

**REVISED JUDICATURE ACT OF 1961 (EXCERPT)**  
**Act 236 of 1961**

CHAPTER 81

DISTRICT COURT: ESTABLISHMENT; DISTRICTS

**600.8101 District court; establishment; court of record; judicial districts; city located in more than one district.**

Sec. 8101. (1) A district court is established in the state. The district court is a court of record. The state is divided into judicial districts of the district court each of which is an administrative unit subject to the superintending control of the supreme court.

(2) When a city is located in more than 1 district, the provisions of section 8251 as to where the district court is required to sit shall apply only to that part of such city lying within the particular county or district. A city having a population in excess of 20,000 which is located in more than 1 district is a part of the district containing the greater portion of the population of the city.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1969, Act 265, Eff. Sept. 1, 1969;—Am. 1973, Act 22, Imd. Eff. May 25, 1973.

**Constitutionality:** Act 236 of 1961, MCL 600.8101 to 600.9928 do not violate Const 1963, art IV, § 24. People v Milton, 393 Mich 234; 224 NW2d 266 (1974).

**600.8102 Election divisions; effect.**

Sec. 8102. The provisions for election divisions of a judicial district have no effect on the administration of a judicial district.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

**600.8103 Districts, classes; definition.**

Sec. 8103. (1) A district of the first class is a district consisting of 1 or more counties and in which each county comprising the district is responsible for maintaining, financing and operating the district court within its respective county except as otherwise provided in this act.

(2) A district of the second class is a district consisting of a group of political subdivisions within a county and in which the county where such political subdivisions are situated is responsible for maintaining, financing and operating the district court except as otherwise provided in this act.

(3) A district of the third class is a district consisting of 1 or more political subdivisions within a county and in which each political subdivision comprising the district is responsible for maintaining, financing and operating the district court within its respective political subdivision except as otherwise provided in this act.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

**600.8104 "District funding unit" or "district control unit" defined; responsibilities; agreement to share expenses; supplying law books and legal reference resources.**

Sec. 8104. (1) The term "district funding unit" or "district control unit" means:

(a) The county in districts of the first and second class.

(b) The city or the township in districts of the third class except as provided in subdivision (c).

(c) The city or the incorporated village in districts of the third class in which portions of 2 townships comprise an incorporated village.

(2) Except as otherwise provided in this act, a district funding unit shall be responsible for maintaining, financing, and operating the court only within its political subdivision. In districts of the third class a political subdivision shall not be responsible for the expenses of maintaining, financing, or operating the district court, traffic bureau, or small claims division incurred in any other political subdivision except as provided by section 8621 and other provisions of this act.

(3) One or more district funding units within any district may agree among themselves to share any or all of the expenses of maintaining, financing, or operating the district court. To become effective such agreements must be approved by resolution adopted by the governing body of the respective political subdivisions entering into the agreement, and upon approval such agreements shall become effective and binding in accordance with, to the extent of, and for such period stated in that agreement.

(4) The district funding unit shall supply such law books and legal reference resources as it deems necessary. No subsidy from state funds shall be required to stock any district court created by this act with law books or other legal reference works.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1970, Act 235, Eff. Jan. 1, 1971;—Am. 1980, Act 127, Imd. Eff. May 22, 1980;—Am. 1996, Act 374, Imd. Eff. July 17, 1996.

### **600.8105 District court in thirty-sixth district; functioning.**

Sec. 8105. The district court in the thirty-sixth district shall not function for judicial purposes until September 1, 1981.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1980, Act 438, Eff. Apr. 30, 1981.

**Compiler's note:** Section 2 of Act 438 of 1980 provides:

**“Conditional effective date; action constituting exercise of option; effect of exercising option.**

“Section 2. (1) This amendatory act shall not take effect unless the city of Detroit and the county of Wayne, by resolutions adopted not later than May 1, 1981, by the governing bodies of the city and the county, respectively, agree to assume responsibility for any expenses required of the city or the county by this amendatory act, and the bills listed in enacting section 7 which are enacted and take effect.

“(2) If the city of Detroit and the county of Wayne, acting through their governing bodies, agree to assume responsibility for any expenses required of the city and the county by this amendatory act, and the bills listed in enacting section 7 which are enacted and take effect, that action constitutes an exercise of the city's and the county's option to provide a new activity or service or to increase the level of activity or service offered in the city of Detroit and the county of Wayne beyond that required by existing law, as the elements of that option are defined by Act No. 101 of the Public Acts of 1979, being sections 21.231 to 21.244 of the Michigan Compiled Laws, and a voluntary acceptance by the city and the county of all expenses and capital improvements which may result from establishment of the district court in the thirty-sixth district and the reorganization of the circuit court in the third judicial circuit and the recorder's court of the city of Detroit. However, the exercise of the option does not affect the state's obligation to pay the same portion of each district or circuit judge's salary which is paid by the state to the other district or circuit judges, or to appropriate and disburse funds to the district control units, city, or county, for the necessary costs of state requirements established by a state law, other than this amendatory act or the bills listed in enacting section 7 which becomes effective on or after December 23, 1978.”

The resolutions referred to in Section 2 were adopted by the city council of the city of Detroit on April 29, 1981, and by the board of commissioners of the county of Wayne on April 30, 1981.

### **600.8111 First district; Monroe county.**

Sec. 8111. The first district consists of the county of Monroe, is a district of the first class and has 3 judges.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

### **600.8112 Second district; Lenawee and Hillsdale counties; creation of second-a district and second-b district.**

Sec. 8112. (1) Except as provided in subsection (2), the second district consists of the counties of Lenawee and Hillsdale, is a district of the first class, and is divided into the following election divisions:

(a) The first division consists of the county of Lenawee and has 2 judges.

(b) The second division consists of the county of Hillsdale and has 1 judge.

(2) Effective January 1, 1999, if the county of Lenawee approves the creation of the second-a district pursuant to law, and if the county of Hillsdale approves the creation of the second-b district pursuant to law, both of the following apply:

(a) The second-a district consists of the county of Lenawee, is a district of the first class, and has 2 judges.

(b) The second-b district consists of the county of Hillsdale, is a district of the first class, and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1998, Act 13, Imd. Eff. Mar. 5, 1998.

**Compiler's note:** Enacting sections 1 and 2 of Act 13 of 1998 provide:

“Enacting section 1. The creation of the second-a district and the second-b district, as allowed by this 1998 amendatory act, shall not take place unless resolutions of approval by the county boards of commissioners of the counties of Lenawee and Hillsdale, as required by section 8176 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8176, are filed with the state court administrator not later than April 1, 1998.

“Enacting section 2. If new judicial districts of the district court are created under this amendatory act pursuant to section 8176 of the revised judicature act of 1961, 1961 PA 236, MCL 800.8176 *[sic]*, the change in the composition of the affected judicial districts shall take effect for election purposes on April 1, 1998 and shall take effect for judicial purposes on January 1, 1999. If the second-a district and second-b district are created pursuant to this amendatory act, both of the following apply to the judges of the second district serving on the effective date of this amendatory act:

“(a) The incumbent judge who resides in Hillsdale county and whose term expires on January 1, 2003 shall become a judge of the second-b district on January 1, 1999 for the balance of the term for which he or she was elected, except that he or she must continue to meet other requirements for eligibility to serve as district judge, including residency requirements.

“(b) If the incumbent judge who resides in Lenawee county and whose term expires January 1, 1999 seeks election in the second-a district for a term beginning January 1, 1999 and meets other requirements for eligibility to serve as district judge, including residency requirements, that judge is entitled to the designation of his or her office on the ballot in the 1998 August primary election and in the 1998 November general election. The incumbent judge may qualify for nomination by filing an affidavit of candidacy as an incumbent judge of the second-a district as provided in section 467c of the Michigan election law, 1954 PA 116, MCL 168.467c.

“(c) The incumbent judge who resides in Lenawee county and whose term expires January 1, 2003 shall become a judge of the second-a district on January 1, 1999 for the balance of the term for which he or she was elected or appointed, except that he or she must continue to meet other requirements for eligibility to serve as district judge, including residency requirements.”

### **600.8113 Third, third-a, and third-b districts.**

Sec. 8113. (1) Except as provided in subsections (2) and (3), the third district consists of the counties of St. Joseph and Branch, is a district of the first class and is divided into the following election divisions:

- (a) The first division consists of the county of Branch and has 1 judge.
- (b) The second division consists of the county of St. Joseph and has 1 judge.
- (2) If the county of Branch approves the creation of the third-a district pursuant to law and the county of St. Joseph approves the creation of the third-b district pursuant to section 8176, the third-a district consists of the county of Branch, is a district of the first class, and has 1 judge.
- (3) If the county of Branch approves the creation of the third-a district pursuant to law and the county of St. Joseph approves the creation of the third-b district pursuant to section 8176, the third-b district consists of the county of St. Joseph, is a district of the first class, and has 1 judge. Subject to section 8175, this district may have 1 additional judge effective January 1, 1991. If a new office of judge is added to this district to be filled by election in 1990, the term of office of the judge for that election only shall be 4 years.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1990, Act 54, Imd. Eff. Apr. 11, 1990.

**Compiler's note:** Section 2 of Act 54 of 1990 provides:

“If a new judicial circuit of the circuit court is created under this amendatory act pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1991. If the fifty-sixth judicial circuit is created pursuant to this amendatory act, the incumbent judge of the fifth judicial circuit who resides in Eaton county shall become the judge of the fifty-sixth judicial circuit on January 1, 1991, and shall serve until the term for which he or she was elected in the fifth judicial circuit expires.”

#### **600.8114 Fourth district; Cass county.**

Sec. 8114. The fourth district consists of the county of Cass, is a district of the first class and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

#### **600.8115 Fifth district.**

Sec. 8115. The fifth district consists of the county of Berrien, is a district of the first class and has 5 judges.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1969, Act 272, Eff. Sept. 1, 1969;—Am. 1974, Act 145, Imd. Eff. June 7, 1974.

**Compiler's note:** Sections 2 to 7 of Act 145 of 1974 provide:

**“Effective date of changes.**

“Section 2. The changes in the composition of judicial circuits or district court districts as provided in this amendatory act shall become effective for judicial purposes on January 1, 1975.

**“Election of additional circuit and district judges; assumption of office; appearance of new judgeships on ballot; nominating petitions; incumbent judges.**

“Section 3. The additional circuit and district judges authorized by this amendatory act shall be elected in 1974 and shall assume office on January 1, 1975. The new judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective judicial circuits and district court districts. If another judicial office of the same court is to be filled by election in the same circuit or district, a candidate for a new judgeship authorized in that circuit or district by this amendatory act shall indicate, at the time of filing his nominating petitions, whether he is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in the applicable year. Petitions for a new judgeship created by this act must bear signatures affixed thereto after the effective date of this act. Any incumbent circuit or district judge whose term is expiring January 1, 1975, and who is seeking election to a judicial office of the same court in 1974 is entitled to the designation of his office even if he is a candidate for a new office of the same court authorized by this amendatory act.

**“Nominating petitions.**

“Section 4. Notwithstanding any other provision of law, nominating petitions for the offices added by this 1974 amendatory act shall contain not less than 1/2 of 1% nor more than 2% of the total number of votes cast in that judicial circuit for secretary of state at the last preceding general November election in which a secretary of state was elected.

**“Nomination, election, and terms of candidates for new circuit judgeships.**

“Section 5. Notwithstanding the provisions of sections 3 and 4 of Act No. 169 of the Public Acts of 1972, the 10 candidates for the new circuit judgeships in the third judicial circuit created by Act No. 169 of the Public Acts of 1972 who receive the highest votes in the August primary election shall be deemed nominated for the 5 new judgeships created thereby. Of the additional judgeships so created for the third judicial circuit the candidate receiving the highest number of votes in the 1974 general election shall be elected for a term of 10 years, the candidates receiving the second and third highest number of votes shall be elected for a term of 8 years, and the candidates receiving the fourth and fifth highest number of votes shall be elected for a term of 6 years.

**“Terms of additional circuit judges.**

“Section 6. The additional circuit judges authorized by this amendatory act shall be elected for a term of 6 years except that the additional circuit judge authorized by this amendatory act in the forty-fourth judicial circuit shall be elected for a term of 8 years.

**“Terms of additional district judges in certain districts.**

“Section 7. In districts in which the district court is already functioning on the effective date of this amendatory act, the additional district judges authorized by this amendatory act shall be elected for a term of 6 years, except that the additional district judges authorized in the first election division of the ninth district and in the fifteenth district shall be elected for a term of 8 years and that the additional district judge authorized in the newly divided forty-first-a district shall be elected for a term of 4 years.”

#### **600.8116 Seventh district.**

Sec. 8116. The seventh district consists of the county of Van Buren, is a district of the first class, and has 2 judges.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 2012, Act 19, Imd. Eff. Feb. 22, 2012;—Am. 2014, Act 58, Imd. Eff.

Mar. 27, 2014.

### **600.8117 Eighth district; Kalamazoo county.**

Sec. 8117. (1) Except as provided in subsection (2), the eighth district consists of the county of Kalamazoo, is a district of the first class, and has 7 judges.

(2) Beginning on the earlier of the following dates, the eighth district has 6 judges:

(a) The date on which a vacancy occurs in the office of district judge in the eighth district.

(b) The beginning date of the term for which an incumbent district judge in the eighth district no longer seeks election or reelection to that office.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1970, Act 30, Imd. Eff. June 11, 1970;—Am. 1974, Act 145, Imd. Eff. June 7, 1974;—Am. 1997, Act 161, Imd. Eff. Dec. 29, 1997;—Am. 2005, Act 237, Eff. Jan. 2, 2007;—Am. 2012, Act 19, Imd. Eff. Feb. 22, 2012.

**Compiler's note:** Sections 2 to 7 of Act 145 of 1974 provide:

**“Effective date of changes.**

“Section 2. The changes in the composition of judicial circuits or district court districts as provided in this amendatory act shall become effective for judicial purposes on January 1, 1975.

**“Election of additional circuit and district judges; assumption of office; appearance of new judgeships on ballot; nominating petitions; incumbent judges.**

“Section 3. The additional circuit and district judges authorized by this amendatory act shall be elected in 1974 and shall assume office on January 1, 1975. The new judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective judicial circuits and district court districts. If another judicial office of the same court is to be filled by election in the same circuit or district, a candidate for a new judgeship authorized in that circuit or district by this amendatory act shall indicate, at the time of filing his nominating petitions, whether he is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in the applicable year. Petitions for a new judgeship created by this act must bear signatures affixed thereto after the effective date of this act. Any incumbent circuit or district judge whose term is expiring January 1, 1975, and who is seeking election to a judicial office of the same court in 1974 is entitled to the designation of his office even if he is a candidate for a new office of the same court authorized by this amendatory act.

**“Nominating petitions.**

“Section 4. Notwithstanding any other provision of law, nominating petitions for the offices added by this 1974 amendatory act shall contain not less than 1/2 of 1% nor more than 2% of the total number of votes cast in that judicial circuit for secretary of state at the last preceding general November election in which a secretary of state was elected.

**“Nomination, election, and terms of candidates for new circuit judgeships.**

“Section 5. Notwithstanding the provisions of sections 3 and 4 of Act No. 169 of the Public Acts of 1972, the 10 candidates for the new circuit judgeships in the third judicial circuit created by Act No. 169 of the Public Acts of 1972 who receive the highest votes in the August primary election shall be deemed nominated for the 5 new judgeships created thereby. Of the additional judgeships so created for the third judicial circuit the candidate receiving the highest number of votes in the 1974 general election shall be elected for a term of 10 years, the candidates receiving the second and third highest number of votes shall be elected for a term of 8 years, and the candidates receiving the fourth and fifth highest number of votes shall be elected for a term of 6 years.

**“Terms of additional circuit judges.**

“Section 6. The additional circuit judges authorized by this amendatory act shall be elected for a term of 6 years except that the additional circuit judge authorized by this amendatory act in the forty-fourth judicial circuit shall be elected for a term of 8 years.

**“Terms of additional district judges in certain districts.**

“Section 7. In districts in which the district court is already functioning on the effective date of this amendatory act, the additional district judges authorized by this amendatory act shall be elected for a term of 6 years, except that the additional district judges authorized in the first election division of the ninth district and in the fifteenth district shall be elected for a term of 8 years and that the additional district judge authorized in the newly divided forty-first-a district shall be elected for a term of 4 years.”

Enacting section 2 of Act 237 of 2005 provides:

"Enacting section 2. Upon the effective date of this amendatory act, all incumbent district judges elected or appointed to the first, second, and third election divisions of the eighth district and serving at 11:59 p.m. on January 1, 2007 shall serve as judges of the reconstituted eighth district until the expiration of the terms for which they were elected or appointed."

Enacting section 3 of Act 237 of 2005 provides:

"Enacting section 3. To stagger the terms of 7 district judges in the eighth district court district so that approximately 1/3 of those terms expire every 2 years, the candidate for district judge receiving the highest number of votes in the 2010 general election only shall receive a term of 8 years if both of the following conditions apply:

"(a) That candidate is among the persons listed together on the ballot seeking election to 1 or more existing judgeships for which the incumbent judge is seeking election.

"(b) That candidate is not seeking election to fill the unexpired portion of a term."

### **600.8118 Tenth district; Calhoun county and city of Battle Creek.**

Sec. 8118. The tenth district consists of the county of Calhoun and the city of Battle Creek, is a district of the first class and has 4 judges.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1974, Act 164, Eff. Jan. 2, 1975.

### **600.8119 Twelfth district; Jackson county.**

Sec. 8119. (1) The twelfth district consists of the county of Jackson except the city of Jackson, is a district of the second class and has 2 judges. However, due to section 8180, effective January 1, 1986, the twelfth district consists of the county of Jackson, is a district of the first class, and has 4 judges.

(2) The thirteenth district consists of the city of Jackson, is a district of the third class, and has 2 judges. However, due to section 8180, effective January 1, 1986, the thirteenth district will no longer exist.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1985, Act 192, Imd. Eff. Dec. 20, 1985.

