

## ADDITIONAL CIRCUIT JUDGEShips IN KALAMAZOO AND ALLEGAN COUNTIES

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**Senate Bill 1047 (S-1) as passed by the Senate**  
**Sponsor: Sen. Sean McCann**  
**House Committee: Judiciary**  
**Senate Committee: Judiciary and Public Safety**  
**Complete to 12-5-22**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

Senate Bill 1047 would amend the Revised Judicature Act to add two circuit court judgeships as follows:

- Subject to section 550 of the act (see **Background**), the 9th Judicial Circuit, which consists of Kalamazoo County, would be authorized to have one additional judge—an increase from five to six—effective January 1, 2025. The initial term of office for the judgeship would be eight years.
- Subject to section 550 of the act, the 48th Judicial Circuit, which consists of Allegan County, would be authorized to have one additional judge—an increase from two to three—effective January 1, 2025. The initial term of office for the judgeship would be six years.

MCL 600.510 and 600.549

### BACKGROUND:

Section 550 of the Revised Judicature Act allows the legislature to authorize an additional circuit judgeship to be filled by election if the county board of commissioners in each county in the circuit adopts a resolution approving the creation of the judgeship and if certain filing requirements are met. The section provides that adoption of the resolution constitutes an exercise of the county's option to provide a new activity or service or to increase the level of activity or service offered in the county beyond that required by existing law and a voluntary acceptance by the county of all expenses and capital improvements that may result from the creation of the judgeship. The state retains an obligation to pay the same portion of the additional judge's salary that is paid by the state to other judges of the same circuit.

In addition, section 550(2) provides that a resolution filed with the state court administrator before the effective date of legislation authorizing an additional judgeship constitutes a valid approval of the judgeship only if the filing occurs within the two-year legislative session (such as the current 2021-22 legislative session) during which the legislation is enacted.

The Kalamazoo County Board of Commissioners adopted a resolution supporting the creation of a sixth judgeship in the 9th Judicial Circuit in July 2022.

The Allegan County Board of Commissioners adopted a resolution supporting the creation of a third judgeship in the 48th Judicial Circuit in January 2022.

## **FISCAL IMPACT:**

Senate Bill 1047 would have a fiscal impact on the state and on Kalamazoo and Allegan Counties. The fiscal impact would result from the addition of one circuit court judge in each county. The state pays for the salaries, employer portion of FICA taxes, and retirement benefits for circuit court judges. Fringe benefits, personnel costs, and costs for supplies, equipment, and office space are paid for by the local court systems. The FY 2021-22 cost to the state for one circuit court judge was \$182,525. This amount includes \$159,917 for the circuit court judge's salary, \$11,414 for the employer portion of payroll taxes, and \$11,194 for retirement costs. State costs are funded roughly 97% with state GF/GP revenue. Local costs for judgeships vary from circuit to circuit. Affected local units could also incur additional staff-related costs if they increase the number of court staff positions.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.