



# HOUSE BILL No. 4842

June 10, 1993, Introduced by Rep. Nye and referred to the Committee on Judiciary.

A bill to amend sections 301, 302, and 306 of Act No. 236 of the Public Acts of 1961, entitled as amended "Revised judicature act of 1961," as amended by Act No. 279 of the Public Acts of 1986, being sections 600.301, 600.302, and 600.306 of the Michigan Compiled Laws; and to add section 303d.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 301, 302, and 306 of Act No. 236 of the  
2 Public Acts of 1961, as amended by Act No. 279 of the Public Acts  
3 of 1986, being sections 600.301, 600.302, and 600.306 of the  
4 Michigan Compiled Laws, are amended and section 303d is added to  
5 read as follows:

6 Sec. 301. The court of appeals ~~shall consist~~ CONSISTS of  
7 ~~24~~ 28 judges and is a court of record.

1        Sec. 302. For the election of judges, the state ~~shall be~~  
 2 IS divided into ~~3~~ 4 judicial districts. ~~Districts 1, 2, and 3~~  
 3 ~~shall be~~ EACH DISTRICT IS entitled to elect ~~8~~ 7 judges. ~~for~~  
 4 ~~their respective districts.~~ The districts ~~shall be~~ ARE consti-  
 5 tuted and numbered as follows:

6        District 1 ~~shall consist~~ CONSISTS of the counties of  
 7 Wayne, Monroe, AND Lenawee. ~~, Jackson, Washtenaw, and~~  
 8 ~~Livingston.~~

9        District 2 ~~shall consist~~ CONSISTS of the counties of  
 10 ~~Ogemaw, Arenac, Gladwin, Midland, Bay, Huron, Tuscola, Sanilac,~~  
 11 ~~Genesee, Lapeer, St. Clair, Shiawassee, Oakland, AND Macomb. 7~~  
 12 ~~and Ingham.~~

13        District 3 ~~shall consist~~ CONSISTS of the counties of  
 14 Berrien, Cass, St. Joseph, Branch, Hillsdale, WASHTENAW,  
 15 LIVINGSTON, JACKSON, Calhoun, Kalamazoo, Van Buren, Allegan,  
 16 Barry, ~~Eaton, Ionia,~~ Kent, Ottawa, AND Muskegon. 7

17        DISTRICT 4 CONSISTS OF THE COUNTIES OF EATON, INGHAM, IONIA,  
 18 Montcalm, Clinton, Gratiot, Saginaw, TUSCOLA, LAPEER, ST. CLAIR,  
 19 SANILAC, HURON, BAY, MIDLAND, Isabella, Mecosta, Newaygo, Oceana,  
 20 Mason, Lake, Osceola, Clare, GLADWIN, ARENAC, Iosco, OGEMAW,  
 21 Roscommon, Missaukee, Wexford, Manistee, Benzie, Grand Traverse,  
 22 Leelanau, Kalkaska, Crawford, Oscoda, Alcona, Alpena,  
 23 Montmorency, Otsego, Antrim, Emmet, Charlevoix, Cheboygan,  
 24 Presque Isle, Mackinac, Chippewa, Luce, Schoolcraft, Alger,  
 25 Delta, Menominee, Dickinson, Marquette, Iron, Baraga, Houghton,  
 26 Keweenaw, Gogebic, and Ontonagon.

1 SEC. 303D. (1) TO EFFECTUATE THE TRANSITION FROM 3  
2 DISTRICTS HAVING A TOTAL OF 24 JUDGES TO 4 DISTRICTS HAVING A  
3 TOTAL OF 28 JUDGES, THE FOLLOWING SPECIAL PROVISIONS APPLY:

4 (A) THE JUDGESHIP IN DISTRICT 1 FILLED ON THE EFFECTIVE DATE  
5 OF THIS SECTION BY AN INCUMBENT WHOSE TERM EXPIRES JANUARY 1,  
6 1995 AND WHO IS NOT ELIGIBLE TO SEEK REELECTION, SHALL TERMINATE  
7 JANUARY 1, 1995 AND SHALL NOT BE FILLED BY ELECTION IN 1994.

8 (B) TO PROVIDE 7 JUDGES IN DISTRICTS 3 AND 4:

9 (i) IN DISTRICT 3, 4 NEW JUDGEShips SHALL BE FILLED BY ELEC-  
10 TION IN 1994. THE CANDIDATE RECEIVING THE HIGHEST NUMBER OF  
11 VOTES IS ELECTED FOR A TERM OF 10 YEARS, THE CANDIDATES RECEIVING  
12 THE SECOND AND THIRD HIGHEST NUMBER OF VOTES ARE ELECTED FOR  
13 TERMS OF 8 YEARS EACH, AND THE CANDIDATE RECEIVING THE FOURTH  
14 HIGHEST NUMBER OF VOTES IS ELECTED FOR A TERM OF 6 YEARS.

15 (ii) IN DISTRICT 4, 1 NEW JUDGESHIP SHALL BE FILLED BY ELEC-  
16 TION IN 1994. THE CANDIDATE RECEIVING THE HIGHEST NUMBER OF  
17 VOTES IS ELECTED FOR A TERM OF 6 YEARS.

18 (2) A JUDGE OF THE COURT OF APPEALS WHO IS ELECTED OR  
19 APPOINTED TO A FIRST TERM THAT BEGINS ON OR AFTER THE EFFECTIVE  
20 DATE OF THIS SECTION SHALL MAINTAIN OFFICES ONLY IN LANSING,  
21 GRAND RAPIDS, DETROIT, OR SOUTHFIELD.

22 Sec. 306. The supreme court may transfer judges from the  
23 circuit court or probate court or may assign judges pursuant to  
24 section 23 of article VI of the state constitution of 1963 to the  
25 court of appeals to act as temporary judges. The transfer may be  
26 made to replace disabled or disqualified judges, or to enlarge  
27 the court of appeals temporarily to not more than ~~36~~ 48 judges

1 if the business of the court of appeals is considered by the  
2 supreme court to warrant it. If the court of appeals sits in  
3 panels, the temporary judges may be assigned to any panel. Not  
4 more than 1 temporary judge shall be assigned to hear a case. A  
5 temporary judge is disqualified from hearing, in the court of  
6 appeals, cases tried before him or her in the trial court.