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BILL ANALYSIS



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Senate Bill 694 (as introduced 10-20-21)
Sponsor: Senator Bumstead
Committee: Judiciary and Public Safety

Date Completed: 11-1-21

CONTENT

The bill would amend Chapter 5 (Circuit Courts: Organization and Powers) of the Revised Judicature Act to do the following:

- **Allow the 14th Judicial Circuit, which consists of Muskegon County, to have one additional judge effective January 1, 2023.**
- **Allow the 20th Judicial Circuit, which consists of Ottawa County, to have one additional judge effective January 1, 2023, and increase, from three to four, the number of judgeships.**

14th Judiciary Circuit

Section 515 of the Act specifies that the 14th Judicial Circuit consists of the Muskegon County and has four judges.

Under the bill, subject to Section 550, the 14th Judicial Circuit could have one additional judge effective January 1, 2023. (Generally, Section 550 allows an additional circuit judgeship to be authorized if the county board of commissioners in each county in the circuit adopts a resolution approving the creation of that judgeship and the county clerk of each county adopting such a resolution files a copy of it with the State Court Administrator.)

20th Judicial Circuit

Under Section 521 of the Act, the 20th Judicial Circuit consists of Ottawa County and has three judges. The 20th Judicial Circuit may have one additional judge effective January 1, 2005.

Instead, under the bill, the 20th Judicial Circuit would consist of Ottawa County and would have four judges. The 20th Judicial Circuit could have one additional judge effective January 1, 2023.

MCL 600.515 & 600.521

BACKGROUND

Article VI, Section 3 of the Michigan Constitution specifies that the Michigan Supreme Court "shall appoint an administrator of the courts and other assistants of the supreme court as necessary to aid in the administration of the courts of this state". The Court exercises its oversight of Michigan courts through the State Court Administrative Office (SCAO). Among other things, SCAO is tasked with reviewing the State's judicial needs and, based on its

findings, compiling the Judicial Resources Recommendations (JRR), a biennial report that assesses the workloads of the various courts across the State and makes recommendations to the Legislature.

The 2019 JRR recommended the addition of one circuit judgeship in Muskegon County, increasing the county's total number of judges from 10 to 11. The 2019 JRR also recommended the addition of one circuit judgeship in Ottawa County, increasing the county's total number of judges from nine to 10.

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would add a circuit judgeship to the 20th Judicial Circuit in Ottawa County, and it would add a circuit judgeship to the 14th Judicial Circuit in Muskegon County. Both additions were included in the 2019 JRR.

Costs for a judgeship are shared by the State and the local county government in which the judge sits. The State covers salary and retirement costs, while the local government covers the cost of additional benefits, personnel costs, supplies, equipment, office space, etc. At \$182,500 per judgeship, State spending on circuit judges would increase by slightly less than 1.0% annually if two circuit judges were added to the statewide system. The total costs to Ottawa County and Muskegon County are not known. Both counties currently have at least three circuit judges, meaning an existing structure of administrative support for circuit judges currently exists.

Fiscal Analyst: Michael Siracuse

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.