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Senate Bill 823 (Substitute S-4)
Sponsor: Senator Alan L. Cropsey
Committee: Appropriations

Date Completed: 9-28-04

CONTENT

The bill would amend the Revised Judicature Act of 1961 to do the following:

- Effective January 2, 2007, convert part-time probate judges in Alcona, Baraga, Benzie, Missaukee, Montmorency, Oscoda, and Presque Isle counties to full-time status. The probate judges in these counties would also have the jurisdiction and authority of a district judge.
- For elections held after January 2, 2007, provide that the State would pay the entire additional cost of submitting the question of creation of probate districts to the electors, and delete the current 50% reimbursement rate.
- Add probate judges in Barry, Berrien, Isabella, Otsego, and Van Buren counties to the list of probate judges who have the jurisdiction and authority of a district judge.

MCL 600.807

FISCAL IMPACT

For full-time probate court judges the State pays, directly or indirectly, the entire \$139,919 salary, defined contribution employer costs, Social Security and Medicare. For part-time probate judges the State pays, directly or indirectly, \$25,750 of the maximum salary of \$65,724, defined contribution employer costs, Social Security and Medicare. The annual cost increase to the State for converting seven part-time probate judgeships to full-time status would be approximately \$840,000.

The cost of reimbursing 100% of election costs regarding the creation of probate court districts for the three remaining part-time probate judgeships would depend on whether the question was included in a primary, general, or special election. The maximum cost, assuming special elections for all three judgeships, would be approximately \$75,000, instead of \$37,500 under the current 50% reimbursement rate. However, savings to the State would result from the creation of a probate court district.

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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.