#### **600.8120 Fourteenth, fourteenth-a, fourteenth-b, and fifteenth districts.**

Sec. 8120. (1) The fourteenth district consists of the county of Washtenaw except the city of Ann Arbor, is a district of the second class, and has 4 judges. If the township of Ypsilanti approves the formation of the fourteenth-b district and district judgeship subject to section 8176, effective on January 1, 1985 and through December 31, 1986, the fourteenth-a district consists of the county of Washtenaw, except the city of Ann Arbor and the township of Ypsilanti, is a district of the second class, and has 4 judges. Effective on January 1, 1987, the fourteenth-a district consists of the county of Washtenaw, except the city of Ann Arbor and the township of Ypsilanti, is a district of the second class, and has 3 judges.

(2) If the township of Ypsilanti approves the formation of the fourteenth-b district and district judgeship subject to section 8176, effective on January 1, 1985, the fourteenth-b district consists of the township of Ypsilanti, is a district of the third class, and has 1 judge.

(3) The fifteenth district consists of the city of Ann Arbor, is a district of the third class, and has 3 judges. Subject to section 8175, this district may have 1 additional judge effective January 1, 1993.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1974, Act 145, Imd. Eff. June 7, 1974;—Am. 1984, Act 95, Imd. Eff. Apr. 23, 1984;—Am. 1988, Act 135, Imd. Eff. May 27, 1988;—Am. 1990, Act 54, Imd. Eff. Apr. 11, 1990.

**Compiler's note:** Sections 2 to 7 of Act 145 of 1974 provide:

**“Effective date of changes.**

“Section 2. The changes in the composition of judicial circuits or district court districts as provided in this amendatory act shall become effective for judicial purposes on January 1, 1975.

**“Election of additional circuit and district judges; assumption of office; appearance of new judgeships on ballot; nominating petitions; incumbent judges.**

“Section 3. The additional circuit and district judges authorized by this amendatory act shall be elected in 1974 and shall assume office on January 1, 1975. The new judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective judicial circuits and district court districts. If another judicial office of the same court is to be filled by election in the same circuit or district, a candidate for a new judgeship authorized in that circuit or district by this amendatory act shall indicate, at the time of filing his nominating petitions, whether he is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in the applicable year. Petitions for a new judgeship created by this act must bear signatures affixed thereto after the effective date of this act. Any incumbent circuit or district judge whose term is expiring January 1, 1975, and who is seeking election to a judicial office of the same court in 1974 is entitled to the designation of his office even if he is a candidate for a new office of the same court authorized by this amendatory act.

**“Nominating petitions.**

“Section 4. Notwithstanding any other provision of law, nominating petitions for the offices added by this 1974 amendatory act shall contain not less than 1/2 of 1% nor more than 2% of the total number of votes cast in that judicial circuit for secretary of state at the last preceding general November election in which a secretary of state was elected.

**“Nomination, election, and terms of candidates for new circuit judgeships.**

“Section 5. Notwithstanding the provisions of sections 3 and 4 of Act No. 169 of the Public Acts of 1972, the 10 candidates for the new circuit judgeships in the third judicial circuit created by Act No. 169 of the Public Acts of 1972 who receive the highest votes in the August primary election shall be deemed nominated for the 5 new judgeships created thereby. Of the additional judgeships so created for the third judicial circuit the candidate receiving the highest number of votes in the 1974 general election shall be elected for a term of 10 years, the candidates receiving the second and third highest number of votes shall be elected for a term of 8 years, and the candidates receiving the fourth and fifth highest number of votes shall be elected for a term of 6 years.

**“Terms of additional circuit judges.**

“Section 6. The additional circuit judges authorized by this amendatory act shall be elected for a term of 6 years except that the additional circuit judge authorized by this amendatory act in the forty-fourth judicial circuit shall be elected for a term of 8 years.

**“Terms of additional district judges in certain districts.**

“Section 7. In districts in which the district court is already functioning on the effective date of this amendatory act, the additional district judges authorized by this amendatory act shall be elected for a term of 6 years, except that the additional district judges authorized in the first election division of the ninth district and in the fifteenth district shall be elected for a term of 8 years and that the additional district judge authorized in the newly divided forty-first-a district shall be elected for a term of 4 years.”

Section 2 of Act 135 of 1988 provides:

“Any additional district judgeship to be added by election in 1988 shall not be authorized to be filled by election unless each district control unit of the district, by resolution adopted by the governing body of the district control unit, approves the creation of that judgeship and unless the clerk of each district control unit adopting such a resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of the tenth Tuesday preceding the August primary for the election to fill the additional district judgeship.”

Section 2 of Act 54 of 1990 provides:

“If a new judicial circuit of the circuit court is created under this amendatory act pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1991. If the fifty-sixth judicial circuit is created pursuant to this amendatory act, the incumbent judge of the fifth judicial circuit who resides in Eaton county shall become the judge of the fifty-sixth judicial circuit on January 1, 1991, and shall serve until the term for which he or she was elected in the fifth judicial circuit expires.”

#### **600.8121 Sixteenth district to thirty-fifth district.**

Sec. 8121. (1) The sixteenth district consists of the city of Livonia, is a district of the third class, and has 2 judges.

(2) The seventeenth district consists of the township of Redford in the county of Wayne, is a district of the third class, and has 2 judges.

(3) Except as otherwise provided in this subsection, the eighteenth district consists of the city of Westland, is a district of the third class, and has 2 judges. If the governing bodies of the cities of Westland and Wayne approve by resolutions the consolidation of the eighteenth and twenty-ninth districts prior to January 1, 2020, all of the following apply beginning January 1, 2020:

(a) The twenty-ninth district is abolished and the eighteenth district consists of the cities of Westland and Wayne, is a district of the third class, and has 3 judges. The additional judgeship in the eighteenth district shall be filled by the incumbent judge of the twenty-ninth district, who shall become a judge of the eighteenth district for the balance of the term to which he or she was elected or appointed.

(b) The clerks of the cities of Westland and Wayne shall file copies of the resolutions with the state court administrator, who, as authorized by the supreme court, shall notify the elections division of the department of state that the consolidation has been approved under this section. A resolution that is filed before January 2, 2019 is a valid approval of the consolidation.

(c) By proposing or authorizing the consolidation of the eighteenth and twenty-ninth districts, the legislature is not creating a new obligation for any affected district control unit. If a district control unit, acting through its governing body, approves the consolidation, then the approval constitutes an exercise of the district control unit's option to increase the level of activity and service offered in that district control unit beyond that required by existing law, as the elements of that option are provided by 1979 PA 101, MCL 21.231 to 21.244, and a voluntary acceptance by that district control unit of all expenses and capital improvements that may result from the consolidation of the districts. However, the exercise of the option does not affect the state's obligation to pay the same portion of each judge's salary that is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district control unit for the necessary costs of state requirements established by a state law that becomes effective on or after December 23, 1978.

(4) The nineteenth district consists of the city of Dearborn, is a district of the third class, and has 3 judges.

(5) The twentieth district consists of the city of Dearborn Heights, is a district of the third class, and has 2 judges.

(6) The twenty-first district consists of the city of Garden City, is a district of the third class, and has 1 judge.

(7) The twenty-second district consists of the city of Inkster, is a district of the third class, and has 1 judge.

(8) The twenty-third district consists of the city of Taylor, is a district of the third class, and has 2 judges.

(9) The twenty-fourth district consists of the cities of Allen Park and Melvindale, is a district of the third class, and has 2 judges.

(10) The twenty-fifth district consists of the cities of Ecorse, Lincoln Park, and River Rouge, is a district of the third class, and has 2 judges.

(11) The twenty-seventh district consists of the cities of Wyandotte and Riverview, is a district of the third class, and has 1 judge.

(12) The twenty-eighth district consists of the city of Southgate, is a district of the third class, and has 1 judge.

(13) Except as otherwise provided in subsection (3), the twenty-ninth district consists of the city of Wayne, is a district of the third class, and has 1 judge.

(14) The thirtieth district consists of the city of Highland Park, is a district of the third class, and has 1 judge.

(15) The thirty-first district consists of the city of Hamtramck, is a district of the third class, and has 1 judge.

(16) The thirty-second-a district consists of the city of Harper Woods, is a district of the third class, and has 1 judge.

(17) The thirty-second-b district consists of the cities of Grosse Pointe Woods, Grosse Pointe Park, Grosse Pointe, and Grosse Pointe Farms, and the village of Grosse Pointe Shores, is a district of the third class, and has 1 judge.

(18) The thirty-third district consists of the cities of Trenton, Gibraltar, Woodhaven, Rockwood, and Flat Rock and the townships of Brownstown and Grosse Ile in the county of Wayne, is a district of the third class, and has the following number of judges:

(a) Until the date determined under subdivision (b), 3 judges.

(b) Beginning on the earlier of the following dates, 2 judges:

(i) The date on which a vacancy occurs in the office of district judge in this district, unless the vacancy occurs after the vacating judge has been defeated in a primary or general election.

(ii) The beginning date of the term for which an incumbent district judge in this district no longer seeks election or reelection to that office.

(19) The thirty-fourth district consists of the townships of Sumpter, Van Buren, and Huron in the county of Wayne and the cities of Romulus and Belleville, is a district of the third class, and has 3 judges.

(20) The thirty-fifth district consists of the cities of Northville and Plymouth and the townships of Northville, Plymouth, and Canton in the county of Wayne, is a district of the third class, and has 3 judges.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1970, Act 25, Imd. Eff. June 2, 1970;—Am. 1972, Act 169, Imd. Eff. June 15, 1972;—Am. 1974, Act 145, Imd. Eff. June 7, 1974;—Am. 1977, Act 129, Imd. Eff. Oct. 21, 1977;—Am. 1978, Act 164, Imd. Eff. May 25, 1978;—Am. 1980, Act 127, Imd. Eff. May 22, 1980;—Am. 1982, Act 40, Imd. Eff. Mar. 16, 1982;—Am. 1990, Act 54, Imd. Eff. Apr. 11, 1990;—Am. 1994, Act 138, Imd. Eff. May 26, 1994;—Am. 2000, Act 449, Imd. Eff. Jan. 9, 2001;—Am. 2001, Act 255, Eff. Mar. 22, 2002;—Am. 2001, Act 258, Eff. Mar. 22, 2002;—Am. 2011, Act 300, Imd. Eff. Dec. 22, 2011;—Am. 2012, Act 37, Imd. Eff. Feb. 28, 2012;—Am. 2014, Act 58, Eff. Jan. 2, 2015;—Am. 2018, Act 6, Imd. Eff. Jan. 26, 2018.

**Compiler's note:** Sections 2 to 7 of Act 145 of 1974 provide:

**“Effective date of changes.**

“Section 2. The changes in the composition of judicial circuits or district court districts as provided in this amendatory act shall become effective for judicial purposes on January 1, 1975.

**“Election of additional circuit and district judges; assumption of office; appearance of new judgeships on ballot; nominating petitions; incumbent judges.**

“Section 3. The additional circuit and district judges authorized by this amendatory act shall be elected in 1974 and shall assume office on January 1, 1975. The new judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective judicial circuits and district court districts. If another judicial office of the same court is to be filled by election in the same circuit or district, a candidate for a new judgeship authorized in that circuit or district by this amendatory act shall indicate, at the time of filing his nominating petitions, whether he is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in the applicable year. Petitions for a new judgeship created by this act must bear signatures affixed thereto after the effective date of this act. Any incumbent circuit or district judge whose term is expiring January 1, 1975, and who is seeking election to a judicial office of the same court in 1974 is entitled to the designation of his office even if he is a candidate for a new office of the same court authorized by this amendatory act.

**“Nominating petitions.**

“Section 4. Notwithstanding any other provision of law, nominating petitions for the offices added by this 1974 amendatory act shall contain not less than 1/2 of 1% nor more than 2% of the total number of votes cast in that judicial circuit for secretary of state at the last preceding general November election in which a secretary of state was elected.

**“Nomination, election, and terms of candidates for new circuit judgeships.**

“Section 5. Notwithstanding the provisions of sections 3 and 4 of Act No. 169 of the Public Acts of 1972, the 10 candidates for the new circuit judgeships in the third judicial circuit created by Act No. 169 of the Public Acts of 1972 who receive the highest votes in the August primary election shall be deemed nominated for the 5 new judgeships created thereby. Of the additional judgeships so created for the third judicial circuit the candidate receiving the highest number of votes in the 1974 general election shall be elected for a term of 10 years, the candidates receiving the second and third highest number of votes shall be elected for a term of 8 years, and the candidates receiving the fourth and fifth highest number of votes shall be elected for a term of 6 years.

**“Terms of additional circuit judges.**

“Section 6. The additional circuit judges authorized by this amendatory act shall be elected for a term of 6 years except that the additional circuit judge authorized by this amendatory act in the forty-fourth judicial circuit shall be elected for a term of 8 years.

**“Terms of additional district judges in certain districts.**

“Section 7. In districts in which the district court is already functioning on the effective date of this amendatory act, the additional district judges authorized by this amendatory act shall be elected for a term of 6 years, except that the additional district judges authorized in the first election division of the ninth district and in the fifteenth district shall be elected for a term of 8 years and that the additional district judge authorized in the newly divided forty-first-a district shall be elected for a term of 4 years.”

Sections 2 to 7 of Act 164 of 1978 provide:

**“Sections 600.6404, 600.6410, and 600.6413 effective January 1, 1979; effective date of changes in composition of judicial circuits or district court districts.**

“Section 2. Sections 6404, 6410, and 6413 of Act No. 236 of the Public Acts of 1961, as amended by this amendatory act, being sections 600.6404, 600.6410, and 600.6413 of the Compiled Laws of 1970, shall not take effect until January 1, 1979. Except as otherwise provided in sections 524, 527, and 534 of Act No. 236 of the Public Acts of 1961, as amended by this amendatory act, being sections 600.524, 600.527, and 600.534 of the Compiled Laws of 1970, the changes in the composition of judicial circuits or district court districts as provided in this amendatory act shall become effective for judicial purposes on January 1, 1979.

**“Election to fill new circuit and district judgeships; term.**

“Section 3. Except as otherwise provided in sections 4, 5, 6 and 7, the new circuit and district judgeships created by this amendatory act shall be filled by election pursuant to Act No. 116 of the Public Acts of 1954, as amended, being sections 168.1 to 168.992 of the Michigan Compiled Laws, for a term of 6 years commencing January 1, 1979.

**“Ballot; nominating petition; affidavit of candidacy.**

“Section 4. The new judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective circuit and district court districts. If another judicial office of the same court is to be filled by election in the same circuit or district, a candidate for a new judgeship authorized in that circuit or district by this amendatory act shall indicate, at the time of filing nominating petitions, whether the candidate is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in the applicable year. Petitions for a new judgeship created by this act shall bear signatures affixed to the petition after the effective date of this act. An elected incumbent circuit judge in a circuit in which the number of circuit judges has been increased by this amendatory act may become a candidate in the primary election for that office for any

term for which a circuit judge is to be elected at the 1978 general election in that circuit by filing an affidavit of candidacy with the secretary of state not later than 4 days after the effective date of this amendatory act.

**“Terms of judges.**

“Section 5. Of the 2 additional judgeships created for the third judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidate receiving the second highest number of votes shall be elected for a term of 6 years. Of the 3 additional judgeships created for the sixth judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidates receiving the second and third highest number of votes shall be elected for a term of 6 years. Of the 2 additional judgeships created for the thirtieth judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidate receiving the second highest number of votes shall be elected for a term of 6 years. The additional circuit judges authorized by this amendatory act in the eighth, seventeenth, and twenty-ninth judicial circuits shall be elected for a term of 8 years. The additional circuit judge authorized by this amendatory act in the eighteenth, thirty-first, thirty-eighth, and fortieth judicial circuits shall be elected for a term of 10 years. The additional district judges authorized in the thirty-fifth and forty-first-a districts and in the first division of the fifty-sixth district shall be elected for a term of 4 years.

**“Election of additional judges; assumption and term of office.**

“Section 6. (1) The additional district judges authorized by this amendatory act in the fifty-fourth-b district and the first division of the fifty-second district shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 4 years.

“(2) The additional circuit judge authorized by this amendatory act in the fourteenth judicial circuit shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

**“Residence of certain circuit judges; effect.**

“Section 7. If the circuit judge elected in the twenty-sixth judicial circuit in 1978 is a resident of the county of Cheboygan on June 6, 1978, that person shall continue during the remainder of his or her term after January 1, 1981 as a judge of the thirty-third judicial circuit and the second circuit judgeship authorized by law for the twenty-sixth judicial circuit shall be filled by election in 1980 for a term of 8 years. If the circuit judge elected in the twenty-sixth judicial circuit in 1978 is a resident of 1 of the counties of Alpena, Montmorency, or Presque Isle on June 6, 1978, that person shall continue during the remainder of his or her term after January 1, 1981 as a judge of the twenty-sixth judicial circuit and the second circuit judgeship authorized by law for the thirty-third judicial circuit shall be filled by election in 1980 for a term of 6 years.”

Section 1 of Act 128 of 1980 provides:

**“Enacting sections amended; revised judiciary act of 1961.**

“Section 1. Enacting sections 6 and 7 of Act No. 164 of the Public Acts of 1978 are amended to read as follows:

**“Election of additional judges; assumption and terms of office.**

“Section 6. (1) The additional district judge authorized by this amendatory act in the first division of the fifty-second district shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

“(2) The additional circuit judge authorized by this amendatory act in the fourteenth judicial circuit shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

**“Twenty-sixth judicial circuit; vacancy; residence of candidates; eligibility of electors; failure of Cheboygan county to approve creation of fifty-third judicial circuit and circuit judgeship.**

“Section 7. (1) If a vacancy occurs in the twenty-sixth judicial circuit between the effective date of this section, as amended, and June 3, 1980, candidates to fill the unexpired portion of the term shall be residents of the twenty-sixth judicial circuit as that circuit will be constituted on January 1, 1981, pursuant to this act. Electors of the counties of Alcona, Alpena, Montmorency, and Presque Isle shall be eligible to vote in the primary and general elections of 1980 to fill that vacancy and electors of those counties are qualified to sign and circulate nominating petitions for candidates to fill the vacancy.

