MICHIGAN UNIFORM MUNICIPAL COURT ACT
Act 5 of 1956

AN ACT to establish and promote a uniform system of municipal courts in cities; to consolidate justice courts in cities into a system of municipal courts; to change the name of existing justice courts and justices of the peace in cities to municipal courts and municipal judges; to promote uniformity in practice and procedure in such courts; to prescribe the powers, duties and functions of such courts; and to provide for substitute municipal judges in cities in cases of death, absence, disability or removal of the regularly elected or appointed municipal judges and in cases where temporary judicial assistance is needed in such courts.

History: 1956, Act 5, Eff. Aug. 11, 1956;—Am. 1957, Act 179, Eff. Sept. 27, 1957.

The People of the State of Michigan enact:

730.501 Municipal courts; salaried judges; designation; adoption of act by ordinance or charter provision.

Sec. 1. (1) In any city in this state now or hereafter having a population of 15,000 or more, according to the latest or each succeeding federal decennial census, having a justice court with 1 or more justices of the peace who are paid a salary in lieu of fees, whether said justices and justice courts are provided for by city charters or by any statutes of this state, such courts shall hereafter be designated as municipal courts and the justices thereof as municipal judges; said change shall in no way affect or change the present laws and statutes of this state, except that the word "municipal" shall replace "justice" with full force and effect and with like intent whenever and wherever the said word "justice" appears in said acts or general or special laws of the state or the municipal charter of any such city with reference to justice courts or justices of the peace.

(2) Any city having a population of less than 15,000 and a justice of the peace who is paid a salary in lieu of fees and required to be an attorney may adopt by ordinance the provisions of this act and such court shall be deemed a municipal court under this act for all purposes while said ordinance is in effect.

(3) Any city may provide in its charter, whether in the first instance or by amendment or revision, for a municipal court under the provisions of this act. If any city provides in its charter for a municipal court to come into being at the end of the term or terms of its incumbent justices of the peace, it shall provide that each municipal judge, including the first incumbent, shall be an attorney at law as required in section 8 of this act.

History: 1956, Act 5, Eff. Aug. 11, 1956;—Am. 1957, Act 179, Eff. Sept. 27, 1957;—Am. 1959, Act 209, Imd. Eff. July 30, 1959.

730.501a Uniform municipal court act; definitions.

Sec. 1a. The term "municipal court" or "municipal judge" whenever used in this act shall be deemed to include all municipal courts and judges heretofore or hereafter established or authorized under the provisions of Act No. 279 of the Public Acts of 1909, as amended, being sections 117.1 to 117.38 of the Compiled Laws of 1948, and Act No. 269 of the Public Acts of 1933, as amended, being sections 730.101 to 730.159 of the Compiled Laws of 1948; and all of the provisions of this act shall be deemed to apply to such courts, in addition to and not in derogation of the provisions of the statutes and charters under which such courts have been or may hereafter be organized.

History: Add. 1957, Act 101, Eff. Sept. 27, 1957.

730.502 Name of court; title of judges, entitlement of papers.

Sec. 2. It shall be the duty of the clerk or judge of each of said justice courts to start using the new designation "municipal court" and "municipal judge" upon the effective date of this act, and said clerk or judge shall give public notice of said changes by public notice printed in some newspaper of general circulation in said city at least 10 days prior to the effective date hereof. Said court shall hereafter be designated and known as the municipal court of said city, and the judge or judges thereof shall bear the title and be designated as municipal judges of said court; and all process, writs and other papers and documents shall be entitled in said municipal court to the same effect and purpose as though the title or term "justice" were in continued use. Nothing herein contained shall in any way affect pending litigation, past records or dockets, except future process, executions and documents necessary to the proper functioning of said court shall be in the name of the municipal court of said city.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.503 Candidates; designation; incumbency designation.

Sec. 3. In all cities affected by this act, candidates for election to such courts shall henceforth be designated as candidates for the office of municipal judge. An incumbent who is a candidate, upon his request in writing,

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may have printed below his name on the ballot the designation “municipal judge”.

History: 1956, Act 5, Eff. Aug. 11, 1956;—Am. 1959, Act 209, Imd. Eff. July 30, 1959.

730.504 Incumbent judges or justices; nonapplication of act.

Sec. 4. This act shall in no way affect the term of office of any municipal judge or justice of the peace now holding office under the provisions of any city charter or any of the statutes of this state.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.505 Incumbent judges or justices; continuation, vacancies.

