

THE  
SUPREME  
COURT



MAURA D. CORRIGAN, CHIEF JUSTICE

State Court Administrative Office  
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Under the **territorial government** of Michigan established in 1805, the supreme court consisted of a chief judge and 2 associate judges appointed by the President of the United States. Under the “second” grade of territorial government established in 1824, the term of office was limited to 4 years.

First Grade

Augustus B. Woodward . . . . .	1805-1824	James Witherell . . . . .	1805-1824
Frederick Bates . . . . .	1805-1808	John Griffin . . . . .	1806-1824

Second Grade

James Witherell . . . . .	1824-1828	William Woodbridge . . . . .	1828-1832
John Hunt . . . . .	1824-1827	George Morrell . . . . .	1832-1837
Solomon Sibley . . . . .	1824-1837	Ross Wilkins . . . . .	1832-1837
Henry Chipman . . . . .	1827-1832		

The **Constitution of 1835** provided for a supreme court, the judges of which were appointed by the governor, by and with the advice and consent of the senate, for 7-year terms. In 1836 the legislature provided for a chief justice and 2 associate justices. The state was then divided into 3 circuits and the supreme court was required to hold an annual term in each circuit. The Revised Statutes of 1838 provided for a chief justice and 3 associate justices.

The **Constitution of 1850** provided for a term of 6 years and that the judges of the 5 circuit courts be judges of the supreme court. In 1857, the legislature reorganized the supreme court to consist of a chief justice and 3 associate justices to be elected for 8-year terms. The number of justices was increased to 5 by the legislature in 1887. Act 250 of 1903 increased the number of justices to 8.

The **Constitution of 1908** provided for the nomination of the justices at partisan conventions and election at nonpartisan elections.

The **Constitution of 1963** provides that “the judicial power of the state is vested exclusively in one court of justice which shall be divided into one supreme court, one court of appeals, one trial court of general jurisdiction known as the circuit court, one probate court, and the courts of limited jurisdiction that the legislature may establish by a two-thirds vote of the members elected to and serving in each house.” Const. 1963, art. 6, § 1.

“The supreme court shall consist of seven justices elected at nonpartisan elections as provided by law. The term of office shall be eight years and not more than two terms of office shall expire at the same time.” Const. 1963, art. 6, § 2.

“One justice of the supreme court shall be selected by the court as its chief justice as provided by rules of the court. He shall perform duties required by the court. The supreme court shall

appoint an administrator of the courts and other assistants of the supreme court as may be necessary to aid in the administration of the courts of this state. The administrator shall perform administrative duties assigned by the court.” Const. 1963, art. 6, § 1.

The Michigan Supreme Court is the highest court in the state, hearing cases appealed to it from other state courts. Applications for **“leave to appeal”** are filed with the supreme court and the court decides whether to grant them. If an application is granted, the supreme court will hear the case; if denied, the decision of the lower court stands.

In addition to its judicial duties, the supreme court is charged with general administrative supervision of all courts in the state. This is referred to in the state constitution as **“general superintending control.”** The supreme court is responsible for establishing rules for practice and procedure in all courts.

The supreme court consists of 7 justices. One justice is selected every 2 years by the court as chief justice. Two justices are elected every 2 years (one in the eighth year) in the November election. Although nominated by political parties, the justices are elected on a nonpartisan ballot, separate from the ballot for other elective offices. Candidates for the supreme court must be qualified electors, licensed to practice law in Michigan, and, at the time of election, must be under 70 years of age. The salary of the justices is fixed by the State Officers Compensation Commission and paid by the state.

**Sessions** of the Michigan Supreme Court are held in Lansing where the justices hear oral arguments by attorneys in cases in which leave to appeal has been granted and which have been submitted in written briefs in advance of the hearing. The written opinion in each case, which receives the approval of a majority of the justices, becomes the decision of the court. A justice may write a “concurring” opinion agreeing with the result of the majority opinion but for reasons different from those expressed in the majority opinion. If a justice disagrees with the majority opinion in whole or in part, the justice may write the reasons for the disagreement in a “dissenting” opinion.

**Caseload**

During 2000, 2,159 new cases were filed with the Michigan Supreme Court. There were 2,302 cases completed in 2000. At the close of the year, 1,138 cases were pending before the court.

The majority of the new cases filed (98%) were applications for leave to appeal. Of the new cases filed, 41% were civil cases and 59% were criminal cases. Of the 2,302 cases disposed of during 2000, 2,037 (88%) were disposed of by denial of leave to appeal, 135 (6%) by final orders without opinions, 83 (4%) by opinions, and 47 (2%) by dismissals and withdrawals.

