

Act No. 253  
Public Acts of 2001  
Approved by the Governor  
January 8, 2002  
Filed with the Secretary of State  
January 9, 2002  
EFFECTIVE DATE: March 22, 2002

**STATE OF MICHIGAN  
91ST LEGISLATURE  
REGULAR SESSION OF 2001**

Introduced by Senators Cherry and Van Regenmorter

# **ENROLLED SENATE BILL No. 764**

AN ACT to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending sections 508, 803, and 8134 (MCL 600.508, 600.803, and 600.8134), section 803 as amended by 1998 PA 55 and section 8134 as amended by 1987 PA 75.

*The People of the State of Michigan enact:*

Sec. 508. The seventh judicial circuit consists of the county of Genesee and has 7 judges. Subject to section 550, this judicial circuit may have 1 additional judge effective January 1, 2003 and 1 additional judge effective January 1, 2005.

Sec. 803. (1) Except as otherwise provided in this section, each county which is not part of a probate court district created pursuant to sections 808 to 810 or previously created pursuant to law shall have at least 1 judge of probate.

(2) Each probate court district created pursuant to law shall have 1 judge of probate.

(3) The counties of Berrien, Calhoun, Ingham, Monroe, Muskegon, Saginaw, St. Clair, and Washtenaw shall each have 2 judges of probate. Beginning 12 noon, January 1, 2005, the county of Genesee shall have 2 judges of probate.

(4) The counties of Macomb and Kalamazoo shall each have 3 judges of probate. Until 12 noon, January 1, 2005, the county of Genesee shall have 3 judges of probate.

(5) The county of Kent shall have 4 judges of probate.

(6) The county of Oakland shall have 4 judges of probate.

(7) The county of Wayne shall have the following number of judges of probate:

(a) Until subdivision (b) takes effect, the county of Wayne shall have 9 judges of probate.

(b) The county of Wayne shall have 8 judges of probate beginning on the earliest of the following dates:

(i) Upon the expiration of the term of an incumbent probate judge who is eligible to seek reelection but who does not file by affidavit to seek reelection to that office or who withdraws within 3 days after filing by affidavit to seek reelection to that office.

(ii) Upon the expiration of the term of an incumbent probate judge who is not eligible to seek reelection to that office.

(8) When 1 or more new judges of probate are authorized in a county pursuant to this section, the new judgeship or judgeships shall appear on the ballot separate and apart from other judicial offices of the same court in the primary and general election.

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.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 91st Legislature are enacted into law:

(a) Senate Bill No. 76.

(b) Senate Bill No. 765.

(c) Senate Bill No. 786.

(d) Senate Bill No. 825.

(e) House Bill No. 5357.

*Carol Morey Viventi*

Secretary of the Senate.

*Jay E. Randall*

Clerk of the House of Representatives.

Approved .....

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Governor.