“(2) If the county of Cheboygan does not approve the creation of the fifty-third judicial circuit and the circuit judgeship proposed for it pursuant to House Bill No. 5553 of the 1980 regular session of the legislature, the second circuit judgeship authorized by law for the thirty-third judicial circuit shall be filled by election in 1980 for a term of 6 years.”

Section 2 of Act 54 of 1990 provides:

“If a new judicial circuit of the circuit court is created under this amendatory act pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1991. If the fifty-sixth judicial circuit is created pursuant to this amendatory act, the incumbent judge of the fifth judicial circuit who resides in Eaton county shall become the judge of the fifty-sixth judicial circuit on January 1, 1991, and shall serve until the term for which he or she was elected in the fifth judicial circuit expires.”

### **600.8121a Thirty-sixth district.**

Sec. 8121a. (1) The thirty-sixth district consists of the city of Detroit, is a district of the third class, and, except as provided in subsection (2), has 30 judges.

(2) Beginning on the earlier of the following dates, the thirty-sixth district has 29 judges:

(a) The date on which a vacancy occurs in the office of district judge in the thirty-sixth judicial district, unless that vacancy occurs after the vacating judge has been defeated in a primary or general election.

(b) The beginning date of the term for which an incumbent district judge in the thirty-sixth judicial district no longer seeks election or reelection to that office.

**History:** Add. 1972, Act 169, Imd. Eff. June 15, 1972;—Am. 1980, Act 438, Eff. May 1, 1981;—Am. 1981, Act 15, Eff. May 1, 1981;—Am. 1981, Act 146, Imd. Eff. Nov. 10, 1981;—Am. 1988, Act 135, Imd. Eff. May 27, 1988;—Am. 2014, Act 58, Imd. Eff. Mar. 27, 2014;—Am. 2018, Act 6, Imd. Eff. Jan. 26, 2018.

**Compiler's note:** Sections 2 and 3 of Act 438 of 1980 provide:

**“Conditional effective date; action constituting exercise of option; effect of exercising option.**

“Section 2. (1) This amendatory act shall not take effect unless the city of Detroit and the county of Wayne, by resolutions adopted not later than May 1, 1981, by the governing bodies of the city and the county, respectively, agree to assume responsibility for any expenses required of the city or the county by this amendatory act, and the bills listed in enacting section 7 which are enacted and take effect.



“(2) If the city of Detroit and the county of Wayne, acting through their governing bodies, agree to assume responsibility for any expenses required of the city and the county by this amendatory act, and the bills listed in enacting section 7 which are enacted and take effect, that action constitutes an exercise of the city's and the county's option to provide a new activity or service or to increase the level of activity or service offered in the city of Detroit and the county of Wayne beyond that required by existing law, as the elements of that option are defined by Act No. 101 of the Public Acts of 1979, being sections 21.231 to 21.244 of the Michigan Compiled Laws, and a voluntary acceptance by the city and the county of all expenses and capital improvements which may result from establishment of the district court in the thirty-sixth district and the reorganization of the circuit court in the third judicial circuit and the recorder's court of the city of Detroit. However, the exercise of the option does not affect the state's obligation to pay the same portion of each district or circuit judge's salary which is paid by the state to the other district or circuit judges, or to appropriate and disburse funds to the district control units, city, or county, for the necessary costs of state requirements established by a state law, other than this amendatory act or the bills listed in enacting section 7 which becomes effective on or after December 23, 1978.”

The resolutions referred to in Section 2 were adopted by the city council of the city of Detroit on April 29, 1981, and by the board of commissioners of the county of Wayne on April 30, 1981.

**“Effective date of Chapter 91 and certain sections.**

“Section 3. Chapter 91 and sections 224, 541, 549f, 594, 595, 8121a, 8275, 9941, 9943, 9945, and 9946 shall take effect May 1, 1981.”

Sections 2, 3, and 4 of Act 146 of 1981 provide:

**“Repeal of MCL 600.8286, 600.8287, and 600.8288; effective date of repeal; exception.**

“Section 2. Except as provided in enacting section 4, sections 8286, 8287, and 8288 of Act No. 236 of the Public Acts of 1961, being sections 600.8286, 600.8287, and 600.8288 of the Compiled Laws of 1970, are repealed effective January 1, 1983.

**“Effective date of MCL 600.8286, 600.8287, 600.8288, and 600.8501; exception.**

“Section 3. Except as provided in enacting section 4, sections 8286, 8287, 8288, and 8501 shall take effect December 1, 1981.

**“Conditional effective date of MCL 600.8286, 600.8287, 600.8288, and 600.8501, and of enacting Section 2; adoption and filing of resolution by city of Detroit; effect of assuming responsibility for expenses.**

“Section 4. (1) Sections 8286, 8287, 8288, and 8501 and enacting section 2 shall not take effect unless the city of Detroit, by resolution adopted not later than November 30, 1981, by the governing body of the city, agrees to assume responsibility for any expenses required of the city by this amendatory act and an authenticated copy is filed with the secretary of state not later than 4 p.m. November 30, 1981.

“(2) If the city of Detroit, acting through its governing body, agrees to assume responsibility for any expenses required of the city by this amendatory act, that action constitutes an exercise of the city's option to provide a new activity or service or to increase the level of activity or service offered in the city of Detroit beyond that required by existing law, as the elements of that option are defined by Act No. 101 of the Public Acts of 1979, being sections 21.231 to 21.244 of the Michigan Compiled Laws, and a voluntary acceptance by the city of all expenses and capital improvements which may result from establishment of the office of district court referee in the thirty-sixth district of the district court.”

The resolution referred to in Section 4 was adopted by the city council of the city of Detroit on November 25, 1981, and an authenticated copy was filed with the secretary of state at 3:30 p.m. on November 30, 1981.

Section 2 of Act 135 of 1988 provides:

“Any additional district judgeship to be added by election in 1988 shall not be authorized to be filled by election unless each district control unit of the district, by resolution adopted by the governing body of the district control unit, approves the creation of that judgeship and unless the clerk of each district control unit adopting such a resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of the tenth Tuesday preceding the August primary for the election to fill the additional district judgeship.”

### **600.8122 Thirty-seventh district to forty-second district.**

Sec. 8122. (1) The thirty-seventh district consists of the cities of Warren and Center Line, is a district of the third class, and has 4 judges.

(2) Except as otherwise provided in subsection (3), the thirty-eighth district consists of the city of Eastpointe, is a district of the third class, and has 1 judge.

(3) Except as otherwise provided in this subsection, the thirty-ninth district consists of the cities of Roseville and Fraser, is a district of the third class, and has 3 judges. If the governing bodies of the cities of Roseville, Fraser, and Eastpointe approve by resolutions the consolidation of the thirty-eighth and thirty-ninth districts prior to January 1, 2020, all of the following apply:

(a) The thirty-eighth district is abolished and the thirty-ninth district consists of the cities of Roseville, Fraser, and Eastpointe, is a district of the third class, and has 4 judges. The additional judgeship in the thirty-ninth district shall be filled by the incumbent judge of the thirty-eighth district, who shall become a judge of the thirty-ninth district for the balance of the term to which he or she was elected or appointed.

(b) The clerks of the cities of Roseville, Fraser, and Eastpointe shall file copies of the resolutions with the state court administrator, who, as authorized by the supreme court, shall notify the elections division of the department of state that the consolidation has been approved under this section. A resolution that is filed before January 2, 2019 is a valid approval of the consolidation.

(c) By proposing or authorizing the consolidation of the thirty-eighth and thirty-ninth districts, the legislature is not creating a new obligation for any affected district control unit. If a district control unit, acting through its governing body, approves the consolidation, then the approval constitutes an exercise of the district control unit's option to increase the level of activity and service offered in that district control unit beyond that required by existing law, as the elements of that option are provided by 1979 PA 101, MCL 21.231 to 21.244, and a voluntary acceptance by that district control unit of all expenses and capital improvements that may result from the consolidation of the districts. However, the exercise of the option does

not affect the state's obligation to pay the same portion of each judge's salary that is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district control unit for the necessary costs of state requirements established by a state law that becomes effective on or after December 23, 1978.

(4) The fortieth district consists of the city of Saint Clair Shores, is a district of the third class, and has 2 judges.

(5) The forty-first-a district consists of the cities of Utica and Sterling Heights and the townships of Shelby and Macomb in the county of Macomb, is a district of the third class, and has 4 judges.

(6) The forty-first-b district consists of the city of Mt. Clemens and the townships of Clinton and Harrison in the county of Macomb, is a district of the third class, and has 3 judges.

(7) The forty-second district consists of the cities of Memphis, Richmond, and New Baltimore and the townships of Bruce, Washington, Armada, Ray, Richmond, Lenox, and Chesterfield in the county of Macomb, is a district of the second class, and is divided into the following election divisions:

(a) The first division consists of the cities of Memphis and Richmond and the townships of Bruce, Washington, Armada, Ray, and Richmond and has 1 judge.

(b) The second division consists of the city of New Baltimore and the townships of Lenox and Chesterfield and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1970, Act 30, Imd. Eff. June 11, 1970;—Am. 1972, Act 169, Imd. Eff. June 15, 1972;—Am. 1974, Act 145, Imd. Eff. June 7, 1974;—Am. 1976, Act 125, Imd. Eff. May 21, 1976;—Am. 1978, Act 164, Imd. Eff. May 25, 1978;—Am. 1988, Act 135, Imd. Eff. May 27, 1988;—Am. 2002, Act 681, Imd. Eff. Dec. 30, 2002;—Am. 2018, Act 6, Imd. Eff. Jan. 26, 2018.

**Compiler's note:** Sections 2 to 7 of Act 145 of 1974 provide:

**“Effective date of changes.**

“Section 2. The changes in the composition of judicial circuits or district court districts as provided in this amendatory act shall become effective for judicial purposes on January 1, 1975.

**“Election of additional circuit and district judges; assumption of office; appearance of new judgeships on ballot; nominating petitions; incumbent judges.**

“Section 3. The additional circuit and district judges authorized by this amendatory act shall be elected in 1974 and shall assume office on January 1, 1975. The new judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective judicial circuits and district court districts. If another judicial office of the same court is to be filled by election in the same circuit or district, a candidate for a new judgeship authorized in that circuit or district by this amendatory act shall indicate, at the time of filing his nominating petitions, whether he is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in the applicable year. Petitions for a new judgeship created by this act must bear signatures affixed thereto after the effective date of this act. Any incumbent circuit or district judge whose term is expiring January 1, 1975, and who is seeking election to a judicial office of the same court in 1974 is entitled to the designation of his office even if he is a candidate for a new office of the same court authorized by this amendatory act.

**“Nominating petitions.**

“Section 4. Notwithstanding any other provision of law, nominating petitions for the offices added by this 1974 amendatory act shall contain not less than 1/2 of 1% nor more than 2% of the total number of votes cast in that judicial circuit for secretary of state at the last preceding general November election in which a secretary of state was elected.

**“Nomination, election, and terms of candidates for new circuit judgeships.**

“Section 5. Notwithstanding the provisions of sections 3 and 4 of Act No. 169 of the Public Acts of 1972, the 10 candidates for the new circuit judgeships in the third judicial circuit created by Act No. 169 of the Public Acts of 1972 who receive the highest votes in the August primary election shall be deemed nominated for the 5 new judgeships created thereby. Of the additional judgeships so created for the third judicial circuit the candidate receiving the highest number of votes in the 1974 general election shall be elected for a term of 10 years, the candidates receiving the second and third highest number of votes shall be elected for a term of 8 years, and the candidates receiving the fourth and fifth highest number of votes shall be elected for a term of 6 years.

**“Terms of additional circuit judges.**

“Section 6. The additional circuit judges authorized by this amendatory act shall be elected for a term of 6 years except that the additional circuit judge authorized by this amendatory act in the forty-fourth judicial circuit shall be elected for a term of 8 years.

**“Terms of additional district judges in certain districts.**

“Section 7. In districts in which the district court is already functioning on the effective date of this amendatory act, the additional district judges authorized by this amendatory act shall be elected for a term of 6 years, except that the additional district judges authorized in the first election division of the ninth district and in the fifteenth district shall be elected for a term of 8 years and that the additional district judge authorized in the newly divided forty-first-a district shall be elected for a term of 4 years.”

Sections 2 to 7 of Act 164 of 1978 provide:

**“Sections 600.6404, 600.6410, and 600.6413 effective January 1, 1979; effective date of changes in composition of judicial circuits or district court districts.**

“Section 2. Sections 6404, 6410, and 6413 of Act No. 236 of the Public Acts of 1961, as amended by this amendatory act, being sections 600.6404, 600.6410, and 600.6413 of the Compiled Laws of 1970, shall not take effect until January 1, 1979. Except as otherwise provided in sections 524, 527, and 534 of Act No. 236 of the Public Acts of 1961, as amended by this amendatory act, being sections 600.524, 600.527, and 600.534 of the Compiled Laws of 1970, the changes in the composition of judicial circuits or district court districts as provided in this amendatory act shall become effective for judicial purposes on January 1, 1979.

**“Election to fill new circuit and district judgeships; term.**

“Section 3. Except as otherwise provided in sections 4, 5, 6 and 7, the new circuit and district judgeships created by this amendatory act shall be filled by election pursuant to Act No. 116 of the Public Acts of 1954, as amended, being sections 168.1 to 168.992 of the

Michigan Compiled Laws, for a term of 6 years commencing January 1, 1979.

**“Ballot; nominating petition; affidavit of candidacy.**

“Section 4. The new judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective circuit and district court districts. If another judicial office of the same court is to be filled by election in the same circuit or district, a candidate for a new judgeship authorized in that circuit or district by this amendatory act shall indicate, at the time of filing nominating petitions, whether the candidate is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in the applicable year. Petitions for a new judgeship created by this act shall bear signatures affixed to the petition after the effective date of this act. An elected incumbent circuit judge in a circuit in which the number of circuit judges has been increased by this amendatory act may become a candidate in the primary election for that office for any term for which a circuit judge is to be elected at the 1978 general election in that circuit by filing an affidavit of candidacy with the secretary of state not later than 4 days after the effective date of this amendatory act.

**“Terms of judges.**

“Section 5. Of the 2 additional judgeships created for the third judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidate receiving the second highest number of votes shall be elected for a term of 6 years. Of the 3 additional judgeships created for the sixth judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidates receiving the second and third highest number of votes shall be elected for a term of 6 years. Of the 2 additional judgeships created for the thirtieth judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidate receiving the second highest number of votes shall be elected for a term of 6 years. The additional circuit judges authorized by this amendatory act in the eighth, seventeenth, and twenty-ninth judicial circuits shall be elected for a term of 8 years. The additional circuit judge authorized by this amendatory act in the eighteenth, thirty-first, thirty-eighth, and fortieth judicial circuits shall be elected for a term of 10 years. The additional district judges authorized in the thirty-fifth and forty-first-a districts and in the first division of the fifty-sixth district shall be elected for a term of 4 years.

**“Election of additional judges; assumption and term of office.**

“Section 6. (1) The additional district judges authorized by this amendatory act in the fifty-fourth-b district and the first division of the fifty-second district shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 4 years.

“(2) The additional circuit judge authorized by this amendatory act in the fourteenth judicial circuit shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

**“Residence of certain circuit judges; effect.**

“Section 7. If the circuit judge elected in the twenty-sixth judicial circuit in 1978 is a resident of the county of Cheboygan on June 6, 1978, that person shall continue during the remainder of his or her term after January 1, 1981 as a judge of the thirty-third judicial circuit and the second circuit judgeship authorized by law for the twenty-sixth judicial circuit shall be filled by election in 1980 for a term of 8 years. If the circuit judge elected in the twenty-sixth judicial circuit in 1978 is a resident of 1 of the counties of Alpena, Montmorency, or Presque Isle on June 6, 1978, that person shall continue during the remainder of his or her term after January 1, 1981 as a judge of the twenty-sixth judicial circuit and the second circuit judgeship authorized by law for the thirty-third judicial circuit shall be filled by election in 1980 for a term of 6 years.”

Section 1 of Act 128 of 1980 provides:

**“Enacting sections amended; revised judiciary act of 1961.**

“Section 1. Enacting sections 6 and 7 of Act No. 164 of the Public Acts of 1978 are amended to read as follows:

**“Election of additional judges; assumption and terms of office.**

“Section 6. (1) The additional district judge authorized by this amendatory act in the first division of the fifty-second district shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

“(2) The additional circuit judge authorized by this amendatory act in the fourteenth judicial circuit shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

**“Twenty-sixth judicial circuit; vacancy; residence of candidates; eligibility of electors; failure of Cheboygan county to approve creation of fifty-third judicial circuit and circuit judgeship.**

“Section 7. (1) If a vacancy occurs in the twenty-sixth judicial circuit between the effective date of this section, as amended, and June 3, 1980, candidates to fill the unexpired portion of the term shall be residents of the twenty-sixth judicial circuit as that circuit will be constituted on January 1, 1981, pursuant to this act. Electors of the counties of Alcona, Alpena, Montmorency, and Presque Isle shall be eligible to vote in the primary and general elections of 1980 to fill that vacancy and electors of those counties are qualified to sign and circulate nominating petitions for candidates to fill the vacancy.

“(2) If the county of Cheboygan does not approve the creation of the fifty-third judicial circuit and the circuit judgeship proposed for it pursuant to House Bill No. 5553 of the 1980 regular session of the legislature, the second circuit judgeship authorized by law for the thirty-third judicial circuit shall be filled by election in 1980 for a term of 6 years.”

Section 2 of Act 135 of 1988 provides:

“Any additional district judgeship to be added by election in 1988 shall not be authorized to be filled by election unless each district control unit of the district, by resolution adopted by the governing body of the district control unit, approves the creation of that judgeship and unless the clerk of each district control unit adopting such a resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of the tenth Tuesday preceding the August primary for the election to fill the additional district judgeship.”

**600.8123 Forty-third district to fifty-second district.**

Sec. 8123. (1) The forty-third district consists of the cities of Madison Heights, Ferndale, and Hazel Park, is a district of the third class, and has 3 judges.

(2) The forty-fourth district consists of the cities of Royal Oak and Berkley and has 2 judges.

