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SFA**BILL ANALYSIS**

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Senate Bill 546 (as introduced 5-29-97)
Sponsor: Senator Dale L. Shugars
Committee: Judiciary

Date Completed: 7-31-97

CONTENT

The bill would amend the Revised Judicature Act to provide for the reformation of the current Eighth and Ninth District Courts, in Kalamazoo County, into three divisions of the Eighth District Court effective January 1, 1999. The reformation of the Eighth District could not take place unless resolutions of approval by the Kalamazoo County board of commissioners, the Portage city council, and the Kalamazoo city commission were filed with the State Court Administrator before April 15, 1998.

Currently, the Eighth District consists of Kalamazoo County, except for the Cities of Kalamazoo and Portage, is a district of the second class, and has two judges. The Ninth District consists of the Cities of Kalamazoo and Portage, is a district of the third class, and is divided into two election divisions. The first division consists of the City of Kalamazoo and has four judges; the second division consists of the City of Portage and has one judge.

Under the bill, effective January 1, 1999, if the County of Kalamazoo, the City of Portage, and the City of Kalamazoo had approved the proposed reformation, the Eighth District would consist of the entire County of Kalamazoo, would be a district of the first class, and would have seven judges. The reformed Eighth District would be divided into three election divisions. The first division would consist of the City of Kalamazoo and would have four judges; the second division would consist of the City of Portage and have one judge; and the third division would consist of Kalamazoo County, except for the Cities of Kalamazoo and Portage, and would have two judges.

If the Eighth and Ninth Districts were consolidated as allowed under the bill, the four judges whose terms expire on January 1, 2001, or January 1, 2003, would become judges of the Eighth District, as reformed by the bill, on January 1, 1999, for the balance of the terms for which the judges were elected. Each judge, however, would have to meet other requirements for eligibility to serve as a district judge, including residency requirements. If any of the three judges whose terms expire on January 1, 1999, sought reelection in the reformed Eighth District for a term beginning on January 1, 1999, and met other requirements for eligibility to serve as district judge, including residency requirements, that judge would be entitled to the designation of his or her office on the ballot in the November 1998 general election.

MCL 600.8117

Legislative Analyst: P. Affholter

FISCAL IMPACT

The consolidation of the Ninth District Court with the Eighth District would result in a shift in administrative and fiscal responsibility for the courts in the Cities of Kalamazoo and Portage from the cities to Kalamazoo County. The fiscal impact would be cost neutral since the cities (per agreement) would reimburse the county for the costs that are necessary for funding the courts. The local units have not yet determined whether there would be a reduction in court administrators. The bill also could lead to potential future savings for the operations of the three courts. The county's goal is to reduce cost by approximately 10% after the first three years of consolidation.

Fiscal Analyst: M. Ortiz

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.