

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

600.1471 Law clerks; employment; qualifications; compensation; period of employment; duties.

Sec. 1471. (1) The circuit court in each circuit and the district court in each district may employ law clerks for the court or for each judge of the court.

(2) Each law clerk shall be a resident of the state of Michigan, and shall be either licensed to practice law in this state, or be a graduate of or a student at a reputable and qualified law school.

(3) The compensation of a law clerk shall be fixed by the judges of the court within the sum appropriated for that purpose by the county board of commissioners or by the governing body of the district control unit. Effective September 1, 1981, in the thirty-sixth district, the compensation of a law clerk shall be paid by the state and fixed as provided in section 8272. In the third judicial circuit, the compensation of a law clerk shall be paid by the state and fixed as provided in section 592. If a circuit has 2 or more counties, the salary of the law clerk shall be paid by that county which contributes the greater portion of the judges' salaries, unless the county board of commissioners of the respective counties elect to share in paying the compensation of the law clerk.

(4) The period of employment of a law clerk shall be 1 year, subject to renewal for a similar period. The court may discharge a law clerk at any time.

(5) A law clerk shall conduct legal research and prepare memoranda under the direction of the judges of the court, and under the general supervisory control of the chief judge of the court. The court may prescribe other duties by local rule.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1980, Act 438, Eff. Sept. 1, 1981.

Compiler's note: Sections 2 and 4 of Act 438 of 1980 provide:

“Conditional effective date; action constituting exercise of option; effect of exercising option.

“Section 2. (1) This amendatory act shall not take effect unless the city of Detroit and the county of Wayne, by resolutions adopted not later than May 1, 1981, by the governing bodies of the city and the county, respectively, agree to assume responsibility for any expenses required of the city or the county by this amendatory act, and the bills listed in enacting section 7 which are enacted and take effect.

“(2) If the city of Detroit and the county of Wayne, acting through their governing bodies, agree to assume responsibility for any expenses required of the city and the county by this amendatory act, and the bills listed in enacting section 7 which are enacted and take effect, that action constitutes an exercise of the city's and the county's option to provide a new activity or service or to increase the level of activity or service offered in the city of Detroit and the county of Wayne beyond that required by existing law, as the elements of that option are defined by Act No. 101 of the Public Acts of 1979, being sections 21.231 to 21.244 of the Michigan Compiled Laws, and a voluntary acceptance by the city and the county of all expenses and capital improvements which may result from establishment of the district court in the thirty-sixth district and the reorganization of the circuit court in the third judicial circuit and the recorder's court of the city of Detroit. However, the exercise of the option does not affect the state's obligation to pay the same portion of each district or circuit judge's salary which is paid by the state to the other district or circuit judges, or to appropriate and disburse funds to the district control units, city, or county, for the necessary costs of state requirements established by a state law, other than this amendatory act or the bills listed in enacting section 7 which becomes effective on or after December 23, 1978.”

The resolutions referred to in Section 2 were adopted by the city council of the city of Detroit on April 29, 1981, and by the board of commissioners of the county of Wayne on April 30, 1981.

“Effective date of certain sections.

“Section 4. Sections 304, 555, 563, 564, 567, 591, 592, 593, 594, 595, 641, 821, 1114, 1123, 1168, 1302, 1303, 1306, 1417, 1471, 1481, 5706, 8202, 8271, 8272, 8273, 8275, 8281, 8283, 8302, 8314, 8322, 8501, 8521, 8525, 8535, 8621, 9924, 9944, and 9947 shall take effect September 1, 1981.”