

EMERGENCY INTERIM JUDICIAL SUCCESSION ACT (EXCERPT)
Act 227 of 1963

691.973 Judges; unavailability; special emergency judges, designations, duration of service.

Sec. 3.

(1) If any judge of any court is unavailable to exercise the powers and discharge the duties of his office, and if no other judge authorized to act in the event of absence, disability or vacancy or no special judge appointed in accordance with law is available to exercise the powers and discharge the duties of the office, the duties of the office shall be discharged and the powers exercised by the special emergency judges hereinafter provided for:

(a) The governor, upon approval of this act, shall designate not less than 3 special emergency judges for each member of each court of record and specify the order of their succession. These courts shall include the supreme court, circuit courts, probate courts, common pleas court of Detroit, recorder's court of Detroit, superior court of Grand Rapids and any state or other municipal court of record.

(b) Upon the approval of this act, the duly appointed or elected authority of a political subdivision which has the authority to appoint successors to justices of courts not of record, shall designate for each member of each such court not of record, special emergency justices of not less than 3 for each member of each court and specify their order of succession.

(2) Special emergency judges, in the order specified, shall exercise the powers and discharge the duties of such office in case of the unavailability of the regular judges or persons immediately preceding them in the designation. The designating authority shall review and revise, as necessary, designations made pursuant to this act to insure their current status.

(3) Special emergency judges shall discharge the duties and exercise the powers of such office until such time as a vacancy is filled in accordance with the constitution and statutes or until the regular judge or one preceding the designee in the order of succession becomes available to exercise the powers and discharge the duties of the office.

History: 1963, Act 227, Eff. Sept. 6, 1963