

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

600.8121a Thirty-sixth district.

Sec. 8121a. (1) The thirty-sixth district consists of the city of Detroit, is a district of the third class, and, except as provided in subsection (2), has 30 judges.

(2) Beginning on the earlier of the following dates, the thirty-sixth district has 29 judges:

(a) The date on which a vacancy occurs in the office of district judge in the thirty-sixth judicial district, unless that vacancy occurs after the vacating judge has been defeated in a primary or general election.

(b) The beginning date of the term for which an incumbent district judge in the thirty-sixth judicial district no longer seeks election or reelection to that office.

History: Add. 1972, Act 169, Imd. Eff. June 15, 1972;—Am. 1980, Act 438, Eff. May 1, 1981;—Am. 1981, Act 15, Eff. May 1, 1981;—Am. 1981, Act 146, Imd. Eff. Nov. 10, 1981;—Am. 1988, Act 135, Imd. Eff. May 27, 1988;—Am. 2014, Act 58, Imd. Eff. Mar. 27, 2014;—Am. 2018, Act 6, Imd. Eff. Jan. 26, 2018.

Compiler's note: Sections 2 and 3 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 Chapter 91 and certain sections.

“Section 3. Chapter 91 and sections 224, 541, 549f, 594, 595, 8121a, 8275, 9941, 9943, 9945, and 9946 shall take effect May 1, 1981.”

Sections 2, 3, and 4 of Act 146 of 1981 provide:

“Repeal of MCL 600.8286, 600.8287, and 600.8288; effective date of repeal; exception.

“Section 2. Except as provided in enacting section 4, sections 8286, 8287, and 8288 of Act No. 236 of the Public Acts of 1961, being sections 600.8286, 600.8287, and 600.8288 of the Compiled Laws of 1970, are repealed effective January 1, 1983.

“Effective date of MCL 600.8286, 600.8287, 600.8288, and 600.8501; exception.

“Section 3. Except as provided in enacting section 4, sections 8286, 8287, 8288, and 8501 shall take effect December 1, 1981.

“Conditional effective date of MCL 600.8286, 600.8287, 600.8288, and 600.8501, and of enacting Section 2; adoption and filing of resolution by city of Detroit; effect of assuming responsibility for expenses.

“Section 4. (1) Sections 8286, 8287, 8288, and 8501 and enacting section 2 shall not take effect unless the city of Detroit, by resolution adopted not later than November 30, 1981, by the governing body of the city, agrees to assume responsibility for any expenses required of the city by this amendatory act and an authenticated copy is filed with the secretary of state not later than 4 p.m. November 30, 1981.

“(2) If the city of Detroit, acting through its governing body, agrees to assume responsibility for any expenses required of the city by this amendatory act, that action constitutes an exercise of the city's option to provide a new activity or service or to increase the level of activity or service offered in the city of Detroit 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 of all expenses and capital improvements which may result from establishment of the office of district court referee in the thirty-sixth district of the district court.”

The resolution referred to in Section 4 was adopted by the city council of the city of Detroit on November 25, 1981, and an authenticated copy was filed with the secretary of state at 3:30 p.m. on November 30, 1981.

Section 2 of Act 135 of 1988 provides:

“Any additional district judgeship to be added by election in 1988 shall not be authorized to be filled by election unless each district control unit of the district, by resolution adopted by the governing body of the district control unit, approves the creation of that judgeship and unless the clerk of each district control unit adopting such a resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of the tenth Tuesday preceding the August primary for the election to fill the additional district judgeship.”