

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

600.8202 District judge; annual salary; additional salary; compensation and expenses; increase or decrease in salary; Michigan judges retirement system; evening and Saturday sessions.

Sec. 8202. (1) A district judge must receive an annual salary payable by this state as calculated under this section.

(2) In addition to the salary received from this state under subsection (1), a district judge may receive from a district funding unit in which the judge regularly holds court an additional salary as determined by the governing legislative body of the district funding unit as provided in this section. Supplemental salaries paid by a district funding unit must be uniform as to all judges who regularly hold court in the district funding unit. However, the total annual additional salary paid to a district court judge by the district funding units in which the judge regularly holds court must not cause the district judge's total annual salary received from state and district funding unit funds to exceed the maximum total salary allowed under this section.

(3) Until September 30, 2022, a district judge must receive an annual salary calculated as follows:

(a) A minimum annual salary payable by the state that is equal to the difference between 84% of the salary of a justice of the supreme court as of December 31, 2015 and \$45,724.00.

(b) In addition to the amount calculated under subdivision (a), a salary of \$45,724.00 from the district funding unit or units as provided in subsection (2). If a district judge receives a total additional salary of \$45,724.00 from the district funding unit or units and receives neither less than nor more than \$45,724.00, including any cost-of-living allowance, the state shall reimburse the district funding unit or units the amount that the unit or units have paid to the judge.

(c) In addition to the amounts under subdivisions (a) and (b), an amount payable by the state that is equal to the amounts calculated under subdivisions (a) and (b) multiplied by the compounded aggregate percentage pay increases, excluding lump-sum payments, paid to civil service nonexclusively represented employees classified as executives and administrators on or after January 1, 2016. The additional salary under this subdivision takes effect on the same date as the effective date of the pay increase paid to civil service nonexclusively represented employees classified as executives and administrators. The additional salary under this subdivision must not be based on a pay increase paid to civil service nonexclusively represented employees classified as executives and administrators if the effective date of the increase was before January 1, 2016.

(4) Beginning October 1, 2022, a district judge must receive an annual salary that is equal to the annual salary of a probate judge calculated under section 821(2).

(5) A district judge who holds court in a county other than the county of the judge's residence must be reimbursed for his or her actual and necessary expenses incurred in holding court upon certification and approval by the state court administrator. Upon certification of the judge's expenses, the sum must be paid out of the state treasury under the accounting laws of this state.

(6) Salaries of a district court judge may be increased but must not be decreased during a term of office, except to the extent of a general salary reduction in all other branches of government.

(7) A judge of the district court is eligible to be a member of the Michigan judges retirement system created under the judges retirement act of 1992, 1992 PA 234, MCL 38.2101 to 38.2670.

(8) The district court in a district may hold evening and Saturday sessions.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1970, Act 248, Eff. July 1, 1971;—Am. 1975, Act 324, Imd. Eff. Jan. 2, 1976;—Am. 1978, Act 150, Imd. Eff. May 18, 1978;—Am. 1980, Act 438, Eff. Sept. 1, 1981;—Am. 1992, Act 233, Eff. Mar. 31, 1993;—Am. 1995, Act 259, Imd. Eff. Jan. 5, 1996;—Am. 1996, Act 374, Eff. Jan. 1, 1997;—Am. 1996, Act 388, Eff. Jan. 1, 1998;—Am. 2016, Act 31, Imd. Eff. Mar. 8, 2016;—Am. 2022, Act 177, Imd. Eff. July 21, 2022.

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."