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House Bill 5259 (as passed by the House)
Sponsor: Representative Luke Meerman
House Committee: Judiciary
Senate Committee: Judiciary

Date Completed: 11-1-21

CONTENT

The bill would amend Chapter 5 (Circuit Courts: Organization and Powers) of the Revised Judicature Act to allow the 20th Judicial Circuit, which consists of Ottawa County, to have one additional judge effective January 1, 2023.

Under Chapter 5 of the Act, the 20th Judicial Circuit consists of Ottawa County and has three judges. Subject to Section 550, 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. Subject to Section 550, the 20th Judicial Circuit could have one additional judge effective January 1, 2023. If the judgeship were added to the 20th Judicial Circuit, the initial term of office of the judgeship would be eight years.

(Generally, Section 550 allows an additional circuit judgeship to be authorized if the county board of commissioners in the 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.)

MCL 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, increasing Ottawa 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, as recommended 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 0.5%, annually. The total cost to Ottawa County to increase from three circuit judges to four is not known.

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.