

SENATE BILL No. 728

February 2, 2016, Introduced by Senator ROBERTSON and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 8123 (MCL 600.8123), as amended by 2014 PA 58.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

4 (2) Except as otherwise provided in this subsection, the
5 forty-fourth district consists of the city of Royal Oak, is a
6 district of the third class, and has 2 judges. Beginning January 2,
7 2015, the forty-fourth district consists of the cities of Royal Oak
8 and Berkley and has the following number of judges:

9 (a) Until the dates determined under subdivisions (b) and (c),
10 3 judges.

11 (b) Beginning January 3, 2015, the forty-fourth district has 2

1 judges beginning on the earlier of the following dates:

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

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

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

12 (i) The date on which a vacancy occurs in the office of
13 district judge in the forty-fourth district, unless the vacancy
14 occurs after the vacating judge has been defeated in a primary or
15 general election.

16 (ii) The beginning date of the term for which an incumbent
17 district judge in the forty-fourth district no longer seeks
18 election or reelection to that office.

19 (3) Except as otherwise provided in this subsection, the
20 forty-fifth-a district is created, consists of the city of Berkley,
21 is a district of the third class, and has 1 judge. The person
22 serving as judge of the forty-fifth-a district on June 30, 2012, or
23 his or her successor, shall serve as judge of the forty-fifth-a
24 district until that district is abolished under this subsection.
25 For purposes of the November 2014 general election only, the term
26 of the person elected district judge in the forty-fifth-a district
27 is 8 years. Beginning January 2, 2015, the forty-fifth-a district

1 is abolished and the judge of the forty-fifth-a district shall
2 become a judge of the forty-fourth district for the balance of the
3 term to which he or she was elected or appointed. Sections 8175 and
4 8176 do not apply to the reorganization of the forty-fourth, forty-
5 fifth, forty-fifth-a, and forty-fifth-b districts. Any physical
6 reorganization required to accomplish the reorganization of
7 district boundaries under this subsection and subsection (2) shall
8 be completed no later than January 1, 2021.

9 (4) Except as otherwise provided in this subsection, the
10 forty-fifth-b district consists of the cities of Huntington Woods,
11 Oak Park, and Pleasant Ridge and the township of Royal Oak in the
12 county of Oakland, is a district of the third class, and has 2
13 judges. Beginning July 1, 2012, the forty-fifth district is
14 created. The forty-fifth district consists of the cities of
15 Huntington Woods, Oak Park, and Pleasant Ridge and the township of
16 Royal Oak in the county of Oakland, is a district of the third
17 class, and has 2 judges. Beginning July 1, 2012, the forty-fifth-b
18 district is abolished and the judges of the forty-fifth-b district
19 shall become judges of the forty-fifth district for the balance of
20 the term to which they were elected or appointed. For purposes of
21 the November 2014 general election only, the term of the candidate
22 for district judge in the forty-fifth judicial district who
23 receives the greatest number of votes is 8 years and the term of
24 the candidate for district judge in the forty-fifth judicial
25 district who receives the second greatest number of votes is 6
26 years.

27 (5) The forty-sixth district consists of the cities of

1 Southfield and Lathrup Village and the township of Southfield in
2 the county of Oakland, is a district of the third class, and has 3
3 judges.

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

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

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

14 (b) The forty-eighth district has 2 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 (8) The fiftieth district consists of the city of Pontiac, is
24 a district of the third class, and has the following number of
25 judges:

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

27 (b) The fiftieth district has 3 judges beginning on the

1 earlier of the following dates:

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

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

9 (9) The fifty-first district consists of the township of
10 Waterford in the county of Oakland, is a district of the third
11 class, and has ~~2-judges-1~~ **JUDGE**.

12 (10) The fifty-second district consists of the county of
13 Oakland except the cities of Madison Heights, Ferndale, Hazel Park,
14 Royal Oak, Berkley, Huntington Woods, Oak Park, Pleasant Ridge,
15 Southfield, Lathrup Village, Farmington, Farmington Hills,
16 Northville, Sylvan Lake, Keego Harbor, Orchard Lake Village,
17 Birmingham, Bloomfield Hills, and Pontiac and the townships of
18 Royal Oak, Southfield, West Bloomfield, Bloomfield, and Waterford,
19 is a district of the second class, and is divided into the
20 following election divisions:

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

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

27 (c) The third division consists of the cities of Rochester,

1 Auburn Hills, Rochester Hills, and Lake Angelus and the townships
2 of Oxford, Addison, Orion, and Oakland and has 3 judges.

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