

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

600.8251 Places of sitting of district court; "population" defined.

Sec. 8251. (1) In districts of the first class, the court shall sit at each county seat. In districts of the first class consisting of 1 county having a population of 130,000 or more, the court shall also sit at each city having a population of 6,500 or more, except the court is not required to sit at any city that is contiguous to the county seat or is contiguous to a city having a greater population. The court shall also sit at other places as the judges of the district determine. The court shall sit not less than once each week in each county of a multicounty district.

(2) In districts of the second class, except as provided in subsection (3), the court shall sit at any county seat within the district, and at each city and incorporated village within the district having a population of 3,250 or more, except that if 2 or more cities or incorporated villages are contiguous the court need sit only in the city having the greater population. The court is not required to sit in any political subdivision if the governing body of that subdivision by resolution and the court agree that the court shall not sit in the political subdivision. If the district does not contain a county seat and does not contain any city or incorporated village having a population of 3,250 or more, the court shall sit at a place or places within the district as the judges of the district determine. In addition to the place or places where the court is required to sit, the court may upon agreement of a majority of the judges of the district and upon approval by resolution of the board of commissioners also sit at the county seat of its district control unit situated outside the district, but the court shall sit not less than once each week within the district. If the district does not contain any city, the foregoing provisions of this subsection do not apply to the district, and the court shall sit at the county seat of its district control unit situated outside the district. In addition to the place or places where the court is required to sit pursuant to the provisions of this subsection, the court may sit at a place or places within the district as the judges of the district determine. If the court sits at a county seat situated outside the district pursuant to this subsection, it has the same powers, jurisdiction, and venue as if sitting within the district.

(3) In districts of the second class in a county having a population between 575,000 and 700,000, the court shall sit at any county seat within the district, and may sit at each city and incorporated village within the district having a population of 10,000 or more, except that if 2 or more cities or incorporated villages are contiguous the court need sit only in the city having the greater population. The court is not required to sit in any political subdivision if the governing body of that subdivision by resolution and the presiding judge of the court agree that the court shall not sit in the political subdivision. If the district does not contain a county seat and does not contain any city or incorporated village having a population of 10,000 or more, the court shall sit at a place or places within the district as the presiding judge of the district determines. In addition to the place or places where the court is required to sit, the court may, upon the assent of the presiding judge and approval by resolution of the board of commissioners, also sit at the county seat of its district control unit situated outside the district, but the court shall sit not less than once each week within the district. If the district does not contain any city, the foregoing provisions of this subsection do not apply to the district, and the court shall sit at the county seat of its district control unit situated outside the district. In addition to the place or places where the court is required to sit pursuant to the provisions of this subsection, the court may sit at a place or places within the district as the presiding judge of the district determines. If the court sits at a county seat situated outside the district pursuant to this subsection, it has the same powers, jurisdiction, and venue as if sitting within the district.

(4) In districts of the third class, the court shall sit at each city having a population of 3,250 or more and within each township having a population of 12,000 or more and at other places as the judges of the district determine. The court is not required to sit in any political subdivision if the governing body of that subdivision by resolution and the court agree that the court shall not sit in the political subdivision.

(5) Each judge of the district shall sit at places within the district as the presiding judge designates.

(6) A district judge or district court magistrate may sit at a place outside the district under a multiple district plan pursuant to section 8320.

(7) As used in this section, "population" means population according to the most recent federal decennial census, except that the most recent census shall not apply until the expiration of 18 months from the date on which the census is taken.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1969, Act 6, Imd. Eff. Apr. 19, 1969;—Am. 1970, Act 238, Eff. Jan. 1, 1971;—Am. 1988, Act 135, Imd. Eff. May 27, 1988;—Am. 1994, Act 5, Imd. Eff. Feb. 24, 1994;—Am. 2003, Act 7, Imd. Eff. May 20, 2003;—Am. 2010, Act 309, Imd. Eff. Dec. 17, 2010.

Compiler's note: 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.”