

Legislative Analysis



INGHAM COUNTY COURT CONSOLIDATION

Phone: (517) 373-8080
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House Bill 6344 (proposed substitute H-1)

Sponsor: Rep. Sam Singh

Committee: Judiciary

Complete to 11-25-18

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

SUMMARY:

House Bill 6344 would amend the Revised Judicature Act to allow for the consolidation of the 54-A District Court (Lansing), 54-B District Court (East Lansing), and 55th District Court (Ingham County except for Lansing and East Lansing).

Currently, the 54-A District Court consists of the city of Lansing, is a district of the third class, and has four judges. The 54-B District Court consists of the city of East Lansing, is a district of the third class, and has two judges. The 55th District Court consists of the county of Ingham (other than Lansing and East Lansing), is a district of the second class, and has two judges.

As defined in the Revised Judicature Act, a district of the first class consists of one or more counties. Each county in a district is responsible for maintaining, financing, and operating the district court within its respective county. A district of the second class consists of a group of political subdivisions (e.g., cities and/or townships) within a county. The county is responsible for maintaining, financing, and operating the district court. A district of the third class also consists of one or more political subdivisions within a county; however, each political subdivision composing the district is responsible for maintaining, financing, and operating the district court within its respective political subdivision.

Court consolidation approval

House Bill 6344 would allow the governing bodies of Lansing, East Lansing, and Ingham County to approve by resolution the consolidation of their respective district courts into a new district court. If the consolidation were approved by November 1, 2019, all of the following would apply beginning March 1, 2020:

- The 54-A, 54-B, and 55th District Courts would be abolished and the 54th District Court would be created.
- The 54th District Court would consist of Ingham County, be a district of the first class, and have eight judges.
- All full-time employees of the courts to be abolished would be transferred to the 54th District Court. Except as provided by the district control units (district funding units) of those courts in any agreement of consolidation, the salary, seniority rights, annual leave, sick leave, and retirement benefits of the transferred employees would have to be preserved and continued in their positions in the new 54th District in a manner not inferior to their prior status.
- By proposing or authorizing the consolidation of the three district courts, the legislature would not be creating a new obligation for any affected district control unit (that is, the consolidation would not be a state-mandated increase in the level of an activity or service under the Headlee Amendment).

First eight years after the consolidation

If the consolidated district were created under the bill, all of the following would apply until eight years after the bill's effective date:

- The 54th District would be divided into three election divisions, as follows:
 - The first division would have four judges and consist of Lansing and Lansing Township.
 - The second division would have two judges and consist of East Lansing.
 - The third division would have two judges and consist of Ingham County except for Lansing, Lansing Township, and East Lansing.
- Each incumbent district judge in the former district courts would serve as a district judge in the consolidated district and would be considered an incumbent in the election division in which he or she resides.

Beginning eight years after the consolidation

Upon the expiration of eight years after the bill's effective date, the three election divisions would be abolished and the judges of the 54th District Court would be elected at large.

However, a jury trial conducted in connection with a criminal offense or any other event would be before a jury of citizens from the jurisdiction in which the criminal offense or other event occurred. (For example, if the offense or event occurred in East Lansing, then the jury would be selected from citizens who reside in East Lansing. If the offense or event occurred in Ingham County, but not in Lansing, East Lansing, or Lansing Township, then the jury would be selected from citizens of Ingham County who did not live in any of the excluded jurisdictions.)

MCL 600.8125

FISCAL IMPACT:

House Bill 6344 would have no fiscal impact on the state, but would likely have a fiscal impact on the cities of Lansing and East Lansing and on Ingham County. If Lansing, East Lansing, and Ingham County approve resolutions to consolidate the current 54-A, 54-B, and 55th District Courts into a new 54th District Court, the intent would be for a net savings to occur, which would be achieved through attrition, as fewer staff would be needed to perform required tasks. Savings would not occur immediately, as full-time staff would be retained under the bill. Not all staff leaving employment, post-consolidation, will be replaced. It is not possible to estimate the fiscal impact at this time because the actual terms of the final agreement are not known.

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■ 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.