

**THE CODE OF CRIMINAL PROCEDURE (EXCERPT)**  
**Act 175 of 1927**

**774.48 Delivery of files, indexes, and dockets to successor of municipal judge; audit of judge's records; audit report; certificate; effectiveness.**

Sec. 48. (1) Each municipal judge shall deliver to his or her successor in office all files, indexes, and dockets. Upon the death of a municipal judge, or if for any other reason the office becomes vacant, and also at the end of each term, the board of auditors of the county or the county board of commissioners shall cause the records of the municipal court judge to be audited immediately. The audit shall be completed within 30 days from the date of the vacancy or end of the term. If a municipal court judge has been reelected to office, the audit shall be completed within 6 months from the date of the expiration of the judge's previous term.

(2) The audit report shall set forth the amount due the municipal court and the amount due the county for fines and costs collected by the court. The board of auditors or county board of commissioners shall issue to the municipal judge or the executor or administrator of the judge's estate, a certificate stating that all amounts required to be paid to the county during the judge's term of office have been paid, if the audit determines that all amounts required to be paid have in fact been paid. This certificate shall not be effective if it is later determined that there was fraud, embezzlement, or other criminal concealment or acts involved in the funds collected by the municipal judge.

**History:** Add. 1957, Act 274, Eff. Sept. 27, 1957;—Am. 1980, Act 506, Imd. Eff. Jan. 22, 1981.