

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

600.803 Probate court district.

Sec. 803. (1) Except as otherwise provided in this section, each county that is not part of a probate court district created by law has 1 judge of probate.

(2) Each probate court district created by law has 1 judge of probate.

(3) The county of Sanilac has 1 judge of probate. Under section 15 of article VI of the state constitution of 1963, the office of probate judge for the county of Sanilac is combined with the office of judge of the seventy-third-a judicial district.

(4) The county of Huron has the following number of judges of probate:

(a) Beginning April 1, 2012, under section 15 of article VI of the state constitution of 1963, the office of probate judge for the county of Huron is combined with the office of judge of the seventy-third-b judicial district, and the county of Huron shall have 2 judges of probate. The judgeship added under this subdivision must be filled by the incumbent judge of the seventy-third-b judicial district, who shall become a probate judge for the county of Huron for the balance of the term to which the judge was elected.

(b) Beginning the earlier of the following dates, the county of Huron has 1 judge of probate:

(i) The date on which a vacancy occurs in the office of probate judge in this county.

(ii) The beginning date of the term for which an incumbent probate judge in this county no longer seeks election or reelection to that office.

(5) The county of Chippewa has 1 judge of probate. Under section 15 of article VI of the state constitution of 1963, the office of probate judge for the county of Chippewa is combined with the office of judge of the ninety-first judicial district.

(6) The counties of Berrien, Genesee, Ingham, Monroe, Muskegon, Saginaw, St. Clair, and Washtenaw each have 2 judges of probate.

(7) The county of Macomb has 2 judges of probate. Subject to section 805, the county of Macomb may have 1 additional judge of probate beginning January 1, 2025.

(8) The county of Kalamazoo has 3 judges of probate.

(9) The county of Kent has 5 judges of probate.

(10) The county of Oakland has 4 judges of probate.

(11) The county of Wayne has 8 judges of probate.

(12) When 1 or more new judges of probate are authorized in a county under this section, the new judgeship or judgeships must appear on the ballot separate and apart from other judicial offices of the same court in the primary and general election.

History: Add. 1978, Act 543, Eff. July 1, 1979;—Am. 1980, Act 129, Imd. Eff. May 22, 1980;—Am. 1998, Act 55, Imd. Eff. Apr. 8, 1998;—Am. 2001, Act 253, Eff. Mar. 22, 2002;—Am. 2002, Act 715, Eff. Mar. 31, 2003;—Am. 2011, Act 300, Imd. Eff. Dec. 22, 2011;—Am. 2012, Act 36, Imd. Eff. Feb. 28, 2012;—Am. 2022, Act 8, Imd. Eff. Feb. 9, 2022;—Am. 2023, Act 310, Imd. Eff. Dec. 14, 2023.

Compiler's note: Sections 2 to 5 of Act 129 of 1980 provide:

“New circuit and district judgeships; appearance on ballot; duty of candidate; petitions; filing fee.

“Section 2. The new circuit and district judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective circuits and district court districts. If another judicial office of the same court is to be filled by election in the same circuit, county, or district, a candidate for a new judgeship authorized in that circuit, county, or district by this amendatory act shall indicate, at the time of filing nominating petitions, whether the candidate is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in 1980. Petitions for a new judgeship created pursuant to this amendatory act shall bear signatures affixed to the petition after the date by which all counties in the circuit, all district control units in the district, or, in the case of a probate judgeship, the county, have adopted the resolutions required by law to create that office. Notwithstanding any other provision of law, a nonreturnable filing fee of \$250.00 may be paid up to 4 p.m. on June 3, 1980 in lieu of petitions for new judgeships authorized by this 1980 amendatory act which are to be filled by election in 1980.

“Additional circuit judgeship for third judicial circuit; terms.

“Section 3. If the additional circuit judgeship permitted by this amendatory act for the third judicial circuit is created pursuant to law, the candidate receiving the highest number of votes in the 1980 general election shall be elected for a term of 8 years, and the candidate receiving the second highest number of votes shall be elected for a term of 6 years.

“Additional circuit judgeship for sixteenth judicial circuit; term.

“Section 4. If the additional circuit judgeship permitted by this amendatory act for the sixteenth judicial circuit is created pursuant to law, the first term of that judgeship shall be 8 years.

“Change in composition of affected judicial circuits; effective date.

“Section 5. If a new judicial circuit of the circuit court is created pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1981. If the fifty-fourth judicial circuit is created pursuant to this act, the incumbent circuit judge of the fortieth judicial circuit who resides in Tuscola county shall become the judge of the fifty-fourth judicial circuit on January 1, 1981, and shall serve until the term for which he was elected in the fortieth judicial circuit expires.”