

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

600.9931 Detroit recorder's court; abolishment; merger; incumbent judges; transfer of files, records, and pending cases; jurisdiction; appropriation by Wayne county; appointment, supervision, discipline, or dismissal of employees; personal property of court; reimbursement.

Sec. 9931.

(1) The recorder's court of the city of Detroit is abolished and merged with the third judicial circuit of the circuit court effective October 1, 1997. The incumbent judges of the recorder's court of the city of Detroit on September 30, 1997 shall become judges of the third judicial circuit of the circuit court on October 1, 1997, and shall serve as circuit judges until January 1 of the year in which their terms as judges of the recorder's court of the city of Detroit would normally have expired. Effective October 1, 1997, each incumbent judge of the recorder's court of the city of Detroit who was appointed to that office by the governor after the filing deadline for the August primary preceding the general election of 1996 shall become a judge of the third circuit of the circuit court and shall serve as a circuit judge until January 1 next succeeding the first general election held after the vacancy to which he or she was appointed occurs, at which election a successor shall be elected for the remainder of the unexpired term which the predecessor incumbent of the recorder's court would have served had that incumbent remained in office until his or her term would normally have expired. In seeking election to the third circuit of the circuit court after October 1, 1997, a judge of the recorder's court becoming a judge of the third circuit of the circuit court pursuant to this subsection may file an affidavit of candidacy in like manner as other incumbent judges of the circuit court, and shall be entitled to designation on the ballot as a judge of the circuit court.

(2) Effective October 1, 1997, all files, records, and pending cases of the recorder's court shall be transferred to the third judicial circuit of the circuit court in accordance with rules prescribed by the supreme court, and the circuit court shall exercise all powers in regard to those files, records, and cases as provided by rules of the supreme court. The third judicial circuit of the circuit court shall have jurisdiction to hear and determine all cases transferred under this section, and shall exercise all authority with regard to those cases as though the cases had been commenced in that court. All orders and judgments of the recorder's court shall be appealable in like manner and to the same courts as applicable before that date.

(3) The county of Wayne shall appropriate, by line-item or by lump-sum budget, funds for operating and maintaining the recorder's court of the city of Detroit for the period of October 1, 1996 to September 30, 1997. However, before the county may appropriate a lump-sum budget, the chief judge of the recorder's court shall submit to the county a budget request in line-item form with appropriate detail. If the court receives a line-item budget, it shall not exceed a line-item appropriation or transfer funds between line items without the prior approval of the county of Wayne. If the court receives a lump-sum budget, it shall not exceed that budget without the prior approval of the county board of commissioners.

(4) Except as otherwise provided by law, the chief judge of recorder's court shall appoint, supervise, discipline, or dismiss the employees of that court in accordance with applicable personnel policies and procedures and any applicable collective bargaining agreement. Compensation of the employees serving in the recorder's court shall be paid by the county of Wayne.

(5) All personal property, including equipment and furniture, that was owned by the recorder's court on the effective date of the 1996 amendatory act that added this section or that was owned and furnished by the state to the recorder's court on the effective date of the 1996 amendatory act that added this section and all personal property subsequently purchased by or furnished to that court shall remain with that court until October 1, 1996, at which time the property shall become the property of the county of Wayne, and shall continue to be used to the benefit of the recorder's court. The state shall reimburse the county of Wayne for any property furnished by the state to that court that is removed from the court between June 27, 1996 and October 1, 1996.

History: Add. 1996, Act 374, Eff. Oct. 1, 1996