

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

CHAPTER 15

TIME AND PLACE OF HOLDING CIRCUIT COURTS

600.1501 Terms of court; continuance; adjournment; sessions.

Sec. 1501. (1) There shall be at least 4 terms of court annually in every county, held at the times designated by the judge or judges of the circuit. The court in its discretion may hold special or adjourned terms.

(2) All causes, matters, and proceedings pending at any court term which is not held because of the absence of the circuit judge are continued until the next term. All persons bound by recognizance or otherwise to appear during such court term shall appear at the next term, and all such recognizances shall continue in force and be as binding and obligatory on the parties thereto as if no failure of a term had occurred, unless a new recognizance, approved according to law, is entered for such appearance.

(3) Whenever the judge of any circuit or superior court fails to attend a court session, the court shall stand adjourned until a judge authorized to hold court is in attendance. The judge authorized to hold court has full power to hear, try, and determine all causes, matters, and proceedings lawfully brought before him within the jurisdiction of the court. Notwithstanding any formal adjournment, the courts shall on all regular dates be deemed to be in actual session from the first day of any term until the first day of the next succeeding term. Judges of circuit courts may hold court for each other.

(4) The court may hold evening and weekend sessions.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1996, Act 374, Imd. Eff. July 17, 1996.

600.1511 Terms of court; Ingham county circuit court; place of sitting.

Sec. 1511. (1) Regular terms of the circuit court for the county of Ingham in the thirtieth judicial circuit may be designated and held both in the city of Lansing and at the county seat of Ingham county in each calendar year, and special or adjourned terms of the court may be designated or ordered and held at either the county seat of the county of Ingham or the city of Lansing. Any hearings, trials or proceedings of the circuit court of the thirtieth judicial circuit may be held at either the county seat of Ingham county or the city of Lansing.

(2) The common council of the city of Lansing, or the citizens thereof, shall furnish and provide, free of expense to Ingham county, a suitable place for holding court within the city, and transacting the business thereof, and a suitable and sufficient jail for the incarceration of prisoners during the sittings of the circuit court in Lansing.

(3) A deputy clerk shall be appointed by the county clerk of Ingham county, as provided by law, who shall attend upon each session of the court held in the city of Lansing, and shall maintain an office at the city of Lansing in the place appointed for holding court.

(4) There shall be furnished by the secretary of state to the deputy clerk to be used by him in his official capacity and for the use of the court at Lansing, 1 copy of the compiled laws of the state of Michigan, and 1 copy each of the public and local acts of the state of Michigan as published.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1970, Act 49, Imd. Eff. Jan. 1, 1971.

600.1513 Terms of court; Calhoun county.

Sec. 1513. (1) Two of the regular terms of the circuit court for the thirty-seventh judicial circuit shall be held each year within the city of Battle Creek, and 2 of the regular terms shall be held within the city of Marshall, the county seat of Calhoun county.

(2) The terms of court to be held at the city of Battle Creek shall be respectively alternated with the terms of the court to be held at the city of Marshall. The judge of the circuit court shall designate in writing which of the regular terms thereof shall be held within the city of Battle Creek, and shall transmit the designation to the clerk of Calhoun county.

(3) The circuit court may adjourn any session of the court while sitting at one place, and continue the court at the other place of holding court.

(4) The common council of the city of Battle Creek, or the citizens thereof, shall furnish and provide, free of expense to Calhoun county, a suitable place for holding court within the city of Battle Creek and transacting the business thereof, and a suitable and sufficient jail for the incarceration of prisoners during the sittings of the circuit court, and a fireproof safe or vault within which to keep the files and records of the court.

(5) At each term of the circuit court designated to be held in the city of Battle Creek, the county clerk of

Calhoun county shall deposit in the building designated for the holding of the court, under the direction of the circuit judge, all of the records and files in all cases noticed for trial or hearing at such term on or before the first day of the term and when such term is finished, such records and files shall be returned to the office of the county clerk.

History: 1961, Act 236, Eff. Jan. 1, 1963.

600.1515 Second judicial circuit; site of hearings, trials, or proceedings; disposition of records and files; naturalization of new citizens; educational ceremonies.

Sec. 1515. (1) The hearings, trials, or proceedings of the circuit court of the second judicial circuit may be held at the county seat of the county in St. Joseph, in the city of Niles, or in the courthouse at Berrien Springs as provided in subsection (3).