Sec. 5. All justices of the peace whose courts are affected by this act are hereby constituted judges of the municipal court of the city wherein they were severally justices of the peace immediately prior to the taking effect of this act and shall hold office for the remainder of the respective terms for which they were elected justices of the peace. Whenever a vacancy shall occur in the office of any judge of such court by death, resignation, removal from office or from any other cause, such vacancy shall be filled in the same manner as heretofore under the provisions of the respective city charters or the general laws of this state.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.506 Substitute judges; assistance of other judges.

Sec. 6. In case of the absence, disability or disqualification of any municipal judge in any court affected by this act, or in any other court organized under any other municipal court act of this state, in which the judge is paid a salary in lieu of fees and is required to be an attorney at law, and having the jurisdiction of a justice of the peace, in a city, or having jurisdiction to hear and determine violations of the ordinances of said city, or both, any other municipal judge of any city in this state, under this act or any other municipal court act of this state, who is paid a salary in lieu of fees and who is an attorney at law, shall be qualified to act in the place of and for such municipal judge in the performance of any of the duties imposed upon him by law in all matters civil and criminal and in all matters pertaining to violations of the ordinances of such city, under the conditions and in the manner hereinafter set forth; and such substitute judge shall, when called upon in the manner and under the conditions set forth, so act: Provided, That in case any municipal judge of any of the foregoing courts shall be unable to hear and determine cases pending in his court without unreasonable delay, because of the volume of cases awaiting determination, he may request and obtain the assistance of any other municipal judge of any city in this state, as above defined, to assist him in the trial of cases and the performance of the duties imposed upon him by law in all matters criminal and civil and in all matters pertaining to violations of the ordinances of such city, under the conditions and in the manner hereinafter set forth.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.507 Substitute judges; compensation.

Sec. 7. Any city may by ordinance fix the compensation to be paid substitute municipal judges for such services, the procedure to be followed in calling upon them to act, and the time and manner of compensation: Provided, however, That the legislative body of any city may provide in its budget an appropriation for the payment of substitute judges, and when such appropriation is provided, the municipal judge of such city may engage the services of such substitute judges as may be necessary to carry out the duties of the court, and upon presentation of a voucher for such services, approved by the municipal judge requesting such services, such substitute judge shall be compensated from the appropriation so made: Provided further, That unless a city shall provide by ordinance for the compensation of substitute judges, or make an appropriation in its budget for such substitute judicial services, no such substitute judge shall be entitled to compensation from such city.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.508 Judges; qualifications, terms, election; compensation, jurisdiction, practice and procedure.

Sec. 8. The qualifications, term of office, time and manner of election, compensation, jurisdiction, powers and duties of the judges of the municipal court of any city affected by the provisions of this act, and the practice and procedure in such municipal courts, shall be governed by the provisions of existing laws relating to justices of the peace in such cities, and to the practice and procedure in the courts of such justices of the peace, except so far as the same or any part thereof are expressly repealed by or are inconsistent with any of the provisions of this act: Provided, however, That no person shall be eligible to qualify for judge of any such court who is not a regularly licensed attorney and counselor at law licensed to practice in the state of

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Michigan: Provided further, That any incumbent justice at the effective date of this act who is not an attorney at law shall be eligible for reelection as municipal judge of such court: Provided further, That no municipal judge, associate municipal judge or any partner of such judge or associate judge shall practice law in the court to which he was elected or appointed.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.508a Municipal court judge; eligibility; requirements.

Sec. 8a. (1) Notwithstanding section 8, and except as provided in subsection (2), a person is not eligible for the office of judge of municipal court unless the person is a registered and qualified elector of the city in which election is sought by the filing deadline or the date the person files the affidavit of candidacy.

(2) For purposes of an election or special election for the office of judge of a municipal court that exercises jurisdiction over another city pursuant to section 9928(3) of the revised judicature act of 1961, 1961 PA 236, MCL 600.9928, a person is eligible for that office if he or she meets all other requirements for that office and has resided for 30 days or more in the other city over which municipal court jurisdiction is exercised.

History: Add. 2010, Act 252, Imd. Eff. Dec. 14, 2010.

730.509 Files, records and dockets.

Sec. 9. All files, records and dockets belonging to or appertaining to the office of the justices of the peace in office in any city affected by the provisions of this act shall be filed and safely kept in the office of the clerk of the municipal court of such city, and such files, records and dockets shall in all respects and for all purposes constitute records of the municipal court of such city.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.510 Jurisdiction of successor judges.

