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Senate Bill 829 (as introduced 11-5-03)
Sponsor: Senator Alan Sanborn
First Senate Committee: Judiciary
Second Senate Committee: Appropriations

Date Completed: 2-24-04

CONTENT

The bill would amend the Revised Judicature Act (RJA) to authorize a new judgeship in the 16th Judicial Circuit, which consists of Macomb County and currently has 11 judges. The RJA allows the 16th Circuit to have one additional judge effective January 1, 2005. Under the bill, subject to Section 550 of the RJA, the 16th Circuit could have one more additional judge as of that date.

The Act provides that if a new office of judge is added to the 16th Circuit by election in 2004, the term of office of that judgeship, for that election only, will be eight years. Under the bill, that would apply if *only one* new judgeship were added. If two new judgeships were added to the 16th Circuit by election in 2004, the candidate receiving the highest number of votes in the November general election would be elected for an eight-year term for that election only, and the candidate receiving the second highest number of votes would be elected for a six-year term.

(Under Section 550, an additional circuit judgeship permitted by the RJA may not be authorized to be filled by election unless the county board of commissioners adopts a resolution approving the creation of that judgeship. The county clerk must file a copy of the resolution with the State Court Administrator by 4:00 p.m. of the 16th Tuesday preceding the August primary for the election to fill the additional judgeship.)

MCL 600.517

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would increase costs to State and local units of government.

Based on the 2004 salary of a circuit court judge, the State would incur the following annual costs for a new circuit judgeship:

Salary	\$139,919
Social Security/Medicare	7,529
Defined Contribution Retirement	9,794
Total	\$157,242

The cost of the proposed additional judgeship was not included in the Executive Recommendation for the FY 2004-05 budget. If a judge were added as of January 1, 2005, it would cost the State approximately \$117,900 for FY 2004-05.

Local costs would depend on the cost of fringe benefits for judges provided by the county, support staff costs, and whether additional office or courtroom facilities would be necessary.

Fiscal Analyst: Bethany Wicksall

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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.