



# HOUSE BILL No. 5421

November 29, 1995, Introduced by Reps. Geiger and Nye and referred to the Committee on Judiciary and Civil Rights.

A bill to amend Act No. 236 of the Public Acts of 1961, entitled as amended "Revised judicature act of 1961," as amended, being sections 600.101 to 600.9947 of the Michigan Compiled Laws, by adding section 1487.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Act No. 236 of the Public Acts of 1961, as  
2 amended, being sections 600.101 to 600.9947 of the Michigan  
3 Compiled Laws, is amended by adding section 1487 to read as  
4 follows:

5 SEC. 1487. (1) THE STATE COURT INFORMATION MANAGEMENT COM-  
6 MISSION IS CREATED AS A TEMPORARY COMMISSION WITH A LIFE OF NO  
7 MORE THAN 2 YEARS PURSUANT TO ARTICLE V, SECTION 4, OF THE STATE  
8 CONSTITUTION OF 1963. THE COMMISSION SHALL BE AN AUTONOMOUS  
9 ENTITY WITHIN THE DEPARTMENT OF MANAGEMENT AND BUDGET. THE CHIEF

1 INFORMATION OFFICER FOR THE STATE OF MICHIGAN SHALL BE THE  
2 FACILITATOR OF THE COMMISSION.

3 (2) THE COMMISSION SHALL MAKE A DETAILED RECOMMENDATION TO  
4 THE SUPREME COURT, THE LEGISLATURE, AND THE GOVERNOR AS TO THE  
5 DESIGN, IMPLEMENTATION, AND OPERATION OF A COMPUTERIZED INFORMA-  
6 TION MANAGEMENT SYSTEM. THE INFORMATION MANAGEMENT SYSTEM SHALL  
7 ALLOW DATA ON ALL ASPECTS OF COURT OPERATION AND MANAGEMENT TO BE  
8 RELAYED BETWEEN ALL COURTS IN THIS STATE. THE INFORMATION MAN-  
9 AGEMENT SYSTEM SHALL BE COMPATIBLE WITH THE INFORMATION SYSTEMS  
10 OF THE DEPARTMENT OF STATE, THE DEPARTMENT OF STATE POLICE, THE  
11 LAW ENFORCEMENT INFORMATION NETWORK, THE DEPARTMENT OF SOCIAL  
12 SERVICES, THE OFFICE OF FRIEND OF THE COURT, THE DEPARTMENT OF  
13 MANAGEMENT AND BUDGET, THE DEPARTMENT OF TREASURY, COUNTY PROSE-  
14 CUTING ATTORNEYS, AND ANY OTHER AGENCY OR ENTITY DESIGNATED BY  
15 THE COMMISSION.

16 (3) THE LEGISLATURE, BY STATUTE, SHALL DESIGNATE THE APPRO-  
17 PRIATE BODY TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMISSION.

18 (4) THE COMMISSION SHALL CONSIST OF THE FOLLOWING MEMBERS:

19 (A) TWO MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF  
20 REPRESENTATIVES, 1 FROM THE MAJORITY PARTY AND 1 FROM THE MINOR-  
21 ITY PARTY.

22 (B) TWO MEMBERS APPOINTED BY THE MAJORITY LEADER OF THE  
23 SENATE, 1 FROM THE MAJORITY PARTY AND 1 FROM THE MINORITY PARTY.

24 (C) THE CHIEF JUSTICE OF THE SUPREME COURT OR A JUSTICE DES-  
25 IGNATED BY THE CHIEF JUSTICE.

26 (D) ONE JUDGE FROM EACH OF THE FOLLOWING COURTS, APPOINTED  
27 BY THE CHIEF JUSTICE OF THE SUPREME COURT:

1 (i) THE COURT OF APPEALS.

2 (ii) THE CIRCUIT COURT.

3 (iii) THE PROBATE COURT.

4 (iv) THE DISTRICT COURT.

5 (E) A LOCAL COURT ADMINISTRATOR, APPOINTED BY THE CHIEF JUSTICE OF THE SUPREME COURT.

7 (F) A PERSON WHO IS SERVING AS A FRIEND OF THE COURT, APPOINTED BY THE CHIEF JUSTICE OF THE SUPREME COURT.

9 (G) THE DIRECTOR OF THE DEPARTMENT OF MANAGEMENT AND BUDGET OR HIS OR HER DESIGNEE.

11 (H) THE SECRETARY OF STATE OR A DESIGNEE OF THE SECRETARY OF STATE RESPONSIBLE FOR DRIVER AND VEHICLE RECORDS.

13 (I) THE DIRECTOR OF THE DEPARTMENT OF STATE POLICE OR HIS OR HER DESIGNEE.

15 (J) THE STATE TREASURER OR HIS OR HER DESIGNEE.

16 (K) THE DIRECTOR OF THE DEPARTMENT OF SOCIAL SERVICES OR HIS OR HER DESIGNEE.

18 (L) THREE AT-LARGE MEMBERS, APPOINTED BY THE GOVERNOR.

19 (5) THE MEMBERS FIRST APPOINTED TO THE COMMISSION SHALL BE APPOINTED WITHIN 30 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION. THE CHIEF JUSTICE OR THE JUSTICE DESIGNATED BY THE CHIEF JUSTICE UNDER SUBSECTION (4)(C) SHALL BE THE CHAIRPERSON OF THE COMMISSION, AND SHALL DESIGNATE OTHER OFFICERS AS HE OR SHE CONSIDERS NECESSARY OR APPROPRIATE.

25 (6) A MAJORITY OF THE MEMBERS OF THE COMMISSION CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS AT A MEETING OF THE COMMISSION. A MAJORITY OF THE MEMBERS PRESENT AND VOTING ARE

1 REQUIRED FOR OFFICIAL ACTION OF THE COMMISSION. A MAJORITY OF  
2 THE MEMBERS OF THE COMMISSION ARE REQUIRED FOR A VOTE TO APPROVE  
3 THE FINAL RECOMMENDATION OF THE COMMISSION.

4 (7) THE BUSINESS THAT THE COMMISSION MAY PERFORM SHALL BE  
5 CONDUCTED AT A PUBLIC MEETING HELD IN COMPLIANCE WITH THE OPEN  
6 MEETINGS ACT, ACT NO. 267 OF THE PUBLIC ACTS OF 1976, BEING SEC-  
7 TIONS 15.261 TO 15.275 OF THE MICHIGAN COMPILED LAWS.

8 (8) A WRITING PREPARED, OWNED, USED, IN POSSESSION OF, OR  
9 RETAINED BY THE COMMISSION IN THE PERFORMANCE OF AN OFFICIAL  
10 FUNCTION IS SUBJECT TO THE FREEDOM OF INFORMATION ACT, ACT  
11 NO. 442 OF THE PUBLIC ACTS OF 1976, BEING SECTIONS 15.231 TO  
12 15.246 OF THE MICHIGAN COMPILED LAWS.

13 (9) MEMBERS OF THE COMMISSION SHALL SERVE WITHOUT  
14 COMPENSATION. HOWEVER, MEMBERS OF THE COMMISSION MAY BE REIM-  
15 BURSED FOR THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE  
16 PERFORMANCE OF THEIR OFFICIAL DUTIES AS MEMBERS OF THE  
17 COMMISSION.