(2) The county clerk of Berrien county shall deposit in the building designated for the holding of the court in the city of Niles, at the time directed by the circuit judge, all the records and files in all cases, causes, or proceedings, noticed for trial or hearing by the circuit judge at the city of Niles, and when the case, cause, or proceeding is finished, the records and files shall be returned to the office of the county clerk.

(3) The courthouse in Berrien Springs may be used for the naturalization of new citizens and for ceremonies of an educational nature at the discretion of the circuit judges or for other purposes when the county board of commissioners considers it advisable.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1974, Act 173, Imd. Eff. June 23, 1974;—Am. 1980, Act 149, Imd. Eff. June 10, 1980.

600.1517 Designation of places where regular terms of circuit court and family division sessions may be held; hearings.

Sec. 1517. (1) Subject to the approvals required under subsections (2) and (3), the chief judge of a circuit may designate 1 or more places in the county or counties in that circuit, in addition to the county seat and places otherwise designated by law, where regular terms of circuit court may be held. The designation shall be in writing and shall be delivered to the state court administrator and to the county clerk of each county in the circuit.

(2) A designation made under subsection (1) shall not take effect unless the designation is approved by the state court administrator and by the county board of commissioners of each county in the circuit. The approval by a county board of commissioners and the state court administrator may be for a specific period of time and may require that the designation be subject to reapproval by that county board of commissioners and the state court administrator at intervals determined by that county board of commissioners and the state court administrator.

(3) The family division of circuit court may hold sessions of court at an alternative primary location designated under section 816.

(4) If the family division has ancillary jurisdiction in the case, a judge of the family division may hold sessions of the court at the regional diagnostic and treatment center assigned to his or her court if sessions are approved by the state court administrator. The center shall provide an area for court sessions to which the public has access.

(5) Nothing in this section prohibits a judge from holding a hearing regarding an allegedly incapacitated individual or an allegedly mentally ill person at a site considered appropriate by the court as provided by section 5304 of the estates and protected individuals code, 1998 PA 386, MCL 700.5304, or section 456 of the mental health code, 1974 PA 258, MCL 330.1456. Nothing in this section prohibits a judge from holding a hearing regarding an individual alleged to need protection at a site the court considers appropriate as provided by section 5406 of the estates and protected individuals code, 1998 PA 386, MCL 700.5406.

History: Add. 1992, Act 12, Imd. Eff. Mar. 10, 1992;—Am. 1996, Act 388, Eff. Jan. 1, 1998;—Am. 2000, Act 56, Eff. Apr. 1, 2000.

600.1521 Terms of court; special terms in other counties of circuit; triable issues.

Sec. 1521. Every term in any county is a special term for every other county in the same circuit. At any term in any county which is by law a special term for any other county or counties, all business may be done arising in such other county or counties, which might be done at a term in the county where the business arose, except the trial of issues of fact by a jury in cases other than those arising in actions of quo warranto and mandamus, and excepting also the trial of issues of fact in actions made local by law and arising in some county other than the one in which such special term is held. All orders, judgments, findings, proofs, testimony and other proceedings had or made at any such special term, being authenticated by the clerk of such court, shall be filed and entered of record in the office of the clerk of the circuit court in the county where the action or proceeding shall be pending; and no entries need be made in the office of the clerk of the

circuit court of any other county.

History: 1961, Act 236, Eff. Jan. 1, 1963.

600.1522 Terms of court; special terms, transfer of files and papers.

Sec. 1522. For the purpose of the trial or hearing of any action or proceeding at any special term the clerk of the court shall, at the request of either of the parties, transmit all the papers on file in such action or proceeding, under his official certificate, certifying the same to be all the original files and papers therein on file in his office. Such papers, so certified, shall be enclosed by such clerk in an envelope, sealed by him, directed to the clerk of the circuit court of the county where such special term is to be or is being held, and may be transmitted by mail or by the hand of any person selected by such clerk; and after the trial or hearing of such action or proceeding the clerk last above named shall in like manner remit the same to the clerk of the court in which such action or proceeding is pending; but before any clerk shall be obliged to transmit any such papers he shall be paid all necessary postage, and the clerk remitting same shall also be paid his fees in such action or proceeding.

History: 1961, Act 236, Eff. Jan. 1, 1963.

600.1531 Alternative time and place of court; notice.

Sec. 1531. Whenever good cause therefor exists, the judge or judges of the circuit may designate a temporary alternative time and place in the same county for holding court. The designation shall be by written order, signed by the judge or judges making the designation, and disseminated to provide reasonable notice. The order shall state the manner in which such notice is to be disseminated.

History: 1961, Act 236, Eff. Jan. 1, 1963.