

# HOUSE JOINT RESOLUTION 00

February 7, 2012, Introduced by Rep. Nesbitt and referred to the Committee on Judiciary.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 23 of article VI, to provide for requiring the advice and consent of the senate for gubernatorial appointments of justices of the supreme court of the state of Michigan.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to provide for requiring the advice and consent of the senate for gubernatorial appointments of justices of the supreme court of the state of Michigan, is proposed, agreed to, and submitted to the people of the state:

## ARTICLE VI

Sec. 23. A vacancy shall occur in the office of judge of any

1 court of record or in the district court by death, removal,  
2 resignation or vacating of the office, and such vacancy shall be  
3 filled by appointment by the governor, **EXCEPT THAT A VACANCY IN THE**  
4 **OFFICE OF THE JUSTICE OF THE SUPREME COURT SHALL BE FILLED BY THE**  
5 **GOVERNOR BY AND WITH THE ADVICE AND CONSENT OF THE SENATE.** The  
6 person ~~SO appointed by the governor~~ shall hold office until 12 noon  
7 of the first day of January next succeeding the first general  
8 election held after the vacancy occurs, at which election a  
9 successor shall be elected for the remainder of the unexpired term.  
10 Whenever a new office of judge in a court of record, or the  
11 district court, is created by law, it shall be filled by election  
12 as provided by law. The supreme court may authorize persons who  
13 have been elected and served as judges to perform judicial duties  
14 for limited periods or specific assignments.

15 Resolved further, That the foregoing amendment shall be  
16 submitted to the people of the state at the next general election  
17 in the manner provided by law.