(3) The forty-fifth district consists of the cities of Huntington Woods, Oak Park, and Pleasant Ridge and the township of Royal Oak in the county of Oakland, is a district of the third class, and has 2 judges.

(4) The forty-sixth district consists of the cities of Southfield and Lathrup Village and the township of Southfield in the county of Oakland, is a district of the third class, and has 3 judges.

(5) The forty-seventh district consists of the cities of Farmington and Farmington Hills, is a district of the

third class, and has 2 judges.

(6) The forty-eighth district consists of the cities of Birmingham, Bloomfield Hills, Sylvan Lake, Keego Harbor, and Orchard Lake Village and the townships of Bloomfield and West Bloomfield in the county of Oakland, is a district of the third class, and has the following number of judges:

(a) Until the date determined under subdivision (b), the forty-eighth district has 3 judges.

(b) The forty-eighth district has 2 judges beginning on the earlier of the following dates:

(i) The date on which a vacancy occurs in the office of district judge in this district, unless the vacancy occurs after the vacating judge has been defeated in a primary or general election.

(ii) The beginning date of the term for which an incumbent district judge in this district no longer seeks election or reelection to that office.

(7) The fiftieth district consists of the city of Pontiac, is a district of the third class, and has the following number of judges:

(a) Until the date determined under subdivision (b), 4 judges.

(b) The fiftieth district has 3 judges beginning on the earlier of the following dates:

(i) The date on which a vacancy occurs in the office of district judge in this district, unless the vacancy occurs after the vacating judge has been defeated in a primary or general election.

(ii) The beginning date of the term for which an incumbent district judge in this district no longer seeks election or reelection to that office.

(8) The fifty-first district consists of the township of Waterford in the county of Oakland, is a district of the third class, and has 2 judges.

(9) The fifty-second district consists of the county of Oakland except the cities of Madison Heights, Ferndale, Hazel Park, Royal Oak, Berkley, Huntington Woods, Oak Park, Pleasant Ridge, Southfield, Lathrup Village, Farmington, Farmington Hills, Northville, Sylvan Lake, Keego Harbor, Orchard Lake Village, Birmingham, Bloomfield Hills, and Pontiac and the townships of Royal Oak, Southfield, West Bloomfield, Bloomfield, and Waterford, is a district of the second class, and is divided into the following election divisions:

(a) The first division consists of the cities of Novi, South Lyon, Wixom, and Walled Lake and the townships of Milford, Highland, Commerce, Lyon, and Novi and has 3 judges.

(b) The second division consists of the city of the village of Clarkston and the townships of Springfield, Independence, Holly, Groveland, Brandon, Rose, and White Lake and has 2 judges.

(c) The third division consists of the cities of Rochester, Auburn Hills, Rochester Hills, and Lake Angelus and the townships of Oxford, Addison, Orion, and Oakland and has 3 judges.

(d) The fourth division consists of the cities of Troy and Clawson and has 2 judges.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1970, Act 30, Imd. Eff. June 11, 1970;—Am. 1970, Act 238, Eff. Jan. 1, 1971;—Am. 1972, Act 169, Imd. Eff. June 15, 1972;—Am. 1974, Act 145, Imd. Eff. June 7, 1974;—Am. 1977, Act 129, Imd. Eff. Oct. 21, 1977;—Am. 1978, Act 164, Imd. Eff. May 25, 1978;—Am. 1984, Act 142, Imd. Eff. June 21, 1984;—Am. 1988, Act 135, Imd. Eff. May 27, 1988;—Am. 1990, Act 54, Imd. Eff. Apr. 11, 1990;—Am. 2000, Act 447, Eff. Mar. 28, 2001;—Am. 2000, Act 448, Imd. Eff. Jan. 9, 2001;—Am. 2011, Act 300, Imd. Eff. Dec. 22, 2011;—Am. 2012, Act 37, Imd. Eff. Feb. 28, 2012;—Am. 2012, Act 624, Imd. Eff. Jan. 9, 2013;—Am. 2014, Act 58, Imd. Eff. Mar. 27, 2014;—Am. 2018, Act 6, Imd. Eff. Jan. 26, 2018.

**Compiler's note:** Sections 2 to 7 of Act 145 of 1974 provide:

**“Effective date of changes.**

“Section 2. The changes in the composition of judicial circuits or district court districts as provided in this amendatory act shall become effective for judicial purposes on January 1, 1975.

**“Election of additional circuit and district judges; assumption of office; appearance of new judgeships on ballot; nominating petitions; incumbent judges.**

“Section 3. The additional circuit and district judges authorized by this amendatory act shall be elected in 1974 and shall assume office on January 1, 1975. The new judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective judicial circuits and district court districts. If another judicial office of the same court is to be filled by election in the same circuit or district, a candidate for a new judgeship authorized in that circuit or district by this amendatory act shall indicate, at the time of filing his nominating petitions, whether he is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in the applicable year. Petitions for a new judgeship created by this act must bear signatures affixed thereto after the effective date of this act. Any incumbent circuit or district judge whose term is expiring January 1, 1975, and who is seeking election to a judicial office of the same court in 1974 is entitled to the designation of his office even if he is a candidate for a new office of the same court authorized by this amendatory act.

**“Nominating petitions.**

“Section 4. Notwithstanding any other provision of law, nominating petitions for the offices added by this 1974 amendatory act shall contain not less than 1/2 of 1% nor more than 2% of the total number of votes cast in that judicial circuit for secretary of state at the last preceding general November election in which a secretary of state was elected.

**“Nomination, election, and terms of candidates for new circuit judgeships.**

“Section 5. Notwithstanding the provisions of sections 3 and 4 of Act No. 169 of the Public Acts of 1972, the 10 candidates for the new circuit judgeships in the third judicial circuit created by Act No. 169 of the Public Acts of 1972 who receive the highest votes in the August primary election shall be deemed nominated for the 5 new judgeships created thereby. Of the additional judgeships so created for

the third judicial circuit the candidate receiving the highest number of votes in the 1974 general election shall be elected for a term of 10 years, the candidates receiving the second and third highest number of votes shall be elected for a term of 8 years, and the candidates receiving the fourth and fifth highest number of votes shall be elected for a term of 6 years.

**“Terms of additional circuit judges.**

“Section 6. The additional circuit judges authorized by this amendatory act shall be elected for a term of 6 years except that the additional circuit judge authorized by this amendatory act in the forty-fourth judicial circuit shall be elected for a term of 8 years.

**“Terms of additional district judges in certain districts.**

“Section 7. In districts in which the district court is already functioning on the effective date of this amendatory act, the additional district judges authorized by this amendatory act shall be elected for a term of 6 years, except that the additional district judges authorized in the first election division of the ninth district and in the fifteenth district shall be elected for a term of 8 years and that the additional district judge authorized in the newly divided forty-first-a district shall be elected for a term of 4 years.”

Sections 2 to 7 of Act 164 of 1978 provide:

**“Sections 600.6404, 600.6410, and 600.6413 effective January 1, 1979; effective date of changes in composition of judicial circuits or district court districts.**

“Section 2. Sections 6404, 6410, and 6413 of Act No. 236 of the Public Acts of 1961, as amended by this amendatory act, being sections 600.6404, 600.6410, and 600.6413 of the Compiled Laws of 1970, shall not take effect until January 1, 1979. Except as otherwise provided in sections 524, 527, and 534 of Act No. 236 of the Public Acts of 1961, as amended by this amendatory act, being sections 600.524, 600.527, and 600.534 of the Compiled Laws of 1970, the changes in the composition of judicial circuits or district court districts as provided in this amendatory act shall become effective for judicial purposes on January 1, 1979.

**“Election to fill new circuit and district judgeships; term.**

“Section 3. Except as otherwise provided in sections 4, 5, 6 and 7, the new circuit and district judgeships created by this amendatory act shall be filled by election pursuant to Act No. 116 of the Public Acts of 1954, as amended, being sections 168.1 to 168.992 of the Michigan Compiled Laws, for a term of 6 years commencing January 1, 1979.

**“Ballot; nominating petition; affidavit of candidacy.**

“Section 4. The new judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective circuit and district court districts. If another judicial office of the same court is to be filled by election in the same circuit or district, a candidate for a new judgeship authorized in that circuit or district by this amendatory act shall indicate, at the time of filing nominating petitions, whether the candidate is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in the applicable year. Petitions for a new judgeship created by this act shall bear signatures affixed to the petition after the effective date of this act. An elected incumbent circuit judge in a circuit in which the number of circuit judges has been increased by this amendatory act may become a candidate in the primary election for that office for any term for which a circuit judge is to be elected at the 1978 general election in that circuit by filing an affidavit of candidacy with the secretary of state not later than 4 days after the effective date of this amendatory act.

**“Terms of judges.**

“Section 5. Of the 2 additional judgeships created for the third judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidate receiving the second highest number of votes shall be elected for a term of 6 years. Of the 3 additional judgeships created for the sixth judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidates receiving the second and third highest number of votes shall be elected for a term of 6 years. Of the 2 additional judgeships created for the thirtieth judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidate receiving the second highest number of votes shall be elected for a term of 6 years. The additional circuit judges authorized by this amendatory act in the eighth, seventeenth, and twenty-ninth judicial circuits shall be elected for a term of 8 years. The additional circuit judge authorized by this amendatory act in the eighteenth, thirty-first, thirty-eighth, and fortieth judicial circuits shall be elected for a term of 10 years. The additional district judges authorized in the thirty-fifth and forty-first-a districts and in the first division of the fifty-sixth district shall be elected for a term of 4 years.

**“Election of additional judges; assumption and term of office.**

“Section 6. (1) The additional district judges authorized by this amendatory act in the fifty-fourth-b district and the first division of the fifty-second district shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 4 years.

“(2) The additional circuit judge authorized by this amendatory act in the fourteenth judicial circuit shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

**“Residence of certain circuit judges; effect.**

“Section 7. If the circuit judge elected in the twenty-sixth judicial circuit in 1978 is a resident of the county of Cheboygan on June 6, 1978, that person shall continue during the remainder of his or her term after January 1, 1981 as a judge of the thirty-third judicial circuit and the second circuit judgeship authorized by law for the twenty-sixth judicial circuit shall be filled by election in 1980 for a term of 8 years. If the circuit judge elected in the twenty-sixth judicial circuit in 1978 is a resident of 1 of the counties of Alpena, Montmorency, or Presque Isle on June 6, 1978, that person shall continue during the remainder of his or her term after January 1, 1981 as a judge of the twenty-sixth judicial circuit and the second circuit judgeship authorized by law for the thirty-third judicial circuit shall be filled by election in 1980 for a term of 6 years.”

Section 1 of Act 128 of 1980 provides:

**“Enacting sections amended; revised judicature act of 1961.**

“Section 1. Enacting sections 6 and 7 of Act No. 164 of the Public Acts of 1978 are amended to read as follows:

**“Election of additional judges; assumption and terms of office.**

“Section 6. (1) The additional district judge authorized by this amendatory act in the first division of the fifty-second district shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

“(2) The additional circuit judge authorized by this amendatory act in the fourteenth judicial circuit shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

**“Twenty-sixth judicial circuit; vacancy; residence of candidates; eligibility of electors; failure of Cheboygan county to approve creation of fifty-third judicial circuit and circuit judgeship.**

“Section 7. (1) If a vacancy occurs in the twenty-sixth judicial circuit between the effective date of this section, as amended, and June 3, 1980, candidates to fill the unexpired portion of the term shall be residents of the twenty-sixth judicial circuit as that circuit will be constituted on January 1, 1981, pursuant to this act. Electors of the counties of Alcona, Alpena, Montmorency, and Presque Isle shall be eligible to vote in the primary and general elections of 1980 to fill that vacancy and electors of those counties are qualified to sign and

circulate nominating petitions for candidates to fill the vacancy.

“(2) If the county of Cheboygan does not approve the creation of the fifty-third judicial circuit and the circuit judgeship proposed for it pursuant to House Bill No. 5553 of the 1980 regular session of the legislature, the second circuit judgeship authorized by law for the thirty-third judicial circuit shall be filled by election in 1980 for a term of 6 years.”

Section 2 of Act 135 of 1988 provides:

“Any additional district judgeship to be added by election in 1988 shall not be authorized to be filled by election unless each district control unit of the district, by resolution adopted by the governing body of the district control unit, approves the creation of that judgeship and unless the clerk of each district control unit adopting such a resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of the tenth Tuesday preceding the August primary for the election to fill the additional district judgeship.”

Section 2 of Act 54 of 1990 provides:

“If a new judicial circuit of the circuit court is created under this amendatory act pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1991. If the fifty-sixth judicial circuit is created pursuant to this amendatory act, the incumbent judge of the fifth judicial circuit who resides in Eaton county shall become the judge of the fifty-sixth judicial circuit on January 1, 1991, and shall serve until the term for which he or she was elected in the fifth judicial circuit expires.”

Enacting sections 1 and 2 of Act 448 of 2000 provide:

“Enacting section 1. The changes in the composition of first and second election divisions of the fifty-second district court district as provided in this amendatory act shall be effective for election purposes on March 1, 2002, and for judicial purposes on January 1, 2003. Electors of the townships of Rose and White Lake in Oakland county shall not be eligible to be a candidate for the office of district judge in the first election division of the fifty-second district in the primary and general elections of 2002, shall not be eligible to vote for that office in the primary and general elections of 2002, and are not qualified to sign nominating petitions for candidates for that office in 2002. If a vacancy occurs in the second election division of the fifty-second district prior to the filing deadline for the office of district judge in 2002, the townships of Rose and White Lake shall be considered part of the second election division for purposes of the election to fill the unexpired term of that judgeship.

“Enacting section 2. (1) If a new office of judge is added to the first election division of the fifty-second district to be filled by election in 2002, both of the following apply:

(a) The term of office for the new judge elected in the first election division of the fifty-second district in the November 2002 general election shall be 4 years, for that election only.

(b) The term of office for the judge elected in the first election division of the fifty-second district in the November 2006 general election shall be 4 years, for that election only.

(2) The judge serving in the first election division of the fifty-second district who is transferred to the second election division of the fifty-second district pursuant to this amendatory act shall serve as a judge of the second election division of the fifty-second district for the balance of the term for which he or she was elected or appointed.”

#### **600.8124 Fifty-third district; Livingston County.**

Sec. 8124. The fifty-third district consists of the county of Livingston, is a district of the first class, and has the following number of judges:

(a) Until 12 noon, January 1, 2019, 3 judges.

(b) Beginning 12 noon, January 1, 2019, 2 judges. The 1 judgeship eliminated from this district at 12 noon, January 1, 2019 shall be the judgeship of a judge who is not eligible to run for reelection in 2018 due to constitutional limitation on the effective date of the amendatory act that added this subdivision.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1970, Act 30, Imd. Eff. June 11, 1970;—Am. 1984, Act 95, Imd. Eff. Apr. 23, 1984;—Am. 2018, Act 6, Imd. Eff. Jan. 26, 2018.

#### **600.8125 Fifty-fourth-a district, fifty-fourth-b district, and fifty-fifth district; consolidation by resolution; juror selection requirements.**

Sec. 8125. (1) Except as provided in subsection (4), the fifty-fourth-a district consists of the city of Lansing, is a district of the third class, and has 4 judges.

(2) Except as provided in subsection (4), the fifty-fourth-b district consists of the city of East Lansing, is a district of the third class, and has 2 judges.

(3) Except as provided in subsection (4), the fifty-fifth district consists of the county of Ingham except the cities of Lansing and East Lansing, is a district of the second class, and has 2 judges.

(4) If the governing body of the county of Ingham and the cities of Lansing and East Lansing approve by resolutions the consolidation of the fifty-fourth-a, fifty-fourth-b, and fifty-fifth districts before November 1, 2019, all of the following apply beginning March 1, 2020:

(a) The fifty-fourth-a and fifty-fourth-b districts are abolished. The fifty-fifth district consists of all of the territory of the former fifty-fourth-a and fifty-fourth-b district courts and the fifty-fifth district court prior to the effective date of the amendatory act that added this subdivision, the newly constituted fifty-fifth district is a district of the first class, and has 8 judges.

(b) All full-time employees of the former fifty-fourth-a and fifty-fourth-b districts must be transferred to the fifty-fifth district under this subsection. Except as provided in any agreement of consolidation by the district control units of the former fifty-fourth-a and fifty-fourth-b districts and the fifty-fifth district, salary, seniority rights, annual leave, sick leave, and retirement benefits of transferred employees must be preserved and continued in their positions in the fifty-fifth district under this subsection in a manner not inferior to their prior status.

(c) By proposing or authorizing the consolidation of the fifty-fourth-a, fifty-fourth-b, and fifty-fifth districts, the legislature is not creating a new obligation for any affected district control unit. If a district control unit, acting through its governing body, approves the consolidation, then the approval constitutes an exercise of the district control unit's option to increase the level of activity and service offered in that district control unit beyond that required by existing law, as the elements of that option are provided by 1979 PA 101, MCL 21.231 to 21.244, and a voluntary acceptance by that district control unit of all expenses and capital improvements that may result from the consolidation of the districts. However, the exercise of the option does not affect the state's obligation to pay the same portion of each judge's salary that is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district control unit for the necessary costs of state requirements established by a state law that takes effect on or after December 23, 1978.

(5) If the consolidated district is created under subsection (4), all of the following apply until 8 years after the effective date of the amendatory act that added this subsection:

(a) The fifty-fifth district is divided into the following election divisions:

(i) The first division consists of the city of Lansing and the township of Lansing and has 4 judges.

(ii) The second division consists of the city of East Lansing and has 2 judges.

(iii) The third division consists of the county of Ingham, except the cities of Lansing and East Lansing and the township of Lansing, and has 2 judges.

(b) Each incumbent district judge from the former fifty-fourth-a and fifty-fourth-b districts and the fifty-fifth district shall serve as a district judge in the consolidated district. Each judge from the former fifty-fourth-a and fifty-fourth-b districts and the fifty-fifth district is considered an incumbent in the election division created under subdivision (a) in which he or she resides.

(6) Upon the expiration of 8 years after the effective date of the amendatory act that added this subsection, the election divisions created under subsection (5) are abolished and the judges of the fifty-fifth district must be elected at large.