Sec. 10. The judges of any such municipal court shall in all respects be considered the successors in office of the several justices of the peace whose courts are consolidated by this act, and shall have and exercise the same powers and authority in respect to all judgments rendered and matters pending before such justices of the peace as is by law conferred upon successors in office of justices of the peace in such city.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.511 Set time for trial; hearing or action.

Sec. 11. When any cause or matter shall be set for trial, hearing, or the taking of any action, at a certain time, it shall not be necessary to wait any length of time after said set time before proceeding to trial, hearing, or the taking of action, in such cause or matter.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.512 Judges; rule making power.

Sec. 12. In any city affected by the provisions of this act, the judges of the municipal court of such city shall have the right to adopt rules governing the form of all summons, writs and other process issued by such court, the time and manner of filing and serving pleadings and the forms thereof, the dismissal and adjournment of causes, the entry and setting aside of defaults and default judgments, the extension of time for pleading, the method of selecting the presiding judge and the period of time he shall act as such, and all other matters of pleading, practice and procedure not inconsistent with the provisions of this act or of the law. They may by rule provide that the clerk of such court or any of his deputies, may sign dockets and executions, and may approve any bond required in any civil action.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.513 Presiding judge; designation, term, absence.

Sec. 13. When this act becomes effective in any city, the judges of the municipal court of such city shall designate 1 of their number to act as presiding judge for such time as may be fixed by rule. In any city which has 2 municipal judges, they shall alternate as presiding judge, for such periods of time as may be fixed by rule, and in the absence or inability of the presiding judge, the other shall act as such. In any city which has more than 2 municipal judges, they shall be designated in such manner, and serve for such periods of time, as shall be fixed by rule, and in the absence or inability of the presiding judge, another shall act as such: Provided, however, That in any such city having 2 municipal judges, 1 of whom is an associate elected on a part-time basis, the one elected on a full-time basis shall be the presiding judge of said court. In any city which has more than 2 municipal judges, they shall be designated in such manner and serve for such periods of time as shall be fixed by rule. The presiding judge may designate some other judge of such court to act as such during his absence.

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History: 1956, Act 5, Eff. Aug. 11, 1956.

730.514 Presiding judge; powers and duties, motions, bonds, defaults, rule powers.

Sec. 14. The presiding judge of any such municipal court shall, in addition to having and exercising all powers and duties appertaining to his office as judge of such court, have general superintendence of the civil business of the court. He shall have the power to assign and reassign for trial, or other necessary disposition, at such time and in such manner as he shall determine, to any of the judges of such court any civil suit, motion, proceeding or matter of business instituted or pending in such court. In all civil suits and proceedings hereafter instituted or pending in any such municipal court, the presiding judge thereof, or such other judge as he may designate, shall have power to hear and determine all motions made therein, to approve all bonds required by law to be approved by a justice of the peace, to enter and set aside defaults and default judgments upon such terms and conditions as he may deem just, and in general to dispose of any interlocutory and miscellaneous matter arising in any such suit. Such presiding judge shall also have such other powers and duties not inconsistent with the provisions of this act as the judges of such court may by rule provide.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.515 Motions; form, filing, hearing, notices.

Sec. 15. The judges of such court may by rule require that all motions made in such court shall be in writing. All written motions shall be filed with the clerk of the court who shall set a date for hearing thereon before the presiding judge, or some other judge to whom the presiding judge may assign the hearing and disposition of such matters, in accordance with the rules and practice of such court. The moving party shall cause to be served upon the opposite parties or their attorneys copies of such motions and notices of hearing thereof within the time and in the manner fixed by the rules and practice of such court.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.516 Setting aside verdict or judgment; new trial; procedure.

Sec. 16. In any city affected by the provisions of this act, the judge before whom any civil or criminal cause was tried shall have the same power to set aside a verdict or judgment and grant a new trial thereon, upon legal cause therefor, as circuit courts of the state possess: Provided, That a motion therefor be made in writing and filed with the clerk of the court within 5 days after rendition of the verdict or judgment in said cause, setting forth plainly and briefly the reasons upon which it is made. Affidavits setting forth the facts relied upon shall be filed with said motion. A copy of such motion with the supporting affidavits shall be served upon the adverse party or his attorney at least 2 days before the hearing thereof. Such motion shall be submitted and heard within 1 week after the date of filing, and shall be determined within 2 days after it shall have been submitted and heard. The time for taking an appeal from the judgment or verdict, in case such motion be not granted, shall begin to run from the day such motion is overruled. In no case shall the pendency of such motion stay the issuing and levy of an execution, but in case of a levy under execution pending such motion, no sale of the property so levied upon shall be advertised or made until the final determination of such motion. If such motion be granted, any property levied upon shall be returned forthwith to the adverse party. In case of the absence of the judge before whom such case was tried, the presiding judge or any other judge designated by the presiding judge shall have the authority to hear and determine any such motion.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.517 Instructions to jury; requests to charge.

