

# HOUSE BILL No. 5859

April 9, 2002, Introduced by Reps. Stewart, Kowall, LaSata, Hager, Pumford, Shulman and Birkholz and referred to the Committee on Civil Law and the Judiciary.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending section 8507 (MCL 600.8507), as amended by 1994  
PA 5.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 8507. (1) Magistrates shall be registered electors in  
2 the county in which they are appointed. All magistrates  
3 appointed shall serve at the pleasure of the judges of the dis-  
4 trict court. Before assuming office, persons appointed magis-  
5 trates shall take the constitutional oath of office and file a  
6 bond with the ~~county treasurer~~ LOCAL FUNDING UNIT in an amount  
7 determined by the state court administrator. The bond shall also  
8 apply to temporary service in another county under subsection (2)  
9 or (3).

1       (2) In a district of the first class that consists of more  
2 than 1 county, if a magistrate is temporarily absent or  
3 incapacitated, the chief or only district judge may direct a mag-  
4 istrate of another county of the same district to serve temporar-  
5 ily in the county where the magistrate is temporarily absent or  
6 incapacitated. The district judge shall make his or her order in  
7 writing. A magistrate serving temporarily under this subsection  
8 shall not be entitled to additional compensation but shall be  
9 reimbursed for actual and necessary expenses incurred during the  
10 authorized temporary service upon certification and approval by  
11 the state court administrator. Upon allowance, the reimbursement  
12 shall be paid by the state treasurer out of the appropriation for  
13 the state court administrative office.

14       (3) In a district of the first class that consists of more  
15 than 1 county, the chief or only district judge may authorize a  
16 magistrate appointed in 1 county to serve in another county in  
17 the district.

18       (4) Pursuant to a multiple district plan under section 8320  
19 involving adjoining districts of the first class, a district  
20 court magistrate appointed in a county of 1 district may be  
21 authorized to serve in a county of the adjoining district. While  
22 serving in the adjoining district, the magistrate shall be  
23 subject to the superintending control of the chief or only dis-  
24 trict judge of that district.

25       (5) Pursuant to a multiple district plan under section 8320  
26 involving districts in the same county, a district court

1 magistrate may be authorized to serve in any participating  
2 district of the county.