(7) If the consolidated district is created under subsection (4), a jury trial in the fifty-fifth district conducted in connection with a criminal offense or any other cause of action that occurred in the city of Lansing or the township of Lansing must be before a jury of citizens who are residents of those 2 political subdivisions.

(8) If the consolidated district is created under subsection (4), a jury trial in the fifty-fifth district conducted in connection with a criminal offense or any other cause of action that occurred in the city of East Lansing must be before a jury of citizens who are residents of that political subdivision.

(9) If the consolidated district is created under subsection (4), a jury trial in the fifty-fifth district conducted in connection with a criminal offense or any other cause of action that occurred in the county of Ingham, except for the cities of Lansing and East Lansing or the township of Lansing, must be before a jury of citizens who are residents of the county of Ingham, except for the cities of Lansing or East Lansing or the township of Lansing.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1972, Act 169, Imd. Eff. June 15, 1972;—Am. 1978, Act 164, Imd. Eff. May 25, 1978;—Am. 1980, Act 129, Imd. Eff. May 22, 1980;—Am. 1988, Act 135, Imd. Eff. May 27, 1988;—Am. 1995, Act 112, Imd. Eff. June 29, 1995;—Am. 2012, Act 16, Imd. Eff. Feb. 22, 2012;—Am. 2018, Act 666, Eff. Mar. 29, 2019.

**Compiler's note:** Sections 2 to 7 of Act 164 of 1978 provide:

**“Sections 600.6404, 600.6410, and 600.6413 effective January 1, 1979; effective date of changes in composition of judicial circuits or district court districts.**

“Section 2. Sections 6404, 6410, and 6413 of Act No. 236 of the Public Acts of 1961, as amended by this amendatory act, being sections 600.6404, 600.6410, and 600.6413 of the Compiled Laws of 1970, shall not take effect until January 1, 1979. Except as otherwise provided in sections 524, 527, and 534 of Act No. 236 of the Public Acts of 1961, as amended by this amendatory act, being sections 600.524, 600.527, and 600.534 of the Compiled Laws of 1970, the changes in the composition of judicial circuits or district court districts as provided in this amendatory act shall become effective for judicial purposes on January 1, 1979.

**“Election to fill new circuit and district judgeships; term.**

“Section 3. Except as otherwise provided in sections 4, 5, 6 and 7, the new circuit and district judgeships created by this amendatory act shall be filled by election pursuant to Act No. 116 of the Public Acts of 1954, as amended, being sections 168.1 to 168.992 of the Michigan Compiled Laws, for a term of 6 years commencing January 1, 1979.

**“Ballot; nominating petition; affidavit of candidacy.**

“Section 4. The new judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective circuit and district court districts. If another judicial office of the same court is to be filled by election in the same circuit or district, a candidate for a new judgeship authorized in that circuit or district by this amendatory act shall indicate, at the time of filing nominating petitions, whether the candidate is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in the applicable year. Petitions for a new judgeship created by this act shall bear signatures affixed to the petition after the effective date of this act. An elected incumbent circuit judge in a circuit in which the number of circuit judges has been increased by this amendatory act may become a candidate in the primary election for that office for any term for which a circuit judge is to be elected at the 1978 general election in that circuit by filing an affidavit of candidacy with the secretary of state not later than 4 days after the effective date of this amendatory act.

**“Terms of judges.**

“Section 5. Of the 2 additional judgeships created for the third judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidate receiving the second highest number of votes shall be elected for a term of 6 years. Of the 3 additional judgeships created for the sixth judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidates receiving the second and third highest number of votes shall be elected for a term of 6 years. Of the 2 additional judgeships created for the thirtieth judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidate receiving the second highest number of votes shall be elected for a term of 6 years. The additional circuit judges authorized by this amendatory act in the eighth, seventeenth, and twenty-ninth judicial circuits shall be elected for a term of 8 years. The additional circuit judge authorized by this amendatory act in the eighteenth, thirty-first, thirty-eighth, and fortieth judicial circuits shall be elected for a term of 10 years. The additional district judges authorized in the thirty-fifth and forty-first-a districts and in the first division of the fifty-sixth district shall be elected for a term of 4 years.

**“Election of additional judges; assumption and term of office.**

“Section 6. (1) The additional district judges authorized by this amendatory act in the fifty-fourth-b district and the first division of the fifty-second district shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 4 years.

“(2) The additional circuit judge authorized by this amendatory act in the fourteenth judicial circuit shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

**“Residence of certain circuit judges; effect.**

“Section 7. If the circuit judge elected in the twenty-sixth judicial circuit in 1978 is a resident of the county of Cheboygan on June 6, 1978, that person shall continue during the remainder of his or her term after January 1, 1981 as a judge of the thirty-third judicial circuit and the second circuit judgeship authorized by law for the twenty-sixth judicial circuit shall be filled by election in 1980 for a term of 8 years. If the circuit judge elected in the twenty-sixth judicial circuit in 1978 is a resident of 1 of the counties of Alpena, Montmorency, or Presque Isle on June 6, 1978, that person shall continue during the remainder of his or her term after January 1, 1981 as a judge of the twenty-sixth judicial circuit and the second circuit judgeship authorized by law for the thirty-third judicial circuit shall be filled by election in 1980 for a term of 6 years.”

Section 1 of Act 128 of 1980 provides:

**“Enacting sections amended; revised judicature act of 1961.**

“Section 1. Enacting sections 6 and 7 of Act No. 164 of the Public Acts of 1978 are amended to read as follows:

**“Election of additional judges; assumption and terms of office.**

“Section 6. (1) The additional district judge authorized by this amendatory act in the first division of the fifty-second district shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

“(2) The additional circuit judge authorized by this amendatory act in the fourteenth judicial circuit shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

**“Twenty-sixth judicial circuit; vacancy; residence of candidates; eligibility of electors; failure of Cheboygan county to approve creation of fifty-third judicial circuit and circuit judgeship.**

“Section 7. (1) If a vacancy occurs in the twenty-sixth judicial circuit between the effective date of this section, as amended, and June 3, 1980, candidates to fill the unexpired portion of the term shall be residents of the twenty-sixth judicial circuit as that circuit will be constituted on January 1, 1981, pursuant to this act. Electors of the counties of Alcona, Alpena, Montmorency, and Presque Isle shall be eligible to vote in the primary and general elections of 1980 to fill that vacancy and electors of those counties are qualified to sign and circulate nominating petitions for candidates to fill the vacancy.

“(2) If the county of Cheboygan does not approve the creation of the fifty-third judicial circuit and the circuit judgeship proposed for it pursuant to House Bill No. 5553 of the 1980 regular session of the legislature, the second circuit judgeship authorized by law for the thirty-third judicial circuit shall be filled by election in 1980 for a term of 6 years.”

Sections 2 to 5 of Act 129 of 1980 provide:

**“New circuit and district judgeships; appearance on ballot; duty of candidate; petitions; filing fee.**

“Section 2. The new circuit and district judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective circuits and district court districts. If another judicial office of the same court is to be filled by election in the same circuit, county, or district, a candidate for a new judgeship authorized in that circuit, county, or district by this amendatory act shall indicate, at the time of filing nominating petitions, whether the candidate is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in 1980. Petitions for a new judgeship created pursuant to this amendatory act shall bear signatures affixed to the petition after the date by which all counties in the circuit, all district control units in the district, or, in the case of a probate judgeship, the county, have adopted the resolutions required by law to create that office. Notwithstanding any other provision of law, a nonreturnable filing fee of \$250.00 may be paid up to 4 p.m. on June 3, 1980 in lieu of petitions for new judgeships authorized by this 1980 amendatory act which are to be filled by election in 1980.

**“Additional circuit judgeship for third judicial circuit; terms.**

“Section 3. If the additional circuit judgeship permitted by this amendatory act for the third judicial circuit is created pursuant to law, the candidate receiving the highest number of votes in the 1980 general election shall be elected for a term of 8 years, and the candidate receiving the second highest number of votes shall be elected for a term of 6 years.

**“Additional circuit judgeship for sixteenth judicial circuit; term.**

“Section 4. If the additional circuit judgeship permitted by this amendatory act for the sixteenth judicial circuit is created pursuant to law, the first term of that judgeship shall be 8 years.

**“Change in composition of affected judicial circuits; effective date.**

“Section 5. If a new judicial circuit of the circuit court is created pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1981. If the fifty-fourth judicial circuit is created pursuant to this act, the incumbent circuit judge of the fortieth judicial circuit who resides in Tuscola county shall become the judge of the fifty-fourth judicial circuit on January 1, 1981, and shall serve until the term for which he was elected in the fortieth judicial circuit expires.”

Section 2 of Act 135 of 1988 provides:

“Any additional district judgeship to be added by election in 1988 shall not be authorized to be filled by election unless each district control unit of the district, by resolution adopted by the governing body of the district control unit, approves the creation of that judgeship and unless the clerk of each district control unit adopting such a resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of the tenth Tuesday preceding the August primary for the election to fill the additional district judgeship.”



## **600.8126 Fifty-sixth district; creation of fifty-sixth-a district and fifty-sixth-b district.**

Sec. 8126. (1) Except as provided in subsection (2), the fifty-sixth district consists of the counties of Barry and Eaton, is a district of the first class, and is divided into the following election divisions:

- (a) The first division consists of the county of Barry and has 1 judge.
- (b) The second division consists of the county of Eaton and has 2 judges.

(2) Effective January 1, 1999, if the county of Eaton approves the creation of the fifty-sixth-a district pursuant to law, and if the county of Barry approves the creation of the fifty-sixth-b district pursuant to law, both of the following apply:

- (a) The fifty-sixth-a district consists of the county of Eaton, is a district of the first class, and has 2 judges.
- (b) The fifty-sixth-b district consists of the county of Barry, is a district of the first class, and has 1 judge.

**History:** Add. 1968, Act 154, Eff. June 17, 1968;—Am. 1978, Act 164, Imd. Eff. May 25, 1978;—Am. 1998, Act 14, Imd. Eff. Mar. 5 1998.

**Compiler's note:** Sections 2 to 7 of Act 164 of 1978 provide:

**“Sections 600.6404, 600.6410, and 600.6413 effective January 1, 1979; effective date of changes in composition of judicial circuits or district court districts.**

“Section 2. Sections 6404, 6410, and 6413 of Act No. 236 of the Public Acts of 1961, as amended by this amendatory act, being sections 600.6404, 600.6410, and 600.6413 of the Compiled Laws of 1970, shall not take effect until January 1, 1979. Except as otherwise provided in sections 524, 527, and 534 of Act No. 236 of the Public Acts of 1961, as amended by this amendatory act, being sections 600.524, 600.527, and 600.534 of the Compiled Laws of 1970, the changes in the composition of judicial circuits or district court districts as provided in this amendatory act shall become effective for judicial purposes on January 1, 1979.

**“Election to fill new circuit and district judgeships; term.**

“Section 3. Except as otherwise provided in sections 4, 5, 6 and 7, the new circuit and district judgeships created by this amendatory act shall be filled by election pursuant to Act No. 116 of the Public Acts of 1954, as amended, being sections 168.1 to 168.992 of the Michigan Compiled Laws, for a term of 6 years commencing January 1, 1979.

**“Ballot; nominating petition; affidavit of candidacy.**

“Section 4. The new judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective circuit and district court districts. If another judicial office of the same court is to be filled by election in the same circuit or district, a candidate for a new judgeship authorized in that circuit or district by this amendatory act shall indicate, at the time of filing nominating petitions, whether the candidate is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in the applicable year. Petitions for a new judgeship created by this act shall bear signatures affixed to the petition after the effective date of this act. An elected incumbent circuit judge in a circuit in which the number of circuit judges has been increased by this amendatory act may become a candidate in the primary election for that office for any term for which a circuit judge is to be elected at the 1978 general election in that circuit by filing an affidavit of candidacy with the secretary of state not later than 4 days after the effective date of this amendatory act.

**“Terms of judges.**

“Section 5. Of the 2 additional judgeships created for the third judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidate receiving the second highest number of votes shall be elected for a term of 6 years. Of the 3 additional judgeships created for the sixth judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidates receiving the second and third highest number of votes shall be elected for a term of 6 years. Of the 2 additional judgeships created for the thirtieth judicial circuit, the candidate receiving the highest number of votes in the 1978 general election shall be elected for a term of 8 years and the candidate receiving the second highest number of votes shall be elected for a term of 6 years. The additional circuit judges authorized by this amendatory act in the eighth, seventeenth, and twenty-ninth judicial circuits shall be elected for a term of 8 years. The additional circuit judge authorized by this amendatory act in the eighteenth, thirty-first, thirty-eighth, and fortieth judicial circuits shall be elected for a term of 10 years. The additional district judges authorized in the thirty-fifth and forty-first-a districts and in the first division of the fifty-sixth district shall be elected for a term of 4 years.

**“Election of additional judges; assumption and term of office.**

“Section 6. (1) The additional district judges authorized by this amendatory act in the fifty-fourth-b district and the first division of the fifty-second district shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 4 years.

“(2) The additional circuit judge authorized by this amendatory act in the fourteenth judicial circuit shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

**“Residence of certain circuit judges; effect.**

“Section 7. If the circuit judge elected in the twenty-sixth judicial circuit in 1978 is a resident of the county of Cheboygan on June 6, 1978, that person shall continue during the remainder of his or her term after January 1, 1981 as a judge of the thirty-third judicial circuit and the second circuit judgeship authorized by law for the twenty-sixth judicial circuit shall be filled by election in 1980 for a term of 8 years. If the circuit judge elected in the twenty-sixth judicial circuit in 1978 is a resident of 1 of the counties of Alpena, Montmorency, or Presque Isle on June 6, 1978, that person shall continue during the remainder of his or her term after January 1, 1981 as a judge of the twenty-sixth judicial circuit and the second circuit judgeship authorized by law for the thirty-third judicial circuit shall be filled by election in 1980 for a term of 6 years.”

Section 1 of Act 128 of 1980 provides:

**“Enacting sections amended; revised judicature act of 1961.**

“Section 1. Enacting sections 6 and 7 of Act No. 164 of the Public Acts of 1978 are amended to read as follows:

**“Election of additional judges; assumption and terms of office.**

“Section 6. (1) The additional district judge authorized by this amendatory act in the first division of the fifty-second district shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

“(2) The additional circuit judge authorized by this amendatory act in the fourteenth judicial circuit shall be elected in 1980 and shall assume office on January 1, 1981, for a term of 8 years.

**“Twenty-sixth judicial circuit; vacancy; residence of candidates; eligibility of electors; failure of Cheboygan county to**

**approve creation of fifty-third judicial circuit and circuit judgeship.**

“Section 7. (1) If a vacancy occurs in the twenty-sixth judicial circuit between the effective date of this section, as amended, and June 3, 1980, candidates to fill the unexpired portion of the term shall be residents of the twenty-sixth judicial circuit as that circuit will be constituted on January 1, 1981, pursuant to this act. Electors of the counties of Alcona, Alpena, Montmorency, and Presque Isle shall be eligible to vote in the primary and general elections of 1980 to fill that vacancy and electors of those counties are qualified to sign and circulate nominating petitions for candidates to fill the vacancy.

“(2) If the county of Cheboygan does not approve the creation of the fifty-third judicial circuit and the circuit judgeship proposed for it pursuant to House Bill No. 5553 of the 1980 regular session of the legislature, the second circuit judgeship authorized by law for the thirty-third judicial circuit shall be filled by election in 1980 for a term of 6 years.”

Enacting sections 1 and 2 of Act 14 of 1998 provide:

“Enacting section 1. The creation of the fifty-sixth-a district and the fifty-sixth-b district, as allowed by this 1998 amendatory act, shall not take place unless resolutions of approval by the county boards of commissioners of the counties of Barry and Eaton, as required by section 8176 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8176, are filed with the state court administrator not later than April 1, 1998.

“Enacting section 2. If new judicial districts of the district court are created under this amendatory act pursuant to section 8176 of the revised judicature act of 1961, 1961 PA 236, MCL 800.8176 [sic], the change in the composition of the affected judicial districts shall take effect for election purposes on April 1, 1998 and shall take effect for judicial purposes on January 1, 1999. If the fifty-sixth-a district and the fifty-sixth-b district are created pursuant to this amendatory act, all of the following apply as to the incumbent judges of the fifty-sixth district:

“(a) The incumbent judge who resides in the first election division of the fifty-sixth district and whose term expires on January 1, 2001 shall become a judge of the fifty-sixth-b district on January 1, 1999 for the balance of the term for which he or she was elected or appointed, except that he or she must continue to meet other requirements for eligibility to serve as district judge, including residency requirements.

“(b) If the incumbent judge in the second election division whose term expires January 1, 1999 seeks election in the fifty-sixth-a district for a term beginning January 1, 1999 and meets other requirements for eligibility to serve as district judge, including residency requirements, that judge is entitled to the designation of his or her office on the ballot in the 1998 August primary election and in the 1998 November general election. The incumbent judge may qualify for nomination by filing an affidavit of candidacy as an incumbent judge of the fifty-sixth-a district as provided in section 467c of the Michigan election law, 1954 PA 116, MCL 168.467c.

“(c) The incumbent judge in the second election division whose term expires January 1, 2003 shall become a judge of the fifty-sixth-a district on January 1, 1999 for the balance of the term for which he or she was elected or appointed, except that he or she must continue to meet other requirements for eligibility to serve as district judge, including residency requirements.”

**600.8127 Fifty-seventh district; Allegan county.**

Sec. 8127. The fifty-seventh district consists of the county of Allegan, is a district of the first class and has 2 judges.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1976, Act 125, Imd. Eff. May 21, 1976.

**600.8128 Fifty-eighth district.**

Sec. 8128. The fifty-eighth district consists of the county of Ottawa, is a district of the first class and has 3 judges. Subject to section 8175, this district may have 1 additional judge effective January 1, 1991.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1990, Act 54, Imd. Eff. Apr. 11, 1990.

**Compiler's note:** Section 2 of Act 54 of 1990 provides:

“If a new judicial circuit of the circuit court is created under this amendatory act pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1991. If the fifty-sixth judicial circuit is created pursuant to this amendatory act, the incumbent judge of the fifth judicial circuit who resides in Eaton county shall become the judge of the fifty-sixth judicial circuit on January 1, 1991, and shall serve until the term for which he or she was elected in the fifth judicial circuit expires.”

