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BILL ANALYSIS



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Senate Bill 1047 (as enrolled)
Sponsor: Senator Sean McCann
Senate Committee: Judiciary and Public Safety
House Committee: Judiciary (discharged)

Date Completed: 12-19-22

CONTENT

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

- **Allow the 9th Judicial Circuit, which consists of Kalamazoo County, to have one additional judge effective January 1, 2025, and to increase, from four to five, the number of judgeships.**
- **Specify that, if the judgeship were added to the 9th Judiciary Circuit, the initial term of office for the judgeship would be eight years.**
- **Allow the 48th Judicial Circuit, which consists of Allegan County, to have one additional judge effective January 1, 2025, and to increase, from one to two, the number of judgeships.**

9th Judicial Circuit

Under Section 510 of the Act, the 9th Judicial Circuit consists Kalamazoo County and has four judges. Subject to Section 550, the 9th Judicial Circuit may have one additional judge effective January 1, 1989.

(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.)

Instead, under the bill, the 9th Judicial Circuit would consist of Kalamazoo County and would have five judges. Subject to Section 550, the 9th Judicial Circuit could have one additional judge effective January 1, 2025. If the judgeship were added, the initial term of office of the judgeship would be eight years.

48th Judicial Circuit

Section 549 of the Act specifies that the 48th Judicial Circuit consists of Allegan County and has one judge. Subject to Section 550, the 48th Judicial Circuit may have one additional judge effective January 1, 1989.

Instead, under the bill, the 48th Judicial Circuit would consist of Allegan County and would have two judges. Subject to Section 550, the 48th Judicial Circuit could have one additional judge effective January 1, 2025.

FISCAL IMPACT

The bill would have no immediate fiscal impact on State or local government. The bill could have a negative fiscal impact on the State and local courts in the coming fiscal years if the county board of commissioners for Allegan and Kalamazoo Counties elected to add a circuit judge, which the bill would permit.

The bill would allow for an additional circuit court judge for Kalamazoo County and Allegan County, effective 2025. Each circuit court judgeship costs the State \$159,917 (as of fiscal year 2021-22). These costs include salary, retirement contributions, and employer-paid taxes. Additionally, local courts systems may pay for fringe benefits and overhead for judges. Those costs differ by location.

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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.