

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.9924 Transfer of files, records, funds, and pending cases of abolished courts to district court; powers and jurisdiction of district court; orders and judgments appealable; exceptions; effect of reconstituting district court districts into single district.

Sec. 9924.

(1) All files, records, funds, and pending cases of the courts abolished under section 9921 or courts or divisions of courts abolished on or after April 1, 1973, and succeeded by the district court shall be transferred to the district court of the district in which the courts have served, in accordance with rules prescribed by the supreme court, and the district court shall exercise all powers in regard thereto as provided by rules of the supreme court. The district court shall have jurisdiction to hear and determine all cases transferred under this section, and shall exercise all authority with regard to those cases as though the cases had been commenced in district court. All orders and judgments of courts or divisions of courts abolished on or after May 1, 1981, and succeeded by the district court shall be appealable in like manner and to the same courts as applicable before that date. This subsection shall not apply to files, records, funds, and pending cases of the traffic and ordinance division of the recorder's court which are transferred to the recorder's court pursuant to section 38 of Act No. 369 of the Public Acts of 1919, being section 725.38 of the Michigan Compiled Laws.

(2) When 2 or more district court districts are reconstituted into a single district, all files, records, funds, property, and pending cases of the district court of the abolished districts shall be transferred to the district court of the reconstituted district. The district court of the reconstituted district shall exercise all powers with regard to transferred files, records, funds, property, and cases as the district courts of the abolished districts could have exercised before the reconstitution. The district court of the reconstituted district shall have jurisdiction to hear and determine all cases transferred to it from the district courts of the abolished districts.

(3) When 2 or more district court districts are reconstituted into a single district, each incumbent district judge of the abolished district or reconstituted district shall serve as a district judge of the reconstituted district until the expiration of the term for which he or she was elected or appointed and shall be considered an incumbent district judge of the reconstituted district for all purposes for the balance of that term.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968 ;-- Am. 1972, Act 363, Eff. Apr. 1, 1973 ;-- Am. 1980, Act 438, Eff. Sept. 1, 1981

Compiler's Notes: Sections 2 and 4 of Act 438 of 1980 provide: "Conditional effective date; action constituting exercise of option; effect of exercising option." Section 2. (1) This amendatory act shall not take effect unless the city of Detroit and the county of Wayne, by resolutions adopted not later than May 1, 1981, by the governing bodies of the city and the county, respectively, agree to assume responsibility for any expenses required of the city or the county by this amendatory act, and the bills listed in enacting section 7 which are enacted and take effect. (2) If the city of Detroit and the county of Wayne, acting through their governing bodies, agree to assume responsibility for any expenses required of the city and the county by this amendatory act, and the bills listed in enacting section 7 which are enacted and take effect, that action constitutes an exercise of the city's and the county's option to provide a new activity or service or to increase the level of activity or service offered in the city of Detroit and the county of Wayne beyond that required by existing law, as the elements of that option are defined by Act No. 101 of the Public Acts of 1979, being sections 21.231 to 21.244 of the Michigan Compiled Laws, and a voluntary acceptance by the city and the county of all expenses and capital improvements which may result from establishment of the district court in the thirty-sixth district and the reorganization of the circuit court in the third judicial circuit and the recorder's court of the city of Detroit. However, the exercise of the option does not affect the state's obligation to pay the same portion of each district or circuit judge's salary which is paid by the state to the other district or circuit judges, or to appropriate and disburse funds to the district control units, city, or county, for the necessary costs of state requirements established by a state law, other than this amendatory act or the bills listed in enacting section 7 which becomes effective on or after December 23, 1978. The resolutions referred to in Section 2 were adopted by the city council of the city of Detroit on April 29, 1981, and by the board of commissioners of the county of Wayne on April 30, 1981. "Effective date of certain sections." Section 4. Sections 304, 555, 563, 564, 567, 591, 592, 593, 594, 595, 641, 821, 1114, 1123, 1168, 1302, 1303, 1306, 1417, 1471, 1481, 5706, 8202, 8271, 8272, 8273, 8275, 8281, 8283, 8302, 8314, 8322, 8501, 8521, 8525, 8535, 8621, 9924, 9944, and 9947 shall take effect September 1, 1981."