**600.8128a Fifty-ninth district.**

Sec. 8128a. The fifty-ninth district consists of the cities of Grandville and Walker, is a district of the third class and has 1 judge.

**History:** Add. 1977, Act 129, Imd. Eff. Oct. 21, 1977.

**600.8129 Sixtieth district.**

Sec. 8129. (1) The sixtieth district consists of the county of Muskegon, is a district of the first class and, through December 31, 1992, has 5 judges.

(2) Effective January 1, 1993, the sixtieth district has 4 judges.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1972, Act 363, Eff. Apr. 1, 1973;—Am. 1992, Act 50, Imd. Eff. May 12, 1992.

**600.8130 Sixty-first to sixty-third district.**

Sec. 8130. (1) The sixty-first district consists of the city of Grand Rapids, is a district of the third class, and has 6 judges.

(2) The sixty-second-a district consists of the city of Wyoming, is a district of the third class, and has 2 judges.

(3) The sixty-second-b district consists of the city of Kentwood, is a district of the third class, and has 1

judge.

(4) The sixty-third district consists of the county of Kent, except the cities of Grand Rapids, Walker, Grandville, Wyoming, and Kentwood, is a district of the second class, and has 2 judges. For purposes of the November 2020 general election only, the term of the candidate who receives the greatest number of votes is 8 years and the term of the candidate who receives the second greatest number of votes is 6 years. Subject to section 8175, the sixty-third district may have 1 additional judge beginning January 1, 2025.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1970, Act 30, Imd. Eff. June 11, 1970;—Am. 1977, Act 129, Imd. Eff. Oct. 21, 1977;—Am. 1988, Act 135, Imd. Eff. May 27, 1988;—Am. 2014, Act 60, Imd. Eff. Mar. 27, 2014;—Am. 2023, Act 311, Imd. Eff. Dec. 14, 2023.

**Compiler's note:** Section 2 of Act 135 of 1988 provides: "Any additional district judgeship to be added by election in 1988 shall not be authorized to be filled by election unless each district control unit of the district, by resolution adopted by the governing body of the district control unit, approves the creation of that judgeship and unless the clerk of each district control unit adopting such a resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of the tenth Tuesday preceding the August primary for the election to fill the additional district judgeship."

#### **600.8131 Sixty-fourth-a district and sixty-fourth-b district.**

Sec. 8131. (1) The sixty-fourth-a district consists of the county of Ionia, is a district of the first class and has 1 judge.

(2) The sixty-fourth-b district consists of the county of Montcalm, is a district of the first class, and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1970, Act 49, Imd. Eff. Jan. 1, 1971;—Am. 1990, Act 54, Imd. Eff. Apr. 11, 1990;—Am. 1992, Act 50, Imd. Eff. May 12, 1992;—Am. 1994, Act 138, Imd. Eff. May 26, 1994.

**Compiler's note:** Section 2 of Act 54 of 1990 provides:

"If a new judicial circuit of the circuit court is created under this amendatory act pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1991. If the fifty-sixth judicial circuit is created pursuant to this amendatory act, the incumbent judge of the fifth judicial circuit who resides in Eaton county shall become the judge of the fifty-sixth judicial circuit on January 1, 1991, and shall serve until the term for which he or she was elected in the fifth judicial circuit expires."

#### **600.8132 Sixty-fifth-a district; sixty-fifth-b district.**

Sec. 8132. (1) The sixty-fifth-a district consists of the county of Clinton, is a district of the first class, and has 1 judge.

(2) The sixty-fifth-b district consists of the county of Gratiot, is a district of the first class, and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1998, Act 47, Imd. Eff. Mar. 30, 1998;—Am. 2011, Act 300, Imd. Eff. Dec. 22, 2011;—Am. 2012, Act 624, Imd. Eff. Jan. 9, 2013;—Am. 2013, Act 33, Imd. Eff. May 20, 2013.

**Compiler's note:** Enacting sections 1 and 2 of Act 46 of 1998 provide:

"Enacting section 1. The creation of the sixty-fifth-a district and the sixty-fifth-b district, as allowed by this 1998 amendatory act, shall not take place unless resolutions of approval by the county boards of commissioners of the counties of Clinton and Gratiot, as required by section 8176 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8176, are filed with the state court administrator not later than April 1, 1998.

"Enacting section 2. If new judicial districts of the district court are created under this amendatory act pursuant to section 8176 of the revised judicature act of 1961, 1961 PA 236, MCL 800.8176 [sic], the change in the composition of the affected judicial districts shall take effect for judicial purposes on January 1, 1999. If the sixty-fifth-a and sixty-fifth-b districts are created pursuant to this amendatory act, all of the following apply as to the incumbent judges of the sixty-fifth district serving on the effective date of this amendatory act:

"(a) The incumbent judge who resides in Clinton county and whose term expires on January 1, 2003 shall become a judge of the sixty-fifth-a district on January 1, 1999 for the balance of the term for which he or she was elected, except that he or she must continue to meet other requirements for eligibility to serve as district judge, including residency requirements.

"(b) The incumbent judge who resides in Gratiot county and whose term expires on January 1, 2003 shall become a judge of the sixty-fifth-b district on January 1, 1999 for the balance of the term for which he or she was elected, except that he or she must continue to meet other requirements for eligibility to serve as district judge, including residency requirements."

#### **600.8133 Sixty-sixth district; Shiawassee county.**

Sec. 8133. (1) Except as provided in subsection (2), the sixty-sixth district consists of the county of Shiawassee, is a district of the first class, and has 2 judges.

(2) Beginning on the earlier of the following dates, the sixty-sixth district has 1 judge:

(a) The date on which a vacancy occurs in the office of district judge in the sixty-sixth district.

(b) The beginning date of the term for which an incumbent district judge in the sixty-sixth district no longer seeks election or reelection to that office.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1970, Act 30, Imd. Eff. June 11, 1970;—Am. 2012, Act 17, Imd. Eff. Feb. 22, 2012.

#### **600.8134 Sixty-seventh and sixty-eighth districts.**

Sec. 8134. (1) Unless the sixty-seventh district court and the sixty-eighth district court are consolidated

under subsection (4), the sixty-seventh district consists of the county of Genesee except the city of Flint, is a district of the second class, and is divided into the following election divisions:

(a) The first division consists of the cities of Flushing and Clio and the townships of Flushing, Flint, Montrose, Thetford, and Vienna and has 1 judge.

(b) The second division consists of the cities of Davison and Burton and the townships of Davison, Forest, Richfield, and Atlas and has 2 judges.

(c) The third division consists of the city of Mt. Morris and the townships of Mt. Morris and Genesee and has 1 judge.

(d) The fourth division consists of the cities of Grand Blanc and Swartz Creek and the townships of Fenton, Argentine, Grand Blanc, Mundy, Gaines, and Clayton and has 2 judges. The fourth division also includes the city of Fenton, which is located in both the counties of Genesee and Oakland.

(2) Unless the sixty-seventh district court and the sixty-eighth district court are consolidated under subsection (4), notwithstanding any other provision of this act, the county board of commissioners may by resolution designate the county seat as a place where the court for the sixty-seventh district shall sit in a central court facility. The adoption of a resolution described in this subsection does not require the approval of the majority of the judges of the district, and binds the county to maintain a court facility in each municipality in the sixty-seventh district where a court facility exists on the date of the resolution.

(3) Except as provided in subsection (4), the sixty-eighth district consists of the city of Flint, is a district of the third class, and has the following number of judges:

(a) Until the date determined under subdivision (b), this district has 5 judges.

(b) This district has 4 judges beginning on the earlier of the following dates:

(i) The date on which a vacancy occurs in the office of district judge in the sixty-eighth district, unless the vacancy occurs after the vacating judge has been defeated in a primary or general election.

(ii) The beginning date of the term for which an incumbent district judge in the sixty-eighth district no longer seeks election or reelection to that office.

(4) If the governing body of the county of Genesee, by a vote of 2/3 of the commissioners elected and serving, and the governing body of the city of Flint approve by resolutions the consolidation of the sixty-seventh and sixty-eighth districts, all of the following apply:

(a) Beginning the first January 2 after the approval of both governing bodies, the sixty-eighth district is abolished and the sixty-seventh district consists of the county of Genesee, is a district of the first class, and is divided into the following election divisions:

(i) The first division consists of the cities of Flushing and Clio and the townships of Flushing, Flint, Montrose, Thetford, and Vienna and has 1 judge.

(ii) The second division consists of the cities of Davison and Burton and the townships of Davison, Forest, Richfield, and Atlas and has 2 judges.

(iii) The third division consists of the city of Mt. Morris and the townships of Mt. Morris and Genesee and has 1 judge.

(iv) The fourth division consists of the cities of Grand Blanc and Swartz Creek and the townships of Fenton, Argentine, Grand Blanc, Mundy, Gaines, and Clayton and has 2 judges. The fourth division also includes the city of Fenton, which is located in both the counties of Genesee and Oakland.

(v) The fifth division consists of the city of Flint. The judgeships in the fifth division shall be filled by the incumbent judges of the sixty-eighth district, who shall become judges of the fifth division for the balance of the term to which they were elected or appointed. The fifth division has the following number of judges:

(A) If there are 5 judges in the sixty-eighth district at the time the sixty-seventh and sixty-eighth districts are consolidated, this division has 5 judges. This division has 4 judges beginning on the date on which a vacancy occurs in the office of district judge in this division unless the vacancy occurs after the vacating judge has been defeated in a primary or general election, or the beginning date of the term for which an incumbent district judge in this division no longer seeks election or reelection to that office, whichever is earlier.

(B) If there are 4 judges in the sixty-eighth district at the time the sixty-seventh and sixty-eighth districts are consolidated, this division has 4 judges.

(b) The clerk of the county of Genesee and the clerk of the city of Flint shall file copies of the resolutions with the state court administrator, who, as authorized by the supreme court, shall notify the elections division of the department of state that the consolidation has been approved under this section.

(c) For not less than 2 years after March 27, 2014, the governing body of the county of Genesee shall maintain a court facility in each municipality within the county where a court facility exists on March 27, 2014. The governing body of the county of Genesee may maintain court facilities in any municipality within the county after March 27, 2016.

(d) By proposing or authorizing the consolidation of the sixty-seventh and sixty-eighth districts, the legislature is not creating a new obligation for any affected district control unit. If a district control unit, acting through its governing body, approves the consolidation, then the approval constitutes an exercise of the district control unit's option to increase the level of activity and service offered in that district control unit beyond that required by existing law, as the elements of that option are provided by 1979 PA 101, MCL 21.231 to 21.244, and a voluntary acceptance by that district control unit of all expenses and capital improvements that may result from the consolidation of the districts. However, the exercise of the option does not affect the state's obligation to pay the same portion of each judge's salary that is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district control unit for the necessary costs of state requirements established by a state law that takes effect on or after December 23, 1978.

(e) Sections 8177 and 8178 do not apply to the consolidation of the sixty-seventh and sixty-eighth districts.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1972, Act 169, Imd. Eff. June 15, 1972;—Am. 1974, Act 145, Imd. Eff. June 7, 1974;—Am. 1980, Act 129, Imd. Eff. May 22, 1980;—Am. 1987, Act 75, Imd. Eff. June 29, 1987;—Am. 2001, Act 253, Eff. Mar. 22, 2002;—Am. 2012, Act 16, Imd. Eff. Feb. 22, 2012;—Am. 2014, Act 60, Imd. Eff. Mar. 27, 2014;—Am. 2016, Act 41, Eff. June 13, 2016.

**Compiler's note:** Sections 2 to 7 of Act 145 of 1974 provide:

**“Effective date of changes.**

“Section 2. The changes in the composition of judicial circuits or district court districts as provided in this amendatory act shall become effective for judicial purposes on January 1, 1975.

**“Election of additional circuit and district judges; assumption of office; appearance of new judgeships on ballot; nominating petitions; incumbent judges.**

“Section 3. The additional circuit and district judges authorized by this amendatory act shall be elected in 1974 and shall assume office on January 1, 1975. The new judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective judicial circuits and district court districts. If another judicial office of the same court is to be filled by election in the same circuit or district, a candidate for a new judgeship authorized in that circuit or district by this amendatory act shall indicate, at the time of filing his nominating petitions, whether he is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in the applicable year. Petitions for a new judgeship created by this act must bear signatures affixed thereto after the effective date of this act. Any incumbent circuit or district judge whose term is expiring January 1, 1975, and who is seeking election to a judicial office of the same court in 1974 is entitled to the designation of his office even if he is a candidate for a new office of the same court authorized by this amendatory act.

**“Nominating petitions.**

“Section 4. Notwithstanding any other provision of law, nominating petitions for the offices added by this 1974 amendatory act shall contain not less than 1/2 of 1% nor more than 2% of the total number of votes cast in that judicial circuit for secretary of state at the last preceding general November election in which a secretary of state was elected.

**“Nomination, election, and terms of candidates for new circuit judgeships.**

“Section 5. Notwithstanding the provisions of sections 3 and 4 of Act No. 169 of the Public Acts of 1972, the 10 candidates for the new circuit judgeships in the third judicial circuit created by Act No. 169 of the Public Acts of 1972 who receive the highest votes in the August primary election shall be deemed nominated for the 5 new judgeships created thereby. Of the additional judgeships so created for the third judicial circuit the candidate receiving the highest number of votes in the 1974 general election shall be elected for a term of 10 years, the candidates receiving the second and third highest number of votes shall be elected for a term of 8 years, and the candidates receiving the fourth and fifth highest number of votes shall be elected for a term of 6 years.

**“Terms of additional circuit judges.**

“Section 6. The additional circuit judges authorized by this amendatory act shall be elected for a term of 6 years except that the additional circuit judge authorized by this amendatory act in the forty-fourth judicial circuit shall be elected for a term of 8 years.

**“Terms of additional district judges in certain districts.**

“Section 7. In districts in which the district court is already functioning on the effective date of this amendatory act, the additional district judges authorized by this amendatory act shall be elected for a term of 6 years, except that the additional district judges authorized in the first election division of the ninth district and in the fifteenth district shall be elected for a term of 8 years and that the additional district judge authorized in the newly divided forty-first-a district shall be elected for a term of 4 years.”

Sections 2 to 5 of Act 129 of 1980 provide:

**“New circuit and district judgeships; appearance on ballot; duty of candidate; petitions; filing fee.**

“Section 2. The new circuit and district judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective circuits and district court districts. If another judicial office of the same court is to be filled by election in the same circuit, county, or district, a candidate for a new judgeship authorized in that circuit, county, or district by this amendatory act shall indicate, at the time of filing nominating petitions, whether the candidate is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in 1980. Petitions for a new judgeship created pursuant to this amendatory act shall bear signatures affixed to the petition after the date by which all counties in the circuit, all district control units in the district, or, in the case of a probate judgeship, the county, have adopted the resolutions required by law to create that office. Notwithstanding any other provision of law, a nonreturnable filing fee of \$250.00 may be paid up to 4 p.m. on June 3, 1980 in lieu of petitions for new judgeships authorized by this 1980 amendatory act which are to be filled by election in 1980.

**“Additional circuit judgeship for third judicial circuit; terms.**

“Section 3. If the additional circuit judgeship permitted by this amendatory act for the third judicial circuit is created pursuant to law, the candidate receiving the highest number of votes in the 1980 general election shall be elected for a term of 8 years, and the candidate receiving the second highest number of votes shall be elected for a term of 6 years.

**“Additional circuit judgeship for sixteenth judicial circuit; term.**

“Section 4. If the additional circuit judgeship permitted by this amendatory act for the sixteenth judicial circuit is created pursuant to law, the first term of that

Sec. 8134. (1) The sixty-seventh district consists of the county of Genesee except the city of Flint, is a district of the second class, and is divided into the following election divisions:

(a) The first division consists of the cities of Flushing and Clio and the townships of Flushing, Flint, Montrose, Thetford, and Vienna and has 1 judge.

(b) The second division consists of the cities of Davison and Burton and the townships of Davison, Forest, Richfield, and Atlas and has 2 judges.

(c) The third division consists of the city of Mt. Morris and the townships of Mt. Morris and Genesee and has 1 judge.

(d) The fourth division consists of the cities of Fenton, Grand Blanc, and Swartz Creek and the townships of Fenton, Argentine, Grand Blanc, Mundy, Gaines, and Clayton and has 2 judges.

(2) Notwithstanding any other provision of this act, the county board of commissioners may by resolution designate the county seat as a place where the court for the sixty-seventh district shall sit in a central court facility. The adoption of such a resolution shall not require the approval of the majority of the judges of the district, and shall bind the county to maintain a court facility in each municipality in the sixty-seventh district where a court facility exists on the date of the resolution.

(3) The sixty-eighth district consists of the city of Flint, is a district of the third class, and has the following number of judges:

(a) Until subdivision (b) takes effect, this district has 6 judges.

(b) This district has 5 judges beginning on the earlier of the following dates:

(i) The date on which a vacancy occurs in the office of district judge in this district.

(ii) The beginning date of the term for which an incumbent district judge in this district no longer seeks reelection to that office.

**“Change in composition of affected judicial circuits; effective date.**

“Section 5. If a new judicial circuit of the circuit court is created pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1981. If the fifty-fourth judicial circuit is created pursuant to this act, the incumbent circuit judge of the fortieth judicial circuit who resides in Tuscola county shall become the judge of the fifty-fourth judicial circuit on January 1, 1981, and shall serve until the term for which he was elected in the fortieth judicial circuit expires.”

### **600.8135 Seventieth district.**

Sec. 8135. The seventieth district consists of the county of Saginaw, is a district of the first class, and is divided into the following election divisions:

(a) The first division consists of the cities of Saginaw and Zilwaukee and the townships of Zilwaukee, Buena Vista, Carrollton, and Bridgeport, and has 3 judges. However, the first division has 2 judges beginning on the date on which a vacancy occurs in the office of district judge in the first division unless the vacancy occurs after the vacating judge has been defeated in a primary or general election, or the beginning date of the term for which an incumbent district judge in the first division no longer seeks election or reelection to that office, whichever is earlier.

