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BILL



ANALYSIS

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Senate Bill 1351 (Substitute S-4 as reported by the Committee of the Whole)
Sponsor: Senator John Pappageorge
Committee: Judiciary

CONTENT

The bill would amend the Revised Judicature Act to provide for the reorganization of two judicial districts in Oakland County.

Currently, the 44th District consists of the City of Royal Oak and has two judges. Under the bill, beginning on January 2, 2015, the district would consist of the Cities of Royal Oak and Berkley and have three judges. Beginning on January 3, 2015, the district would have two judges effective on the earlier of the following dates:

- The date on which a vacancy occurred in the office of district judge in the 44th District.
- The beginning date of the term for which an incumbent district judge in the 44th District no longer sought election or re-election to that office.

Following that reduction, the 44th District would have one judge as of the date on which a vacancy occurred or the beginning date of the term for which an incumbent judge in the district no longer sought election or re-election to that office, whichever was earlier.

Currently, the 45th-A District consists of the City of Berkley and has one judge. Under the bill, the 45th-A District would be abolished on January 2, 2015, and the judge of that district would become a judge of the 44th District. The person serving as judge of the 45th-A District on June 30, 2012, or his or her successor, would serve as judge of that district until it was abolished. For purposes of the November 2014 election only, the term of the person elected to that office would be eight years.

Any physical reorganization required to accomplish the reorganization of district boundaries under the bill would have to be completed by January 1, 2021.

MCL 600.8123 & 600.8132

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill's long-term impact would be the elimination of two judgeships, however, the timing of the reduction in total judgeships would be contingent upon when a judge vacated his or her seat or declined to seek re-election. Therefore, the timing of the savings associated with the judgeship reduction is unknown at this time.

When each judgeship was eliminated, the State, which pays the salaries of the judges, along with the employer share of FICA (Social Security/Medicare) and a defined contribution retirement payment (up to 7% of salary), would save approximately \$157,000 per judgeship. The long-term savings to the State would be approximately \$314,000 per year.

The bill would have an indeterminate impact on local government. Local units are responsible for providing benefits such as health insurance for their judges, as well as providing for support staff and the physical plant of the court operation. To the extent that local governments reduced these responsibilities due to the overall reduction in judgeships, they could realize some savings. However, the local governments also could experience near-term costs associated with consolidation and reorganization.

Date Completed: 11-29-12

Fiscal Analyst: Dan O'Connor

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.