

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

600.9943 District court in thirty-sixth district; administrative duties and powers; facilities.

Sec. 9943. (1) Commencing on the effective date of this section and until September 1, 1981, the judges of the common pleas court of the city of Detroit shall carry out the administrative duties and shall exercise the administrative powers of the district court for the thirty-sixth district as though the district court were functioning in that district during that time. In performing the administrative duties of the district court for the thirty-sixth district, the judges of the common pleas court of the city of Detroit may perform any act, issue any order, or make any appointment, contract, or agreement, except a collective bargaining agreement, on behalf of the district court for the thirty-sixth district which is reasonably necessary to provide for the district court's full, regular, and effective operation in the thirty-sixth district commencing September 1, 1981, and which is within the authority of district judges under chapters 81 to 86 and 99. However, any appointment made under this subsection shall not supplant employees of the common pleas court of the city of Detroit or of the traffic and ordinance division of the city of Detroit who are governed by section 8273.

(2) Commencing on the effective date of this section, and in cooperation with the judges of the common pleas court of the city of Detroit, the governing body of the district control unit which will be responsible for financing and maintaining the district court in the thirty-sixth district beginning September 1, 1981, may make any arrangement for the provision of facilities for the court and magistrates which is reasonably necessary to provide for the district court's full, regular, and effective operation in the thirty-sixth district on September 1, 1981.

History: Add. 1980, Act 438, Eff. May 1, 1981.

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.”