(b) The second division consists of the county of Saginaw, except the cities of Saginaw and Zilwaukee and the townships of Zilwaukee, Buena Vista, Carrollton, and Bridgeport, and has 2 judges. However, the second division has 3 judges beginning on the date on which a vacancy occurs in the office of district judge in the first division, unless the vacancy occurs after the vacating judge has been defeated in a primary or general election, or the beginning date of the term for which an incumbent district judge in the first division no longer seeks election or reelection to that office, whichever is earlier. The judgeship transferred from the first division to the second division is not considered an additional judgeship for purposes of section 8175 and may be filled by appointment by the governor if it is the result of a vacancy in the first division.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1971, Act 38, Eff. Jan. 1, 1972;—Am. 1982, Act 161, Imd. Eff. May 20, 1982;—Am. 2014, Act 60, Imd. Eff. Mar. 27, 2014.

### **600.8136 Seventy-first-a and seventy-first-b districts.**

Sec. 8136. (1) The seventy-first-a district consists of the county of Lapeer, is a district of the first class, and has 2 judges. Beginning 12 noon, January 1, 2013, the seventy-first-a district has 1 judge.

(2) The seventy-first-b district consists of the county of Tuscola, is a district of the first class, and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1970, Act 30, Imd. Eff. June 11, 1970;—Am. 2011, Act 300, Imd. Eff. Dec. 22, 2011.

### **600.8137 Seventy-second district; St. Clair county.**

Sec. 8137. The seventy-second district consists of the county of St. Clair, is a district of the first class and has 3 judges.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

### **600.8138 Seventy-third-a and seventy-third-b districts.**

Sec. 8138. (1) The seventy-third-a district consists of the county of Sanilac and is a district of the first class. Under section 810a, the probate judge for the county of Sanilac shall serve as judge of the seventy-third-a district.

(2) Until April 1, 2012, the seventy-third-b district consists of the county of Huron, is a district of the first

class, and has 1 judge. Beginning April 1, 2012, the seventy-third-b district consists of the county of Huron and is a district of the first class. Under section 810a, a probate judge for the county of Huron shall serve as judge of the seventy-third-b district.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1998, Act 46, Imd. Eff. Mar. 30, 1998;—Am. 2011, Act 300, Imd. Eff. Dec. 22, 2011;—Am. 2012, Act 36, Imd. Eff. Feb. 28, 2012.

**Compiler's note:** Enacting sections 1 and 2 of Act 46 of 1998 provide:

“Enacting section 1. The creation of the seventy-third-a district and the seventy-third-b district, as allowed by this 1998 amendatory act, shall not take place unless resolutions of approval by the county boards of commissioners of the counties of Huron and Sanilac, as required by section 8176 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8176, are filed with the state court administrator not later than April 1, 1998.

“Enacting section 2. If new judicial districts of the district court are created under this amendatory act pursuant to section 8176 of the revised judicature act of 1961, 1961 PA 236, MCL 800.8176 [sic], the change in the composition of the affected judicial districts shall take effect for judicial purposes on January 1, 1999. If the seventy-third-a district and the seventy-third-b district are created pursuant to this amendatory act, both of the following apply to the judges of the seventy-third district serving on the effective date of this amendatory act:

“(a) The judge who resides in Sanilac county and whose term expires on January 1, 2003 shall become a judge of the seventy-third-a district on January 1, 1999 for the balance of the term for which he or she was elected, except that he or she must continue to meet other requirements for eligibility to serve as district judge, including residency requirements.

“(b) The judge who resides in Huron county and whose term expires on January 1, 2003 shall become a judge of the seventy-third-b district on January 1, 1999 for the balance of the term to which he or she was elected, except that he or she must continue to meet other requirements for eligibility to serve as district judge, including residency requirements.”

#### **600.8139 Seventy-fourth district; Bay county.**

Sec. 8139. The seventy-fourth district consists of the county of Bay, is a district of the first class and has 3 judges.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

#### **600.8140 Seventy-fifth district; Midland county.**

Sec. 8140. (1) Except as provided in subsection (2), the seventy-fifth district consists of the county of Midland, is a district of the first class, and has 2 judges.

(2) Beginning on the earlier of the following dates, the seventy-fifth district has 1 judge:

(a) The date on which a vacancy occurs in the office of district judge in the seventy-fifth district.

(b) The beginning date of the term for which an incumbent district judge in the seventy-fifth district no longer seeks election or reelection to that office.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 2012, Act 23, Imd. Eff. Feb. 22, 2012.

#### **600.8141 Seventy-sixth district; Isabella county.**

Sec. 8141. The seventy-sixth district consists of the county of Isabella, is a district of the first class and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

#### **600.8142 Seventy-seventh district; Mecosta and Osceola counties.**

Sec. 8142. The seventy-seventh district consists of the counties of Mecosta and Osceola, is a district of the first class and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

#### **600.8143 Seventy-eighth district.**

Sec. 8143. (1) Until June 30, 2022, the seventy-eighth district consists of the counties of Newaygo and Oceana, is a district of the first class, and has 1 judge. Beginning July 1, 2022, the seventy-eighth district consists of the counties of Newaygo and Lake, is a district of the first class, and has 1 judge.

(2) The incumbent judge of the seventy-eighth district who resides in Newaygo County shall become the judge of the reformed seventy-eighth district on July 1, 2022, and shall serve until the term for which he or she was elected in the seventy-eighth district expires.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 2002, Act 92, Eff. Mar. 31, 2003;—Am. 2022, Act 7, Imd. Eff. Feb. 9, 2022.

#### **600.8144 Seventy-ninth district.**

Sec. 8144. (1) Until June 30, 2022, the seventy-ninth district consists of the counties of Lake and Mason, is a district of the first class, and has 1 judge. Beginning July 1, 2022, the seventy-ninth district consists of the counties of Mason and Oceana, is a district of the first class, and has 1 judge.

(2) The incumbent judge of the seventy-ninth district who resides in Mason County shall become the judge of the reformed seventy-ninth district on July 1, 2022, and shall serve until the term for which he or she was

elected in the seventy-ninth district expires.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 2002, Act 92, Eff. Mar. 31, 2003;—Am. 2012, Act 18, Imd. Eff. Feb. 22, 2012;—Am. 2020, Act 82, Imd. Eff. Apr. 2, 2020;—Am. 2022, Act 7, Imd. Eff. Feb. 9, 2022.

#### **600.8145 Eightieth district; Clare and Gladwin counties.**

Sec. 8145. The eightieth district consists of the counties of Clare and Gladwin, is a district of the first class and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

#### **600.8146 Eighty-first district.**

Sec. 8146. (1) Until the date determined under subsection (2), the eighty-first district consists of the counties of Alcona, Arenac, Iosco, and Oscoda, is a district of the first class, and has 1 judge.

(2) Beginning on the date on which a vacancy occurs in the office of district judge in the eighty-first district or the beginning date of the term for which the incumbent district judge in the eighty-first district no longer seeks election or reelection to that office, whichever is earlier, all of the following apply:

(a) The eighty-first district consists of the counties of Alcona, Arenac, Iosco, and Oscoda and is a district of the first class.

(b) Under section 810a, the probate judge for the county of Alcona shall serve as judge of the eighty-first district within the county of Alcona.

(c) Under section 810a, the probate judge for the county of Arenac shall serve as judge of the eighty-first district within the county of Arenac.

(d) Under section 810a, the probate judge for the county of Iosco shall serve as judge of the eighty-first district within the county of Iosco.

(e) Under section 810a, the probate judge for the county of Oscoda shall serve as judge of the eighty-first district within the county of Oscoda.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 2002, Act 92, Eff. Mar. 31, 2003;—Am. 2012, Act 35, Imd. Eff. Feb. 28, 2012.

#### **600.8147 Eighty-second district.**

Sec. 8147. (1) Except as provided in subsection (2), the eighty-second district consists of the county of Ogemaw, is a district of the first class, and has 1 judge.

(2) Beginning April 1, 2012, the eighty-second district consists of the counties of Ogemaw and Roscommon, is a district of the first class, and has 2 judges. The additional judgeship in the eighty-second district shall be filled by the incumbent judge of the eighty-third district, who shall become a judge of the eighty-second district for the balance of the term to which he or she was elected or appointed. The eighty-second district shall have 1 judge beginning on the earlier of the following dates:

(a) The date on which a vacancy occurs in the office of district judge in this district.

(b) The beginning date of the term for which an incumbent district judge in this district no longer seeks election or reelection to that office.

(3) Sections 8175 and 8176 do not apply to the consolidation of the eighty-second and eighty-third districts.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1990, Act 54, Imd. Eff. Apr. 11, 1990;—Am. 2002, Act 92, Eff. Mar. 31, 2003;—Am. 2012, Act 35, Imd. Eff. Feb. 28, 2012.

**Compiler's note:** Section 2 of Act 54 of 1990 provides:

“If a new judicial circuit of the circuit court is created under this amendatory act pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1991. If the fifty-sixth judicial circuit is created pursuant to this amendatory act, the incumbent judge of the fifth judicial circuit who resides in Eaton county shall become the judge of the fifty-sixth judicial circuit on January 1, 1991, and shall serve until the term for which he or she was elected in the fifth judicial circuit expires.”

#### **600.8148 Eighty-third district.**

Sec. 8148. (1) Except as provided in subsection (2), the eighty-third district consists of the county of Roscommon, is a district of the first class, and has 1 judge.

(2) Beginning April 1, 2012, the eighty-third district is abolished and the incumbent judge of the eighty-third district shall become a judge of the eighty-second district for the balance of the term to which he or she was elected or appointed.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 2002, Act 92, Eff. Mar. 31, 2003;—Am. 2012, Act 35, Imd. Eff. Feb. 28, 2012.

#### **600.8149 Eighty-fourth district; Wexford and Missaukee counties.**

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Sec. 8149. The eighty-fourth district consists of the counties of Wexford and Missaukee, is a district of the first class and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

#### **600.8150 Eighty-fifth district; Manistee and Benzie counties.**

Sec. 8150. The eighty-fifth district consists of the counties of Manistee and Benzie and is a district of the first class. Under section 810a, the probate judge for the county of Manistee shall serve as judge of the eighty-fifth district within Manistee county and the probate judge for the county of Benzie shall serve as judge of the eighty-fifth district within Benzie county.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 2011, Act 300, Imd. Eff. Dec. 22, 2011.

#### **600.8151 Eighty-sixth district; Grand Traverse, Antrim, and Leelanau counties.**

Sec. 8151. (1) Except as provided in subsection (2), the eighty-sixth district consists of the counties of Grand Traverse, Antrim, and Leelanau, is a district of the first class, and has 3 judges.

(2) Beginning on the earlier of the following dates, the eighty-sixth district has 2 judges:

(a) The date on which a vacancy occurs in the office of district judge in the eighty-sixth district.

(b) The beginning date of the term for which an incumbent district judge in the eighty-sixth district no longer seeks election or reelection to that office.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1976, Act 125, Imd. Eff. May 21, 1976;—Am. 2000, Act 38, Imd. Eff. Mar. 24, 2000;—Am. 2012, Act 33, Imd. Eff. Feb. 28, 2012.

**Compiler's note:** Enacting section 1 of 2000 PA 38 provides:

"The following provisions apply to the 2000 general election for judgeship of the eighty-sixth district only:

"(a) If 2 incumbent district judges of the eighty-sixth district are candidates for the office of judge, or if no incumbent district judge of the eighty-sixth district is a candidate for the office of judge, the candidate for judgeship of the eighty-sixth district receiving the highest number of votes in the 2000 general election shall be elected for a term of 6 years and the candidate for judgeship of the eighty-sixth district receiving the second highest number of votes shall be elected for a term of 4 years for that election only.

"(b) If 1 incumbent district judge of the eighty-sixth district is a candidate for the office of judge, the candidate receiving the highest number of votes for the judgeship for which the incumbent judge is seeking election shall be elected for a term of 6 years, and the candidate receiving the highest number of votes for the judgeship for which the incumbent judge is not seeking election shall be elected for a term of 4 years."

#### **600.8152 Eighty-seventh-A district; eighty-seventh-B district; eighty-seventh-C district; Otsego, Kalkaska, and Crawford counties.**

Sec. 8152. (1) The eighty-seventh-A district consists of the county of Otsego, is a district of the first class, and has the following number of judges:

(a) Until the date determined under subdivision (b), this district has 1 judge.

(b) Beginning on the date on which a vacancy occurs in the office of district judge in the eighty-seventh-A district or the beginning date of the term for which the incumbent district judge in the eighty-seventh-A district no longer seeks election or reelection to that office, whichever is earlier, the eighty-seventh-A district consists of the county of Otsego and is a district of the first class. Under section 810a, the probate judge for the county of Otsego shall serve as judge of the eighty-seventh-A district.

(2) The eighty-seventh-B district consists of the county of Kalkaska and is a district of the first class. Under section 810a, the Kalkaska county probate judge shall serve as judge of the eighty-seventh-B district.

(3) The eighty-seventh-C district consists of the county of Crawford and is a district of the first class. Under section 810a, the Crawford county probate judge shall serve as judge of the eighty-seventh-C district.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1990, Act 54, Imd. Eff. Apr. 11, 1990;—Am. 2000, Act 38, Imd. Eff. Mar. 24, 2000;—Am. 2002, Act 92, Eff. Mar. 31, 2003;—Am. 2008, Act 137, Eff. Mar. 31, 2009;—Am. 2012, Act 20, Imd. Eff. Feb. 22, 2012.

**Compiler's note:** Section 2 of Act 54 of 1990 provides:

"If a new judicial circuit of the circuit court is created under this amendatory act pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1991. If the fifty-sixth judicial circuit is created pursuant to this amendatory act, the incumbent judge of the fifth judicial circuit who resides in Eaton county shall become the judge of the fifty-sixth judicial circuit on January 1, 1991, and shall serve until the term for which he or she was elected in the fifth judicial circuit expires."

Enacting sections 1 and 2 of Act 137 of 2008 provide:

"Enacting section 1. The judge of the eighty-seventh district at 11:59 p.m. on January 1, 2009, who resides in the county of Otsego, shall serve as judge of the eighty-seventh-A district for the balance of the term to which he or she was elected or appointed judge of the eighty-seventh district.

"Enacting section 2. If Otsego county, acting through its governing body, approves the reformation of the eighty-seventh district to consist of the county of Otsego with 1 district judgeship, that approval constitutes an exercise of the district funding unit's option to provide a new activity or service or to increase the level of activity or service offered in the district funding unit beyond that required by existing law, as the elements of that option are defined by 1979 PA 101, MCL 21.231 to 21.244, and a voluntary acceptance by the

district funding unit of all expenses and capital improvements that may result from reformation of the district. However, the exercise of the option does not affect the state's obligation to pay the same portion of each judge's salary which is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district funding unit for the necessary costs of state requirements established by a state law which becomes effective on or after December 23, 1978."

**600.8153 Eighty-eighth district; Alpena and Montmorency counties.**

Sec. 8153. (1) Until the date determined under subsection (2), the eighty-eighth district consists of the counties of Alpena and Montmorency, is a district of the first class, and has 1 judge.

(2) Beginning on the date on which a vacancy occurs in the office of district judge in the eighty-eighth district or the beginning date of the term for which the incumbent district judge in the eighty-eighth district no longer seeks election or reelection to that office, whichever is earlier, the eighty-eighth district consists of the counties of Alpena and Montmorency and is a district of the first class. Under section 810a, the probate judge for the county of Alpena shall serve as judge of the eighty-eighth district within the county of Alpena, and the probate judge for the county of Montmorency shall serve as judge of the eighty-eighth district within the county of Montmorency.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 2012, Act 20, Imd. Eff. Feb. 22, 2012.

**600.8154 Eighty-ninth district.**

Sec. 8154. The eighty-ninth district consists of the counties of Cheboygan and Presque Isle, is a district of the first class, and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 2012, Act 20, Imd. Eff. Feb. 22, 2012;—Am. 2022, Act 8, Imd. Eff. Feb. 9, 2022.

**600.8155 Ninetieth district; Emmet and Charlevoix counties.**

Sec. 8155. The ninetieth district consists of the counties of Emmet and Charlevoix, is a district of the first class and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

**600.8156 Ninety-first district; Chippewa county.**

Sec. 8156. Until April 1, 2012, the ninety-first district consists of the county of Chippewa, is a district of the first class, and has 1 judge. Beginning April 1, 2012, the ninety-first district consists of the county of Chippewa and is a district of the first class. Under section 810a, a probate judge for the county of Chippewa shall serve as judge of the ninety-first district.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 2012, Act 36, Imd. Eff. Feb. 28, 2012.

**600.8157 Ninety-second district; Mackinac and Luce counties.**

Sec. 8157. The ninety-second district consists of the counties of Mackinac and Luce, is a district of the first class and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

**600.8158 Ninety-third district; Schoolcraft and Alger counties.**

Sec. 8158. (1) Until the date determined under subsection (2), the ninety-third district consists of the counties of Schoolcraft and Alger, is a district of the first class, and has 1 judge.

(2) Beginning on the date on which a vacancy occurs in the office of district judge in the ninety-third district or the beginning date of the term for which the incumbent district judge in the ninety-third district no longer seeks election or reelection to that office, whichever is earlier, the ninety-third district consists of the counties of Schoolcraft and Alger and is a district of the first class. Under section 810a, the probate judge for the fifth probate district described in section 807 shall serve as judge of the ninety-third district.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 2012, Act 34, Imd. Eff. Feb. 28, 2012.

**600.8159 Ninety-fourth district; Delta county.**

Sec. 8159. The ninety-fourth district consists of the county of Delta, is a district of the first class and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

**600.8160 Ninety-fifth-a district and ninety-fifth-b district.**

Sec. 8160. (1) The ninety-fifth-a district consists of the county of Menominee, is a district of the first class, and has 1 judge.

(2) The ninety-fifth-b district consists of the counties of Dickinson and Iron, is a district of the first class, and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1972, Act 169, Imd. Eff. June 15, 1972;—Am. 2012, Act 21, Imd. Eff. Feb. 22, 2012;—Am. 2019, Act 1, Imd. Eff. Mar. 21, 2019.

