

Chapter 730

JUSTICE COURTS AND MUNICIPAL COURTS

JUSTICE COURTS

Act 299 of 1911

730.1-730.30 Repealed. 1990, Act 217, Imd. Eff. Oct. 8, 1990.

MUNICIPAL COURTS

Act 269 of 1933

730.101-730.159 Expired. 1943, Act 178, Eff. Mar. 3, 1946;—Repealed, 1990, Act 217, Imd. Eff. Oct. 8, 1990.

CLERKS FOR JUSTICE COURTS

Act 171 of 1911

730.201-730.204 Repealed. 1990, Act 217, Imd. Eff. Oct. 8, 1990.

JURY TRIALS IN JUSTICE COURTS

Act 288 of 1929

AN ACT to provide for terms for the trial of jury cases in justice courts in cities; to provide for the selection of jurors to try such cases; and to provide for the rights, powers and duties of justices of the peace in such cases.

History: 1929, Act 288, Eff. Aug. 28, 1929

The People of the State of Michigan enact:

730.251 Terms for trial of jury cases; adoption of law.

Sec. 1.

Any city may by charter or ordinance establish terms for the trial of jury cases in the justice court of such city, and may provide that jury cases may be set for trial upon 1 or more certain days of each month or as soon thereafter as such trial can be reached. Any city so providing for terms for the trial of jury cases and having a justice court clerk who acts as clerk for all of the justices of the peace in such city, may by an ordinance passed by a 3/4 vote of the legislative body of said city, adopt the provisions of this act as the method of the selection of jurors for the trial of jury cases. In such ordinance it shall not be necessary to embody the terms of this act but the same may be adopted by reference only. After this act has once been adopted, such adoption may be rescinded by an ordinance passed by a 3/4 vote of the legislative body of such city.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16497 ;-- CL 1948, 730.251

730.252 Board of jury commissioners; members.

Sec. 2.

A board of jury commissioners is hereby created for each city adopting the provisions hereof, which shall consist of the city treasurer, the city clerk and the city assessor, or if more than 1 city assessor then such one as shall be designated by a majority of the assessors.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16498 ;-- CL 1948, 730.252

730.253 Jury lists; duty of commissioners; qualification and term of jurors.

Sec. 3.

The said board shall within 15 days after the adoption of this act in any city and during the month of November of every year thereafter, make and file with the clerk of the justice court a list of persons to serve for the succeeding calendar year as justice court jurors equal to 1 for each 200 inhabitants of the city, computed according to the last preceding census: Provided, That in no case shall it be necessary to file a list of more than 400 electors. If the names on such list shall be exhausted prior to the end of such calendar year, the justices of the peace shall order said board to make and file an additional list of persons to serve as jurors for the remainder of such year and it shall be the duty of said board to make and file such list. All persons selected for jury service by said board shall be qualified electors of the city and shall be drawn from the city at large and shall not be required to serve in any 1 year for a period of more than 1 jury term.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16499 ;-- CL 1948, 730.253

730.254 Jury lists; qualifications of persons chosen.

Sec. 4.

The said board in making such selection shall file the names of such only as are not exempt from serving on juries, who are in possession of their natural faculties, not infirm or decrepit, of good character, of approved integrity, of sound judgment, and well informed and conversant with the English language, and free from all legal exceptions, and who have not made, and in whose behalf there has not been made to the members of said board, any application to be selected and returned as jurors.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16500 ;-- CL 1948, 730.254

730.255 Jury lists; persons not to be chosen.

Sec. 5.

In making such selection said board shall avoid, as far as practicable, selecting any of the persons who were actually drawn and who served as jurors on any regular justice court panel during the preceding year.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16501 ;-- CL 1948, 730.255

730.256 Jury lists; duplicates, filing; duty of clerk of justice court.

Sec. 6.

Such list of jurors shall be made in duplicate and 1 copy filed in the office of the city clerk and the other copy filed in the office of the clerk of the justice court. Upon receiving and filing such list, the clerk of the justice court shall write down the names contained therein on separate pieces of paper, of the same size and appearance as nearly as may be, and shall fold up each of said pieces of paper so as to conceal the names thereon.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16502 ;-- CL 1948, 730.256

730.257 Jurors; term of service.

Sec. 7.

