **DISTRICT, UNLESS THE VACANCY OCCURS AFTER THE VACATING JUDGE HAS**  
26 **BEEN DEFEATED IN A PRIMARY OR GENERAL ELECTION.**

27 (B) **THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT**

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1 DISTRICT JUDGE IN THE FIRST OR THIRD DIVISION OF THE FIFTY-SECOND  
2 DISTRICT NO LONGER SEEKS ELECTION OR REELECTION TO THAT OFFICE.

<<Sec. 8139. (1) ~~The~~ EXCEPT AS PROVIDED IN SUBSECTION (2), THE  
seventy-fourth district consists of the county of Bay, is a district  
of the first class and has 3 judges.

(2) BEGINNING ON THE EARLIER OF THE FOLLOWING DATES, THE SEVENTY-  
FOURTH DISTRICT HAS 2 JUDGES:

(A) THE DATE ON WHICH A VACANCY OCCURS IN THE OFFICE OF THE  
DISTRICT JUDGE IN THE SEVENTY-FOURTH DISTRICT, UNLESS THE VACANCY  
OCCURS AFTER THE VACATING JUDGE HAS BEEN DEFEATED IN A PRIMARY OR  
GENERAL ELECTION.

(B) THE BEGINNING DATE OF THE TERM FOR WHICH AN INCUMBENT  
DISTRICT JUDGE IN THE SEVENTY-FOURTH DISTRICT NO LONGER SEEKS ELECTION  
OR REELECTION TO THAT OFFICE AS AN INCUMBENT.

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10       Sec. 8304. In a district court district in which the district  
11 court is affected by a plan of concurrent jurisdiction adopted  
12 under chapter 4, the district court has concurrent jurisdiction  
13 with the circuit court **OR COURTS** or the probate court **OR COURTS**, or  
14 both, as provided in the plan of concurrent jurisdiction, except as  
to the following matters:

15       (a) The circuit court has exclusive jurisdiction over appeals  
16 from the district court and from administrative agencies as  
17 authorized by statute.

18       (b) The circuit court has exclusive jurisdiction and power to  
19 issue, hear, and determine prerogative and remedial writs  
20 consistent with section 13 of article VI of the state constitution  
21 of 1963. **THIS SUBSECTION DOES NOT LIMIT THE DISTRICT COURT'S**  
22 **AUTHORITY TO ISSUE WRITS SPECIFICALLY AUTHORIZED IN STATUTE OR**  
23 **COURT RULE.**