**600.8161 Ninety-sixth district; Marquette county.**

Sec. 8161. The ninety-sixth district consists of the county of Marquette, is a district of the first class and has 2 judges.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

**600.8162 Ninety-seventh district.**

Sec. 8162. The ninety-seventh district consists of the counties of Houghton, Keweenaw and Baraga, is a district of the first class and has 1 judge.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 1972, Act 169, Imd. Eff. June 15, 1972.

**600.8163 Ninety-eighth district; Ontonagon and Gogebic counties.**

Sec. 8163. (1) Until the date determined under subsection (2), the ninety-eighth district consists of the counties of Ontonagon and Gogebic, is a district of the first class, and has 1 judge.

(2) Beginning on the date on which a vacancy occurs in the office of district judge in the ninety-eighth district or the beginning date of the term for which the incumbent district judge in the ninety-eighth district no longer seeks election or reelection to that office, whichever is earlier, the ninety-eighth district consists of the counties of Gogebic and Ontonagon and is a district of the first class. Under section 810a, the probate judge for the county of Gogebic shall serve as judge of the ninety-eighth district within the county of Gogebic and the probate judge for the county of Ontonagon shall serve as judge of the ninety-eighth district within the county of Ontonagon.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968;—Am. 2012, Act 34, Imd. Eff. Feb. 28, 2012.

**600.8164 Repealed. 1972, Act 169, Imd. Eff. June 15, 1972.**

**Compiler's note:** The repealed section pertained to the ninety-ninth district, consisting of Houghton and Keweenaw counties.

**600.8171 Changes in districts; supreme court recommendations.**

Sec. 8171. The supreme court may make recommendations to the legislature in regard to changes in the number of judges, the creation, alteration and discontinuance of districts based on changes in judicial activity.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.

**600.8175 Additional district judgeships; creation; approval by district control unit; resolution; filing; valid approval of judgeship; notice to elections division; state's obligation; election; first term.**

Sec. 8175. (1) The additional district judgeships permitted by this chapter shall not be authorized to be filled by election unless each district control unit of the district, by resolution adopted by the governing body of the district control unit, approves the creation of that judgeship and unless the clerk of each district control unit adopting such a resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of the sixteenth Tuesday preceding the August primary for the election to fill the additional district judgeship. The state court administrator shall immediately notify the elections division of the department of state with respect to each new district judgeship authorized pursuant to this subsection.

(2) A resolution required under subsection (1) that is filed before the effective date of the amendatory act that authorized that judgeship is a valid approval of the judgeship for purposes of this section only if the filing occurs within the 2-year state legislative session during which the amendatory act was enacted. A resolution required under subsection (1) that is filed after the effective date of the amendatory act that added that judgeship is a valid approval of the judgeship for purposes of this section only if the filing occurs not later than 4 p.m. of the sixteenth Tuesday preceding the August primary for the election immediately preceding the effective date of the additional judgeship.

(3) By permitting an additional judgeship, the legislature is not creating that judgeship. If a district control unit, acting through its governing body, approves the creation of an additional district judgeship, that approval constitutes an exercise of the district control unit's option to provide a new activity or service or to increase the level of activity or service offered in the district control unit beyond that required by existing law, as the elements of that option are defined by Act No. 101 of the Public Acts of 1979, being sections 21.231 to 21.244 of the Michigan Compiled Laws, and a voluntary acceptance by the district control unit of all expenses and capital improvements which may result from the creation of the judgeship. However, the exercise of the option does not affect the state's obligation to pay the same portion of the additional judge's salary which is paid by the state to the other district judges in the same district, or to appropriate and disburse funds to the

district control unit for the necessary costs of state requirements established by a state law which becomes effective on or after December 23, 1978.

(4) Each additional district judgeship created pursuant to subsection (1) shall be filled by election pursuant to the Michigan election law, Act No. 116 of the Public Acts of 1954, as amended, being sections 168.1 to 168.992 of the Michigan Compiled Laws. The first term of each additional district judgeship shall be 6 years, unless the law permitting the additional judgeship provides for a term of a different length.

**History:** Add. 1980, Act 129, Imd. Eff. May 22, 1980;—Am. 1988, Act 135, Imd. Eff. May 27, 1988;—Am. 1990, Act 54, Imd. Eff. Apr. 11, 1990.

**Compiler's note:** Sections 2 to 5 of Act 129 of 1980 provide:

**“New circuit and district judgeships; appearance on ballot; duty of candidate; petitions; filing fee.**

“Section 2. The new circuit and district judgeships authorized by this amendatory act shall appear on the ballot separate and apart from other judicial offices on the ballot in the primary and general election in the respective circuits and district court districts. If another judicial office of the same court is to be filled by election in the same circuit, county, or district, a candidate for a new judgeship authorized in that circuit, county, or district by this amendatory act shall indicate, at the time of filing nominating petitions, whether the candidate is filing for a new judgeship or for 1 of the other judicial offices of the same court to be filled by election in 1980. Petitions for a new judgeship created pursuant to this amendatory act shall bear signatures affixed to the petition after the date by which all counties in the circuit, all district control units in the district, or, in the case of a probate judgeship, the county, have adopted the resolutions required by law to create that office. Notwithstanding any other provision of law, a nonreturnable filing fee of \$250.00 may be paid up to 4 p.m. on June 3, 1980 in lieu of petitions for new judgeships authorized by this 1980 amendatory act which are to be filled by election in 1980.

**“Additional circuit judgeship for third judicial circuit; terms.**

“Section 3. If the additional circuit judgeship permitted by this amendatory act for the third judicial circuit is created pursuant to law, the candidate receiving the highest number of votes in the 1980 general election shall be elected for a term of 8 years, and the candidate receiving the second highest number of votes shall be elected for a term of 6 years.

**“Additional circuit judgeship for sixteenth judicial circuit; term.**

“Section 4. If the additional circuit judgeship permitted by this amendatory act for the sixteenth judicial circuit is created pursuant to law, the first term of that judgeship shall be 8 years.

**“Change in composition of affected judicial circuits; effective date.**

“Section 5. If a new judicial circuit of the circuit court is created pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1981. If the fifty-fourth judicial circuit is created pursuant to this act, the incumbent circuit judge of the fortieth judicial circuit who resides in Tuscola county shall become the judge of the fifty-fourth judicial circuit on January 1, 1981, and shall serve until the term for which he was elected in the fortieth judicial circuit expires.”

Section 2 of Act 135 of 1988 provides:

“Any additional district judgeship to be added by election in 1988 shall not be authorized to be filled by election unless each district control unit of the district, by resolution adopted by the governing body of the district control unit, approves the creation of that judgeship and unless the clerk of each district control unit adopting such a resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of the tenth Tuesday preceding the August primary for the election to fill the additional district judgeship.”

Section 2 of Act 54 of 1990 provides:

“If a new judicial circuit of the circuit court is created under this amendatory act pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1991. If the fifty-sixth judicial circuit is created pursuant to this amendatory act, the incumbent judge of the fifth judicial circuit who resides in Eaton county shall become the judge of the fifty-sixth judicial circuit on January 1, 1991, and shall serve until the term for which he or she was elected in the fifth judicial circuit expires.”

### **600.8176 Creation of new district and judgeship; conditions; notification of elections division; resolution; exercise of option; obligation of state; election and term of judgeship; approval of district control unit not required.**

Sec. 8176. (1) Except as otherwise provided in this section, if a new district is proposed by law, that new district is not created and any district judgeship proposed for the district is not authorized or filled by election unless each district control unit in the proposed district, by resolution adopted by the governing body of the district control unit, approves the creation of the new district and each judgeship proposed for the district and unless the clerk of each district control unit adopting that resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of the sixteenth Tuesday preceding the August primary for the election immediately preceding the effective date of the new district. The state court administrator shall immediately notify the elections division of the department of state with respect to each new judicial district and district judgeship authorized under this subsection.

(2) A resolution required under subsection (1) that is filed before the effective date of the amendatory act that authorized that new district is a valid approval for purposes of this section only if the filing occurs within the 2-year state legislative session during which the amendatory act was enacted. A resolution required under subsection (1) that is filed after the effective date of the amendatory act that authorized that new district is a valid approval for purposes of this section only if the filing occurs not later than 4 p.m. of the sixteenth Tuesday preceding the August primary for the election immediately preceding the effective date of the new district.

(3) By proposing a new district and 1 or more district judgeships for the district, the legislature is not

creating that district or any judgeship in the district. If a district control unit, acting through its governing body, approves the creation of a new district and 1 or more district judgeships proposed by law for that district, that approval constitutes an exercise of the district control unit's option to provide a new activity or service or to increase the level of activity or service offered in the district control unit beyond that required by existing law, as the elements of that option are defined by 1979 PA 101, MCL 21.231 to 21.244, and a voluntary acceptance by the district control unit of all expenses and capital improvements which may result from the creation of the new district and each judgeship. However, the exercise of the option does not affect the state's obligation to pay the same portion of each judge's salary which is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district control unit for the necessary costs of state requirements established by a state law that becomes effective on or after December 23, 1978.

(4) Each district judgeship created under subsection (1) must be filled by election under the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992. The first term of each district judgeship shall be 6 years, unless the law permitting the creation of the new district and 1 or more judgeships provides for a term of a different length.

(5) The reformation of the seventy-eighth, seventy-ninth, eighty-first, eighty-second, eighty-third, and eighty-seventh judicial districts under 2002 PA 92 does not require the approval of the district control unit under this section or section 8175.

(6) The reformation of the seventy-eighth and seventy-ninth judicial districts under the amendatory act that added this subsection does not require the approval of the district control unit under this section or section 8175.

**History:** Add. 1984, Act 95, Imd. Eff. Apr. 23, 1984;—Am. 1990, Act 54, Imd. Eff. Apr. 11, 1990;—Am. 1994, Act 138, Imd. Eff. May 26, 1994;—Am. 2002, Act 92, Eff. Mar. 31, 2003;—Am. 2022, Act 7, Imd. Eff. Feb. 9, 2022.

**Compiler's note:** Section 2 of Act 54 of 1990 provides:

“If a new judicial circuit of the circuit court is created under this amendatory act pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1991. If the fifty-sixth judicial circuit is created pursuant to this amendatory act, the incumbent judge of the fifth judicial circuit who resides in Eaton county shall become the judge of the fifty-sixth judicial circuit on January 1, 1991, and shall serve until the term for which he or she was elected in the fifth judicial circuit expires.”

### **600.8177 Consolidation of district of third class with district of second class; procedure.**

Sec. 8177. (1) If it is proposed by law to consolidate a district of the third class into or with a district of the second class, that consolidation shall not take effect unless each district control unit in the district of the second class, and each district control unit in the district of the third class that contributes to the maintaining, financing, and operating of the district court in the district of the third class, by resolution adopted by the governing body of each of those district control units, approves the consolidation and unless the clerk of each district control unit adopting the resolution files a copy of the resolution with the state court administrator. The consolidation shall take effect upon a date agreed to by all district control units adopting the resolution but not less than 60 days after the last affected district control unit adopted its resolution. The state court administrator shall immediately notify the elections division of the department of state when a consolidation has been approved under this section and the date on which the consolidation will take effect. This subsection shall apply whether the consolidated district remains a district of the second class or the consolidation results in a district of the first class.

(2) By proposing or authorizing a consolidation of a district of the third class into or with a district of the second class, the legislature is not creating a new obligation for any affected district control unit. If a district control unit, acting through its governing body, approves the consolidation, then the approval constitutes an exercise of the district control unit's option to increase the level of activity and service offered in that district control unit beyond that required by existing law, as the elements of that option are defined by Act No. 101 of the Public Acts of 1979, being sections 21.231 to 21.244 of the Michigan Compiled Laws, and a voluntary acceptance by that district control unit of all expenses and capital improvements which may result from the consolidation of the districts. However, the exercise of the option does not affect the state's obligation to pay the same portion of each judge's salary which is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district control unit for the necessary costs of state requirements established by a state law which becomes effective on or after December 23, 1978.

(3) All full-time employees of the district court in the district of the third class shall be transferred to the district court in the consolidated district on the effective date of the consolidation. Except as provided in any agreement of consolidation by the affected district control units, salary, seniority rights, annual leave, sick leave, and retirement benefits of transferred employees shall be preserved and continued in their positions in the consolidated district in a manner not inferior to their prior status.

(4) On the effective date of the consolidation, each incumbent district judge in both districts shall serve as

a district judge in the consolidated district. If an election division is created with the same boundaries as a district before consolidation, each judge from the former district shall be considered an incumbent in the new election division.

**History:** Add. 1988, Act 135, Imd. Eff. May 27, 1988;—Am. 1990, Act 54, Imd. Eff. Apr. 11, 1990.

**Compiler's note:** Section 2 of Act 135 of 1988 provides:

“Any additional district judgeship to be added by election in 1988 shall not be authorized to be filled by election unless each district control unit of the district, by resolution adopted by the governing body of the district control unit, approves the creation of that judgeship and unless the clerk of each district control unit adopting such a resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of the tenth Tuesday preceding the August primary for the election to fill the additional district judgeship.”

Section 2 of Act 54 of 1990 provides:

“If a new judicial circuit of the circuit court is created under this amendatory act pursuant to section 550a, the change in the composition of the affected judicial circuits shall take effect for judicial purposes on January 1, 1991. If the fifty-sixth judicial circuit is created pursuant to this amendatory act, the incumbent judge of the fifth judicial circuit who resides in Eaton county shall become the judge of the fifty-sixth judicial circuit on January 1, 1991, and shall serve until the term for which he or she was elected in the fifth judicial circuit expires.”

### **600.8178 Failure to adopt resolution approving consolidation; submission of question to vote of electors; procedure.**

Sec. 8178. (1) If it is proposed by law to consolidate 2 or more districts and 1 or all of the district control units fail, not less than 180 days before the next general election, to adopt a resolution approving the consolidation as provided in section 8177, then any 1 of the district control units designated for consolidation may submit, by resolution adopted by all of the governing bodies within the district, the question of consolidation to a vote of the electors in the county in which the consolidation is proposed. The resolutions shall be submitted to the county clerk of the county where the consolidation is proposed not later than 60 days before the general election. The question shall be submitted and placed on the ballot at the next general election.

(2) By proposing or authorizing a consolidation of districts, the legislature is not creating a new obligation for any affected district control unit. If a district control unit, acting through its governing body and electors, approves the consolidation, then the approval constitutes an exercise of the district control unit's option to increase the level of activity and service offered in that district control unit beyond that required by existing law, as the elements of that option are defined by Act No. 101 of the Public Acts of 1979, being sections 21.231 to 21.244 of the Michigan Compiled Laws, and a voluntary acceptance by that district control unit of all expenses and capital improvements which may result from the consolidation of the districts. However, the exercise of the option does not affect the state's obligation to pay the same portion of each judge's salary which is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district control unit for the necessary costs of state requirements established by a state law which becomes effective on or after December 23, 1978.

(3) All full-time employees of the district courts shall be transferred to the consolidated district on the effective date of the consolidation. Except as provided in any agreement of consolidation by the affected district control units, salary, seniority rights, annual leave, sick leave, and retirement benefits of transferred employees shall be preserved and continued in their positions in the consolidated district in a manner not inferior to their prior status.

(4) On the effective date of the consolidation, each incumbent district judge in both districts shall serve as a district judge in the consolidated district. If an election division is created with the same boundaries as a district before consolidation, each judge from the former district shall be considered an incumbent in the new election division.

**History:** Add. 1988, Act 135, Imd. Eff. May 27, 1988.

**Compiler's note:** Section 2 of Act 135 of 1988 provides:

“Any additional district judgeship to be added by election in 1988 shall not be authorized to be filled by election unless each district control unit of the district, by resolution adopted by the governing body of the district control unit, approves the creation of that judgeship and unless the clerk of each district control unit adopting such a resolution files a copy of the resolution with the state court administrator not later than 4 p.m. of the tenth Tuesday preceding the August primary for the election to fill the additional district judgeship.”

### **600.8180 Consolidation of twelfth and thirteenth districts; expenses and capital improvements; judges' salaries; costs of state requirements; filing copies of resolutions and agreements; notification of elections division; transfer of employees; rights and benefits of employees.**

Sec. 8180. (1) Because the city of Jackson on April 2, 1985 and the county of Jackson on March 28, 1985 have approved the consolidation of the twelfth and thirteenth districts by resolutions adopted by their respective governing bodies, and because the city of Jackson and the county of Jackson made an agreement

regarding the consolidation on April 4, 1985, that approval constitutes an exercise of the county of Jackson's option to increase the level of activity and service offered in that district control unit beyond that required by existing law, as the elements of that option are defined by Act No. 101 of the Public Acts of 1979, being sections 21.231 to 21.244 of the Michigan Compiled Laws, and a voluntary acceptance by that district control unit of all expenses and capital improvements which may result from the consolidation of the twelfth and thirteenth districts. However, the exercise of the option does not affect the state's obligation to pay the same portion of each judge's salary which is paid by the state to other district judges as provided by law, or to appropriate and disburse funds to the district control unit for the necessary costs of state requirements established by a state law which becomes effective on or after December 23, 1978.

(2) The city of Jackson and the county of Jackson shall file copies of the resolutions and the agreement adopted by their governing bodies approving the consolidation of the twelfth and thirteenth districts with the state court administrator before January 1, 1986. The state court administrator shall immediately notify the elections division of the department of state with respect to the consolidation authorized by this amendatory act.

(3) All full-time employees of the abolished thirteenth district court shall be transferred to the twelfth district court effective January 1, 1986. Except as provided in the agreement of consolidation by the city of Jackson and the county of Jackson, seniority rights, annual leave, sick leave, and retirement benefits of those employees shall be preserved and continued in their positions in the twelfth district court in a manner not inferior to their prior status.

**History:** Add. 1985, Act 192, Imd. Eff. Dec. 20, 1985.

#### **600.8181 Record of proceedings; reports.**

Sec. 8181. Each district court shall keep a record of its proceedings in accordance with rules prescribed by the supreme court and make such reports as the court administrator shall require from time to time.

**History:** Add. 1968, Act 154, Imd. Eff. June 17, 1968.