Sec. 17. In any city affected by the provisions of this act, it shall be the duty of the judge presiding in all jury trials to instruct the jury as to the law applicable to the case, which instructions shall be received by the jury as the law of such case. Either party may present written requests to charge to the judge, who shall present all of such requests to the jury as he shall deem to correctly state the law applicable to the case.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.518 Directed verdicts; condition.

Sec. 18. In any city affected by the provisions of this act the judge presiding in any jury trial shall have the same power to direct a verdict for either party as is or may be possessed by judges of the circuit courts of the state.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.519 Directed verdicts; reserved decision in civil cases, judgment notwithstanding verdict.

Sec. 19. In any city affected by the provisions of this act, in all civil jury trials in such municipal court, if

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either party shall at the close of the testimony, and before the case is submitted to the jury, request a directed verdict in his favor, the judge presiding may reserve his decision thereon, and submit the case to the jury under proper instructions as to the law applicable to such case. After the case is thus submitted to the jury, and after receiving and recording the verdict of the jury and before judgment is entered in said cause, the judge may hear arguments of counsel for and against said request, but in all cases he shall receive and record the verdict of the jury as rendered. If the judge shall then decide as a matter of law that the party requesting the directed verdict was entitled thereto, and if the verdict of the jury is adverse to the party making such request, the judge shall enter his decision and give judgment in accordance with such decision notwithstanding the verdict entered.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.520 Judgment in case of disagreement of jury.

Sec. 20. In any city affected by the provisions of this act, in all civil jury trials in which the jury disagrees and is discharged by the judge, either party may on motion and notice to the opposite party request the entry of judgment upon the evidence and proofs taken, within 7 days after the discharge of such jury, and if the judge before whom such case was tried shall decide as a matter of law that a verdict should have been directed for either party, he shall enter judgment accordingly.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.521 Civil process; service anywhere in county.

Sec. 21. In any city affected by the provisions of this act, any civil process issued out of the municipal court of such city may be served in any part of the county in which such city is located.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.522 Concurrent jurisdiction; replevin; jurisdictional amount.

Sec. 22. (1) In addition to all the general jurisdiction of former justices of the peace, every municipal court affected by this act shall have concurrent jurisdiction in all civil actions when the amount in controversy does not exceed the amount in subsection (2) and in all actions of replevin when the value of the property involved does not exceed the amount in subsection (2). This section applies notwithstanding any jurisdictional limitations contained in any charter or statute under which a municipal court was created and established.

(2) The jurisdictional amount for purposes of this section is $1,500.00, unless the city in which the municipal court is located increases the jurisdictional amount for that municipal court to $3,000.00 by resolution of the city's legislative body. A resolution under this subsection shall be submitted to the state court administrative office, and the increase in the jurisdictional amount shall take effect January 1 of the year immediately following the year in which the resolution is received by the state court administrative office.

History: 1956, Act 5, Eff. Aug. 11, 1956;—Am. 1961, Act 196, Eff. Sept. 8, 1961;—Am. 1965, Act 147, Imd. Eff. July 12, 1965;—Am. 1998, Act 367, Imd. Eff. Oct. 20, 1998.

730.523 Appeals in criminal cases.

Sec. 23. Except as provided in section 23a, appeals in criminal cases may be taken as a matter of right from the municipal court of a city to the circuit court of the county in which the city is located in the same manner and time as is provided by law for appeals in criminal cases from the former justice courts or as otherwise provided by law.

History: 1956, Act 5, Eff. Aug. 11, 1956;—Am. 1963, 2nd Ex. Sess., Act 54, Imd. Eff. Dec. 27, 1963;—Am. 1998, Act 415, Eff. Jan. 1, 1999.

730.523a Appeal in civil action or criminal case; effect of resolution.

