

# 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), **THE**

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

4       (2) **BEGINNING ON THE DATE ON WHICH A VACANCY OCCURS IN THE**  
5 **OFFICE OF DISTRICT JUDGE IN THE NINETY-THIRD DISTRICT OR THE**  
6 **BEGINNING DATE OF THE TERM FOR WHICH THE INCUMBENT DISTRICT JUDGE**  
7 **IN THE NINETY-THIRD DISTRICT NO LONGER SEEKS ELECTION OR REELECTION**  
8 **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.