

# HOUSE BILL No. 5123

June 17, 2009, Introduced by Rep. LeBlanc and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending section 8507 (MCL 600.8507), as amended by 2005 PA 326.

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

1       Sec. 8507. (1) Magistrates shall be registered electors in the  
2 county in which they are appointed. **BEGINNING JANUARY 1, 2010, A**  
3 **PERSON MUST BE ADMITTED TO THE PRACTICE OF LAW IN THIS STATE IN**  
4 **ORDER TO BE APPOINTED AS A MAGISTRATE AND MUST MAINTAIN THAT STATUS**  
5 **TO REMAIN SERVING AS A MAGISTRATE.** All magistrates appointed shall  
6 serve at the pleasure of the judges of the district court. Before  
7 assuming office, persons appointed magistrates shall take the  
8 constitutional oath of office and file a bond with the treasurer of  
9 a district funding unit of that district in an amount determined by  
10 the state court administrator. The bond shall also apply to  
11 temporary service in another county under subsection (2), (3), or

1 (4), or pursuant to a multiple district plan under subsection (5).

2 (2) In a district of the first class that consists of more  
3 than 1 county, if a magistrate is temporarily absent or  
4 incapacitated, the chief or only district judge may direct a  
5 magistrate of another county of the same district to serve  
6 temporarily in the county where the magistrate is temporarily  
7 absent or incapacitated. The district judge shall make his or her  
8 order in writing. A magistrate serving temporarily under this  
9 subsection is not entitled to additional compensation but shall be  
10 reimbursed for actual and necessary expenses incurred during the  
11 authorized temporary service upon certification and approval by the  
12 state court administrator. Upon allowance, the reimbursement shall  
13 be paid by the state treasurer out of the appropriation for the  
14 state court administrative office.

15 (3) In a district of the first class that consists of more  
16 than 1 county, the chief or only district judge may authorize a  
17 magistrate appointed in 1 county to serve in another county in the  
18 district.

19 (4) Pursuant to a multiple district plan under section 8320  
20 involving adjoining districts of the first class, a district court  
21 magistrate appointed in a county of 1 district may be authorized to  
22 serve in a county of the adjoining district. While serving in the  
23 adjoining district, the magistrate shall be subject to the  
24 superintending control of the chief or only district judge of that  
25 district.

26 (5) Pursuant to a multiple district plan under section 8320  
27 involving districts in the same county, a district court magistrate

1 may be authorized to serve in any participating district of the  
2 county.