Sec. 23a. (1) An appeal in a civil action or a criminal case from a municipal court of a city that adopts a resolution under subsection (2) shall be taken from the municipal court to the circuit court in the county in which the city is located. The appeal shall not be a de novo proceeding in circuit court. The conditions, manner, and time of the appeal shall be the same as is provided by law and by supreme court rule for appeals in civil actions or criminal cases from the district court.

(2) This section applies only in a city that maintains a municipal court on the effective date of this section and that, by resolution of its legislative body, agrees to assume any local financial obligations that may arise out of this section, and applies only to actions commenced on or after the date on which that resolution is submitted to the state court administrative office. A resolution required under this subsection is not valid unless it is adopted and submitted to the state court administrative office not later than 180 days after the effective date of this section.

History: Add. 1998, Act 415, Eff. Jan. 1, 1999.

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730.524 Attorney fees taxable.

Sec. 24. In all cases of contested trials, where an appearance has been entered by an attorney in behalf of the opposite party, the prevailing party, if he be the plaintiff and was represented by a regularly licensed attorney, shall be entitled to tax the sum of $10.00 in case of rendition of a judgment of $300.00 or under, $15.00 in the case of rendition of a judgment of over $300.00 but not more than $500.00, and $25.00 in case of rendition of a judgment of over $500.00; and if the defendant is the prevailing party, he shall be entitled to tax the sum of $10.00 in case the plaintiff sought in his pleadings to recover a judgment of $300.00 or less, $15.00 in case the plaintiff sought in his pleadings to recover a judgment of over $300.00 but not more than $500.00, and $25.00 if the plaintiff in his pleadings sought to recover a judgment of over $500.00, as an attorney fee.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.525 Matters returnable before presiding judge.

Sec. 25. All writs, summons, proceedings or matters of any kind, which by law are made returnable before a justice of the peace and are not herein otherwise provided for, shall be returnable before the presiding judge of the municipal court of any city affected by the provisions of this act.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.526 Conduct of trial by litigants or attorneys; contempt for violation.

Sec. 26. Individual litigants may conduct the trial of their own causes in the municipal court of any city affected by the provisions of this act, but it shall be unlawful for any one excepting an attorney at law to conduct the trial of other than their own individual suits in any such court. Any person violating the provisions of this section shall be guilty of contempt of court and may be punished therefor by any judge of the municipal court or any circuit judge of the county in which such city is located, by a fine of not more than $50.00 or by imprisonment in the county jail of such county for a period of not more than 30 days or by both such fine and imprisonment in the discretion of the court.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.527 Bail; setting date for examinations; recognizance in criminal cases.

Sec. 27. If a warrant has been issued by a judge of the municipal court of any city affected by this act for a criminal offense, the person charged with that offense may be arraigned by any judge of that municipal court. The judge may fix the amount of bail or let the person to bail, or both, and set a date for the examination provided by law before the judge who signed the warrant. If the person charged with the offense waives examination, the judge may fix the amount of bail or let the person to bail, or both, and bind the person to appear before the circuit court of the county or any court having jurisdiction of that cause for trial. If a warrant has been issued by a municipal judge for an offense against the laws of this state and the person charged has been arraigned and the amount of bail has been set, a recognizance for the appearance of the person charged to answer for that offense may be taken and entered into by any clerk or deputy clerk of that court.

History: 1956, Act 5, Eff. Aug. 11, 1956;—Am. 1993, Act 303, Eff. June 30, 1994.

730.528 Provisions applicable to municipal judges and municipal courts; fees.

Sec. 28. All the provisions of general statutes, local or special acts, or charter provisions, relating to justices of the peace and to justice courts in any city, shall apply to the municipal judges and to the municipal court of any city affected by the provisions of this act. The legislative body of any city may provide for a fixed fee not exceeding $5.50 if the amount in controversy does not exceed $600.00, and a fee not exceeding $11.00 in all other civil cases except as otherwise provided by law. Nothing in this section shall be considered to change the fees for jurors, witness fees and mileage, attorney fees, or constable's fees and mileage which are provided by statute.

History: 1956, Act 5, Eff. Aug. 11, 1956;—Am. 1957, Act 79, Eff. Sept. 27, 1957;—Am. 1986, Act 148, Imd. Eff. July 2, 1986.

730.529 Judgments; signing by judges.

Sec. 29. Judgments rendered in any such municipal court shall be signed by the judge by or before whom such cause was tried.

History: 1956, Act 5, Eff. Aug. 11, 1956.

