



**House
Legislative
Analysis
Section**

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DISTRICT COURT LOCATIONS

House Bill 4347

Sponsor: Rep. Barbara Dobb

Committee: Judiciary

Complete to 4-16-93

A SUMMARY OF HOUSE BILL 4347 AS INTRODUCED 2-24-93

The bill would amend the Revised Judicature Act to revise the method of determining where a district court of the second class sits. (A district of the second class consists of a group of political subdivisions within a county, and the county is responsible for maintaining, financing, and operating the court.)

Currently, the law requires the court to sit at the county seat and at each city and incorporated village with a population of at least 3,250, except that where two or more cities or villages are contiguous, the court need only sit in the city having the greater population. The court does not have to sit in any political subdivision if the court and the municipality agree that the court is not to sit there. If the district does not contain a county seat or municipalities of the minimum size, the court is to sit at a place or places determined by the judges of the district.

The bill would retain these requirements for Macomb County only, and specify that in counties other than Macomb, the court would sit at the county seat, and at either the political subdivisions where it was sitting when the bill took effect or at a place or places determined by the district control unit (the county), subject to the approval of the chief district judge and the supreme court. In making the determination, the county would have to consider cost, proximity to the population center of the district or division, and accessibility to litigants, witnesses, jurors, and law enforcement officers.

A provision that also allows a court to sit at a county seat outside the district would be retained, with modification. In such situations, the act requires the court to sit at least once each week within the district, unless the district does not contain any city, in which case the court sits at the county seat only. The bill would delete the exception for districts that do not contain cities.

The bill also would retain a provision that allows the court to sit in places within the district determined by the district's judges, in addition to the other places required by the act.

MCL 600.8251

House Bill 4347 (4-16-93)