

SUBSTITUTE FOR
SENATE BILL NO. 1056

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 8251 (MCL 600.8251), as amended by 2003 PA 7.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8251. (1) In districts of the first class, the court
2 shall sit at each county seat. In districts of the first class
3 consisting of 1 county having a population of 130,000 or more, the
4 court shall also sit at each city having a population of 6,500 or
5 more, except the court is not required to sit at any city that is
6 contiguous to the county seat or is contiguous to a city having a
7 greater population. The court shall also sit at other places as the
8 judges of the district determine. The court shall sit not less than
9 once each week in each county of a multicounty district.

1 (2) In districts of the second class, **EXCEPT AS PROVIDED IN**
2 **SUBSECTION (3)**, the court shall sit at any county seat within the
3 district, and at each city and incorporated village within the
4 district having a population of 3,250 or more, except that if 2 or
5 more cities or incorporated villages are contiguous the court need
6 sit only in the city having the greater population. The court is
7 not required to sit in any political subdivision if the governing
8 body of that subdivision by resolution and the court agree that the
9 court shall not sit in the political subdivision. If the district
10 does not contain a county seat and does not contain any city or
11 incorporated village having a population of 3,250 or more, the
12 court shall sit at a place or places within the district as the
13 judges of the district determine. In addition to the place or
14 places where the court is required to sit, the court may upon
15 agreement of a majority of the judges of the district and upon
16 approval by resolution of the board of commissioners also sit at
17 the county seat of its district control unit situated outside the
18 district, but the court shall sit not less than once each week
19 within the district. If the district does not contain any city, the
20 foregoing provisions of this subsection do not apply to the
21 district, and the court shall sit at the county seat of its
22 district control unit situated outside the district. In addition to
23 the place or places where the court is required to sit pursuant to
24 the provisions of this subsection, the court may sit at a place or
25 places within the district as the judges of the district determine.
26 If the court sits at a county seat situated outside the district
27 pursuant to this subsection, it has the same powers, jurisdiction,

1 and venue as if sitting within the district.

2 (3) IN DISTRICTS OF THE SECOND CLASS CONSISTING OF 1 COUNTY
3 HAVING A POPULATION BETWEEN 575,000 AND 700,000, THE COURT SHALL
4 SIT AT ANY COUNTY SEAT WITHIN THE DISTRICT, AND MAY SIT AT EACH
5 CITY AND INCORPORATED VILLAGE WITHIN THE DISTRICT HAVING A
6 POPULATION OF 10,000 OR MORE, EXCEPT THAT IF 2 OR MORE CITIES OR
7 INCORPORATED VILLAGES ARE CONTIGUOUS THE COURT NEED SIT ONLY IN THE
8 CITY HAVING THE GREATER POPULATION. THE COURT IS NOT REQUIRED TO
9 SIT IN ANY POLITICAL SUBDIVISION IF THE GOVERNING BODY OF THAT
10 SUBDIVISION BY RESOLUTION AND THE PRESIDING JUDGE OF THE COURT
11 AGREE THAT THE COURT SHALL NOT SIT IN THE POLITICAL SUBDIVISION. IF
12 THE DISTRICT DOES NOT CONTAIN A COUNTY SEAT AND DOES NOT CONTAIN
13 ANY CITY OR INCORPORATED VILLAGE HAVING A POPULATION OF 10,000 OR
14 MORE, THE COURT SHALL SIT AT A PLACE OR PLACES WITHIN THE DISTRICT
15 AS THE PRESIDING JUDGE OF THE DISTRICT DETERMINES. IN ADDITION TO
16 THE PLACE OR PLACES WHERE THE COURT IS REQUIRED TO SIT, THE COURT
17 MAY, UPON THE ASSENT OF THE PRESIDING JUDGE AND APPROVAL BY
18 RESOLUTION OF THE BOARD OF COMMISSIONERS, ALSO SIT AT THE COUNTY
19 SEAT OF ITS DISTRICT CONTROL UNIT SITUATED OUTSIDE THE DISTRICT,
20 BUT THE COURT SHALL SIT NOT LESS THAN ONCE EACH WEEK WITHIN THE
21 DISTRICT. IF THE DISTRICT DOES NOT CONTAIN ANY CITY, THE FOREGOING
22 PROVISIONS OF THIS SUBSECTION DO NOT APPLY TO THE DISTRICT, AND THE
23 COURT SHALL SIT AT THE COUNTY SEAT OF ITS DISTRICT CONTROL UNIT
24 SITUATED OUTSIDE THE DISTRICT. IN ADDITION TO THE PLACE OR PLACES
25 WHERE THE COURT IS REQUIRED TO SIT PURSUANT TO THE PROVISIONS OF
26 THIS SUBSECTION, THE COURT MAY SIT AT A PLACE OR PLACES WITHIN THE
27 DISTRICT AS THE PRESIDING JUDGE OF THE DISTRICT DETERMINES. IF THE

1 COURT SITS AT A COUNTY SEAT SITUATED OUTSIDE THE DISTRICT PURSUANT
2 TO THIS SUBSECTION, IT HAS THE SAME POWERS, JURISDICTION, AND VENUE
3 AS IF SITTING WITHIN THE DISTRICT.

4 (4) ~~(3)~~—In districts of the third class, the court shall sit
5 at each city having a population of 3,250 or more and within each
6 township having a population of 12,000 or more and at other places
7 as the judges of the district determine. The court is not required
8 to sit in any political subdivision if the governing body of that
9 subdivision by resolution and the court agree that the court shall
10 not sit in the political subdivision.

11 (5) ~~(4)~~—Each judge of the district shall sit at places within
12 the district as the presiding judge designates.

13 (6) ~~(5)~~—A district judge or district court magistrate may sit
14 at a place outside the district under a multiple district plan
15 pursuant to section 8320.

16 (7) ~~(6)~~—As used in this section, "population" means population
17 according to the most recent federal decennial census, except that
18 the most recent census shall not apply until the expiration of 18
19 months from the date on which the census is taken.