730.530 Conciliation division; judges; clerks; jurisdictional amount.

Sec. 30. (1) Any municipal court affected by this act may provide for a conciliation division where civil actions in which the debt or damages claimed do not exceed the amount in subsection (2), excepting replevin

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suits, suits commenced by writ of attachment, and suits commenced by civil warrant, except as hereinafter provided, may be brought and settled in an informal manner. The judges of the municipal court are hereby constituted conciliators of the conciliation division, and shall act as such as part of their official duties. Any municipal judge may authorize any clerk or deputy clerk of the court to act as conciliator in any case.

(2) The jurisdictional amount for purposes of this section is $100.00, unless the city in which the municipal court is located increases the jurisdictional amount for that municipal court to $600.00 by resolution of the city's legislative body. A resolution under this subsection shall be submitted to the state court administrative office, and the increase in the jurisdictional amount shall take effect January 1 of the year immediately following the year in which the resolution is received by the state court administrative office.

History: Add. 1957, Act 101, Eff. Sept. 27, 1957;—Am. 1998, Act 367, Imd. Eff. Oct. 20, 1998.

730.531 Conciliation division; summons, default, hearings, adjournment.

Sec. 31. Any person having a claim within the jurisdiction of the conciliation division of any such court may appear before the clerk or any deputy clerk of such court and state his claim without formality or written pleadings. The clerk shall thereupon issue a summons in substantially the following form:

STATE OF MICHIGAN

The municipal court for the City of .....

To .....

You are notified that (name of plaintiff) has commenced suit against you for (state nature of claim and amount).

Be in the above court on the ..... day of ....., 19..., at ..... o'clock in the ..... noon, or judgment will be taken against you. Bring witnesses and papers if any. Be prepared for trial at that time.

..... Clerk

By ..... Deputy Clerk.

The summons shall notify the defendant to appear for trial at a certain time and place not less than 6 nor more than 14 days from the date of issue, and shall be served at least 2 days before the date set therein for trial. The clerk or deputy clerk, on request of the plaintiff, may notify the defendant by telephone or by mail, in which case the clerk's fee for such service shall be 25 cents, for the use of the city. If the defendant does not appear at the date and time set, no judgment shall be taken unless service was had upon him by summons, and the case may be adjourned and summons issued and served personally upon the defendant. If the defendant does not appear at the date and time set, after personal service of the summons upon him, the clerk shall forthwith enter his default, and the plaintiff may thereupon or at any time within 15 days thereafter prove his claim before a conciliator of the court. Hearings shall be informal and may be private. The conciliator may suspend rules of evidence and may dispense with the swearing of witnesses. There shall be no adjournments unless in the opinion of the conciliator an adjournment is necessary to prevent a miscarriage of justice.

History: Add. 1957, Act 101, Eff. Sept. 27, 1957.

730.532 Conciliation division; settlement; judgment, payment.

Sec. 32. The parties prior to or at the hearing may make a settlement upon such terms as they may agree upon, in which case it shall be reduced to writing and signed by the parties, and the settlement shall be filed in the cause and in all respects shall be considered as a judgment rendered by the conciliator. Any judgment rendered in such conciliation division may provide for its satisfaction by payment to the clerk of the court or to the plaintiff of either a lump sum, or by installments in such amounts and at such times as the conciliator may deem just and reasonable under the circumstances. The presiding municipal judge or the conciliator in the cause thereafter for good cause shown may alter the amount of installment payments and the time of payment of such judgments, and authorize execution or garnishment to issue thereon where it appears that the defendant has not paid according to the terms of the agreement or order.

History: Add. 1957, Act 101, Eff. Sept. 27, 1957.

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730.533 Conciliation division; transfer to regular division; costs.

Sec. 33. Either party to a suit in the conciliation division shall be entitled to make demand, before the commencement of the hearing in his cause, to transfer the cause to the regular division; the conciliator shall then transfer the cause to the regular division of the court. At the termination of the suit, the judge hearing the same shall have discretion to save the opposite party harmless from costs caused by the transfer to the regular division, if in his opinion the cause should have been heard in the conciliation division.

History: Add. 1957, Act 101, Eff. Sept. 27, 1957.

730.534 Michigan uniform municipal court act; short title.

Sec. 34. This act shall be known and may be cited as the "Michigan uniform municipal court act".

History: Add. 1957, Act 101, Eff. Sept. 27, 1957.

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