



HOUSE BILL No. 5072

October 13, 2011, Introduced by Rep. Heise and referred to the Committee on Judiciary.

(As amended December 14, 2011)

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 8158, 8162, and 8163 (MCL 600.8158, 600.8162,
and 600.8163).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8158. (1) The—[UNTIL THE DATE DETERMINED UNDER] SUBSECTION
2 (2), THE

3 ninety-third district consists of the counties of Schoolcraft and
4 Alger, is a district of the first class, and has 1 judge.

5 (2) BEGINNING ON THE DATE ON WHICH A VACANCY OCCURS IN THE
6 OFFICE OF DISTRICT JUDGE IN THE NINETY-THIRD DISTRICT OR THE
7 BEGINNING DATE OF THE TERM FOR WHICH THE INCUMBENT DISTRICT JUDGE
8 IN THE NINETY-THIRD DISTRICT NO LONGER SEEKS ELECTION OR REELECTION
9 TO THAT OFFICE, WHICHEVER IS EARLIER, THE NINETY-THIRD DISTRICT

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1 CONSISTS OF THE COUNTIES OF SCHOOLCRAFT AND ALGER AND IS A DISTRICT
2 OF THE FIRST CLASS. UNDER SECTION 810A, THE PROBATE JUDGE FOR THE
3 FIFTH PROBATE DISTRICT DESCRIBED IN SECTION 807 SHALL SERVE AS
4 JUDGE OF THE NINETY-THIRD DISTRICT.

5 Sec. 8162. (1) ~~The~~ [UNTIL THE DATE DETERMINED UNDER] SUBSECTION
(2), THE
6 ninety-seventh district consists of the counties of Houghton,
7 Keweenaw and Baraga, is a district of the first class, and has 1
8 judge.

9 (2) THE FOLLOWING PROVISIONS APPLY BEGINNING ON THE DATE ON
10 WHICH A VACANCY OCCURS IN THE OFFICE OF DISTRICT JUDGE IN THE
11 NINETY-SEVENTH DISTRICT OR THE BEGINNING DATE OF THE TERM FOR WHICH
12 AN INCUMBENT DISTRICT JUDGE IN THE NINETY-SEVENTH DISTRICT NO
13 LONGER SEEKS ELECTION OR REELECTION TO THAT OFFICE, WHICHEVER IS
14 EARLIER:

[(A) THE NINETY-SEVENTH DISTRICT CONSISTS OF THE COUNTIES OF
HOUGHTON, KEWEENAW, AND BARAGA AND IS A DISTRICT OF THE FIRST CLASS.]

15 [(B)] UNDER SECTION 810A, THE PROBATE JUDGE FOR THE COUNTY OF
16 BARAGA SHALL SERVE AS JUDGE OF THE NINETY-SEVENTH DISTRICT WITHIN
17 BARAGA COUNTY.

18 [(C)] UNTIL THE FIRST PROBATE COURT DISTRICT DESCRIBED IN
19 SECTION 807 IS CREATED UNDER SECTION 808, BOTH OF THE FOLLOWING
20 APPLY:

21 (i) UNDER SECTION 810A, THE PROBATE JUDGE FOR THE COUNTY OF
22 HOUGHTON SHALL SERVE AS JUDGE OF THE NINETY-SEVENTH DISTRICT WITHIN
23 THE COUNTY OF HOUGHTON.

24 (ii) THE PROBATE JUDGE FOR THE COUNTY OF KEWEENAW HAS THE
25 JURISDICTION, POWERS, DUTIES, AND TITLE OF A DISTRICT JUDGE WITHIN
26 THE COUNTY OF KEWEENAW, IN ADDITION TO THE JURISDICTION, POWERS,
27 DUTIES, AND TITLE OF A PROBATE JUDGE, AND SHALL SERVE AS JUDGE OF

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1 THE NINETY-SEVENTH DISTRICT WITHIN THE COUNTY OF KEWEENAW.

2 [(D)] IF THE FIRST PROBATE COURT DISTRICT DESCRIBED IN SECTION
3 807 IS CREATED UNDER SECTION 808, UNDER SECTION 810A THE PROBATE
4 JUDGE FOR THE FIRST PROBATE DISTRICT DESCRIBED IN SECTION 807 SHALL
5 SERVE AS JUDGE OF THE NINETY-SEVENTH DISTRICT WITHIN THE COUNTIES
6 OF HOUGHTON AND KEWEENAW.

7 Sec. 8163. (1) ~~The~~ [UNTIL THE DATE DETERMINED UNDER] SUBSECTION
(2), THE

8 ninety-eighth district consists of the counties of Ontonagon and
9 Gogebic, is a district of the first class, and has 1 judge.

10 (2) BEGINNING ON THE DATE ON WHICH A VACANCY OCCURS IN THE
11 OFFICE OF DISTRICT JUDGE IN THE NINETY-EIGHTH DISTRICT OR THE
12 BEGINNING DATE OF THE TERM FOR WHICH THE INCUMBENT DISTRICT JUDGE
13 IN THE NINETY-EIGHTH DISTRICT NO LONGER SEEKS ELECTION OR
14 REELECTION TO THAT OFFICE, WHICHEVER IS EARLIER, THE NINETY-EIGHTH
15 DISTRICT CONSISTS OF THE COUNTIES OF GOGEBIC AND ONTONAGON AND IS A
16 DISTRICT OF THE FIRST CLASS. UNDER SECTION 810A, THE PROBATE JUDGE
17 FOR THE COUNTY OF GOGEBIC SHALL SERVE AS JUDGE OF THE NINETY-EIGHTH
18 DISTRICT WITHIN THE COUNTY OF GOGEBIC AND THE PROBATE JUDGE FOR THE
19 COUNTY OF ONTONAGON SHALL SERVE AS JUDGE OF THE NINETY-EIGHTH
20 DISTRICT WITHIN THE COUNTY OF ONTONAGON.