

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

**600.857 Jury trial.**

Sec. 857. (1) If a party to a proceeding in the probate court would have had a right before January 1, 1971 to demand a jury to determine a particular issue of fact in the circuit court upon a de novo appeal from that proceeding to the circuit court, that party shall on and after January 1, 1971 have the right to demand a jury to determine that issue of fact in the probate court proceeding.

(2) When a jury is demanded pursuant to law in a proceeding in the probate court, the jury shall be summoned and selected in accordance with sections 1301 to 1354. With respect to jurors any examination, challenge, replacement, oath or other practice which is not governed by the provisions of sections 1301 to 1354 shall be governed by rules adopted by the supreme court.

(3) If a jury trial is demanded in any proceeding by a party having a right to have a jury determine an issue, the demanding party shall pay into court a jury fee in an amount equal to the jury fee required in the circuit court in the same county but not to exceed \$30.00, which fee shall be paid to the county treasurer for deposit in the general fund of the county. A jury fee shall not be required from a party demanding a jury trial in the juvenile division of the probate court or under Act No. 258 of the Public Acts of 1974, as amended, being sections 330.1001 to 330.2106 of the Michigan Compiled Laws.

**History:** Add. 1978, Act 543, Eff. July 1, 1979.