

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

600.549g Fifty-fifth judicial circuit; counties; number of judges.

Sec. 549g. The fifty-fifth judicial circuit consists of the counties of Clare and Gladwin and has 1 judge. Subject to section 550, this judicial circuit may have 1 additional judge effective January 1, 2007.

History: Add. 1981, Act 182, Imd. Eff. Dec. 22, 1981;—Am. 2006, Act 102, Imd. Eff. Apr. 6, 2006.

Compiler's note: Section 2 of Act 182 of 1981 provides:

“(1) The fifty-fifth judicial circuit is not created and the circuit judgeship proposed for that circuit is not authorized unless all of the following occur:

“(a) The counties of Clare and Gladwin, by resolutions adopted by each of their county boards of commissioners, approve the creation of the fifty-fifth judicial circuit and the judgeship proposed for that circuit.

“(b) The clerk of each county in subdivision (a) files a copy of the county's respective resolution with the secretary of state not later than December 22, 1981.

“(c) The county of Isabella approves the reformation of the twenty-first judicial circuit as provided in subsection (2).

“(2) The twenty-first judicial circuit is not reformed unless all of the following occur:

“(a) The county of Isabella, by resolution adopted by its county board of commissioners, approves the reformation of the twenty-first judicial circuit.

“(b) The clerk of the county of Isabella files a copy of the resolution with the secretary of state not later than December 22, 1981.

“(c) The counties of Clare and Gladwin approve the creation of the fifty-fifth judicial circuit as provided in subsection (1).

“(3) If the reformation of the twenty-first judicial circuit and the creation of the fifty-fifth judicial circuit are approved pursuant to subsections (1) and (2), the secretary of state shall immediately notify the state court administrator.

“(4) By proposing the creation of the fifty-fifth judicial circuit and a circuit judgeship for that circuit and the reformation of the twenty-first judicial circuit, the legislature is not creating the fifty-fifth judicial circuit or any judgeship in that circuit, or reforming the twenty-first judicial circuit. If the counties of Clare and Gladwin, acting through their respective boards of commissioners, approve the creation of the circuit and the circuit judgeship proposed by law for that circuit, or if the county of Isabella approves the reformation of the twenty-first judicial circuit each approval constitutes an exercise of the affected county's option to provide a new activity or service or to increase the level of activity or service offered in the county 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 county of all expenses and capital improvements which may result from the creation of the circuit and judgeship, or from the reformation of the circuit. However, the exercise of the option does not affect the state's obligation to pay to each county a portion of the circuit judge's or judges' salary as provided by law, or to appropriate and disburse funds to each county for the necessary costs of state requirements established by a state law which becomes effective on or after December 23, 1978.

“(5) If the county of Isabella approves the reformation of the twenty-first judicial circuit and the counties of Clare and Gladwin approve the creation of the fifty-fifth judicial circuit, then the incumbent circuit judge in the twenty-first judicial circuit who is a qualified elector in Clare or Gladwin county and who has been appointed to that office by the governor after January 1, 1981, becomes the circuit judge in the fifty-fifth judicial circuit on January 1, 1982, and serves as a circuit judge until January 1 next succeeding the first general election held after the vacancy to which he or she was appointed occurs, at which election a successor shall be elected for the remainder of the unexpired term which the predecessor incumbent serving on December 30, 1980, would have served had that incumbent remained in office in the twenty-first judicial circuit until his or her term would normally have expired.”