

Legislative Analysis



CIRCUIT COURT JUDGESHIPS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bills 5512 and 5513

Sponsor: Rep. Eileen Kowall

Committee: Judiciary

Complete to 10-20-09

A SUMMARY OF HOUSE BILLS 5512 AND 5513 AS INTRODUCED 10-14-09

House Bill 5512 would temporarily reduce the number of Oakland County circuit court judgeships by one. House Bill 5513 would define the term “additional circuit judgeship.”

Both House Bill 5512 and House Bill 5513 amend the Revised Judicature Act (RJA). The bills are tie-barred to each other, meaning that neither bill can take effect unless the both are enacted. Specifically, the bills would do the following:

House Bill 5512 would amend Section 507 of the RJA (MCL 600.507) to specify that the Sixth Judicial Circuit, which consists of the County of Oakland, shall have 18 judges during the period beginning 12 noon, January 1, 2011 and ending 12 noon January 1, 2015. As of January 1, 2009, the circuit had 19 judges. The judgeship temporarily eliminated during the four-year period would be that occupied a judge who, due to constitutional limitation (e.g., age), is not eligible to run for reelection.

House Bill 5513 would amend Section 550 of the RJA (MCL 600.550). Currently, under certain circumstances, an additional circuit judgeship may be created by the counties making up the circuit. For purposes of Section 550, House Bill 5513 would define the term “additional circuit judgeship” to mean a judgeship that exceeds the highest number of judgeships approved by a funding unit under this provision in a circuit during the preceding six years.

FISCAL IMPACT:

House Bill 5512 would have a positive fiscal impact on the Judiciary at both the state and local level. The bill would temporarily eliminate one judgeship from the 6th Circuit Court in Oakland County for four years starting January 1, 2011. The state is responsible for the salary, retirement, FICA, and, in some instances, reimbursement for travel. The current salary of a circuit court judge is \$139,919. The retirement contribution, FICA, and travel reimbursement are typically \$18,644.76. Therefore, total annual savings to the state would be typically \$158,563.76.

The local unit of government would also realize savings through a reduction in any fringe benefits offered to the judge; a reduction in court personnel (i.e. clerk, legal assistants, etc.); and a reduction in technology equipment associated with judge and court personnel.

House Bill 5513 would have no fiscal impact on the judiciary.

Legislative Analyst: Susan Stutzky
Fiscal Analyst: Ben Gielczyk

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.