**TYPES OF SUPREME COURT CASE FILINGS, 2000**

Filings	Number	Percent
Applications for Leave . . . . .	2,106	(98%)
Applications Prior to Court of Appeals Decision . . . . .	10	} (2%)
Mandamus/Superintending Control — Attorney Grievance Commission/ Board of Law Examiners . . . . .	27	
Judicial Tenure Commission Cases . . . . .	5	
Certified Questions from Federal Courts . . . . .	2	
Applications from Attorney Discipline Board . . . . .	6	
Miscellaneous . . . . .	3	
TOTAL . . . . .	2,159	

**DISTRIBUTION OF SUPREME COURT  
CIVIL AND CRIMINAL CASES, 2000**

Cases	Number	Percent
Civil Cases Filed . . . . .	877	(41%)
Criminal Cases Filed . . . . .	1,282	(59%)
TOTAL . . . . .	2,159	(100%)

## SUPREME COURT CASE DISPOSITION, BY TYPE, 2000

Dispositions	Number	Percent
Completed by Opinions .....	83	(4%)
Completed by Final Orders Without Opinions .....	135	(6%)
Completed by Denial of Leave to Appeal .....	2,037	(88%)
Completed by Dismissals and Withdrawals .....	47	(2%)
TOTAL .....	2,302	(100%)

### ***Motions and Separate Orders***

During 2000, the court issued 421 separate additional orders on motion matters, as follows: 71 orders granting leave to appeal; 191 orders on motions for rehearing or reconsideration; 51 orders holding cases in abeyance, issued on the court's own motions; 25 miscellaneous orders on motions for bail, for stay of proceedings, appointing a Master in Judicial Tenure Commission cases, to tax or not tax costs, 67 partial fee orders, etc.; 80 orders issued by the chief justice, here commonly called "housekeeping orders," e.g., orders on motions to extend the time for filing briefs, to place on or withdraw a case from a session calendar, or for oral argument, etc.; and 7 remands with jurisdiction retained.

### ***Grants of Leave to Appeal***

Orders granting leave to appeal notify the parties that formal review of the case will be undertaken. Grant orders and their percentage relationship to new filings for the past 10 years are set forth below.

## SUPREME COURT ORDERS GRANTING LEAVE TO APPEAL

Year	Grants	Percent of New Filings
1991 .....	64	2.9%
1992 .....	87	3.6%
1993 .....	85	3.1%
1994 .....	116	3.7%
1995 .....	90	2.9%
1996 .....	105	4.0%
1997 .....	106	4.0%
1998 .....	95	4.0%
1999 .....	56	2.0%
2000 .....	71	3.0%

### ***Administrative Functions***

In addition to serving as the state's court of last resort, the Michigan Supreme Court manages the state court system. As manager of the Michigan court system, the court has undertaken with the legislative and executive branches, state and local, to improve the system statewide for greater efficiency and accountability to the public. This endeavor includes:

- advancing the implementation of the family division of circuit court for greater efficiency and convenience for families;
- developing a statewide court information management system;
- reforming jury management practices;
- overseeing the progress of seven trial court demonstration projects;
- supporting the work of therapeutic drug courts throughout the state.

## JUSTICES OF THE SUPREME COURT

*Term expires*

MAURA D. CORRIGAN, Chief Justice, Grosse Pointe Park . . . . . Jan. 1, 2007  
MICHAEL F. CAVANAGH, East Lansing . . . . . Jan. 1, 2007  
ELIZABETH A. WEAVER, Traverse City . . . . . Jan. 1, 2003  
MARILYN KELLY, Bloomfield Hills . . . . . Jan. 1, 2005  
CLIFFORD W. TAYLOR, Laingsburg . . . . . Jan. 1, 2009  
ROBERT P. YOUNG, JR., Detroit . . . . . Jan. 1, 2003  
STEPHEN J. MARKMAN, Mason . . . . . Jan. 1, 2005

CORBIN R. DAVIS, Clerk  
INGER Z. MEYER, Deputy Clerk  
WILLIAM HAGGERTY, Reporter of Decisions  
CARL GROMEK, Chief of Staff  
MICHAEL GADOLA, Supreme Court Counsel  
LINDA MOHNEY RHODUS, Administrative Counsel  
ANNE M. VROOMAN, Director, Intergovernmental Relations  
E. RONALD STADNIKA, Finance Director  
MICHAEL BENEDICT, Human Resources Director  
DAVID GRUBER, Public Information Officer  
DAVE PALAZZOLO, Crier

## SUPREME COURT COMMISSIONERS

AL LYNCH, Chief Commissioner  
TERENCE A. DAVIS      TIMOTHY RAUBINGER  
KATHLEEN FOSTER      LYNN RICHARDSON  
FRANK J. GRECO      MICHAEL J. SCHMEDLEN  
GLEN GRONSETH      MARY SMITH  
T. VICTOR JACKSON      JOSEPH SZEREMET  
MICHAEL MURRAY      DENNIS DONOHUE  
JOHN PARKER      DANIEL WRIGHT  
MICHAEL PITTS      HARRY J. ZELIFF

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JOHN D. FERRY, JR., State Court Administrator  
DAWN A. MONK, Deputy State Court Administrator

### ***Regional Administrators***

#### ***Region 1***

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#### ***Region 3***

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#### ***Region 4***

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P.O. Box 100, Gaylord, MI 49734-0100