The persons whose names shall be returned as jurors shall serve as jurors for 1 year and until other lists shall be returned and filed.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16503 ;-- CL 1948, 730.257

730.258 Drawing of jurors; time, number.

Sec. 8.

At least 10 days and not more than 20 days before the holding of any term for the trial of jury cases in the justice court in any such city, the clerk of the justice court shall draw the names of 10 persons and any additional number that may be ordered by the justices of the peace of the city. Additional jurors may be drawn from time to time to fill vacancies in the jury panel for any term of court upon the order of the justices of the peace.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16504 ;-- CL 1948, 730.258

730.259 Drawing of jurors; justice and chief of police to be present; adjournment.

Sec. 9.

Such drawing shall be made in the presence of at least 1 of the justices of the peace and the chief of police, or in the event of his absence or inability to attend, then in the presence of the officer at the time being in command of the police department of the city. The clerk of the justice court shall notify the justices of the peace of said city and the chief of police, personally or by registered mail, of the time and place of making such drawing by depositing such notice in the United States mails at least 3 days prior to such drawing, enclosed in an envelope addressed to such persons at their respective addresses. If the persons required to be present at such drawing do not appear the clerk of the justice court may adjourn such drawing from time to time. It is hereby made the duty of the justices of the peace and the chief of police, or in his absence or inability, the commanding officer of the police department, to attend such drawing.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16505 ;-- CL 1948, 730.259

730.260 Drawing of jurors; procedure, record.

Sec. 10.

The clerk of the justice court shall conduct such drawing as follows:

(a) He shall place in a box prepared for that purpose all of the names contained in the list of jurors returned by the board of jury commissioners, except the names of those persons who have been previously drawn on a jury panel during the current year, each name appearing upon a separate slip of paper as above provided. He shall then shake the box so as to mix the slips of paper upon which names were written, as much as possible.

(b) He shall publicly draw out of such box 1 slip of paper and hand the same to 1 of the attending justices of the peace, whose duty it shall be to keep a minute of the names drawn. When such justice shall have made a minute of the names so drawn, the clerk of the justice court shall proceed in the same manner to draw other names from said box until the required number of jurors has been selected.

(c) A minute of the drawing shall be kept by such attending justice of the peace in which shall be entered the name contained on every slip of paper so drawn before any other slip shall be drawn.

(d) If after drawing the required number of justice court jurors, the name of any person shall appear to have been drawn who is dead, insane, or who has permanently removed from the city, to the knowledge of the clerk of the justice court or any other attending officer, an entry of such fact shall be made in the minutes of the drawing and the slip of paper containing such name shall be destroyed. Another name shall then be drawn from the box in the manner above provided and entered in the minutes of the drawing. The same proceeding shall be had as often as may be necessary until the whole number of jurors required shall have been drawn.

(e) The minutes of the drawing shall then be signed by the clerk of the justice court and the attending justice of the peace and filed in the office of the clerk of the justice court.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16506 ;-- CL 1948, 730.260

730.261 Venire delivered to constable; notice to jurors, return.

Sec. 11.

The clerk of the justice court shall deliver to 1 of the constables, or in their absence, to a deputy sheriff, a venire containing the names and places of residence of the several jurors and specify for what term of court said jurors were drawn. The constable or deputy sheriff to whom such venire shall have been delivered, shall serve a personal notice upon each of the persons whose names are contained in such venire by making out a written notice to each such person and enclosing the same in a sealed envelope addressed to such person at his last known place of residence, which written notice enclosed in said envelope and addressed to the person summoned, shall be sent to his last known place of residence by registered mail at least 5 days before the first day of the term of court for which he is to serve, with a demand in writing on said envelope for a return registry receipt. Said constable or deputy sheriff shall make and file a return with the clerk of the justice court at the opening of the term for which said jurors have been summoned, specifying to whom said notice has been sent and attaching to his said return the returned registry receipts demanded and received from the persons so summoned.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16507 ;-- CL 1948, 730.261

730.262 Exemptions and excuses from jury service.

Sec. 12.

All persons who are exempt from service on juries in the circuit courts of this state shall be exempt from service on juries in justice courts of cities adopting this act. Likewise all persons who are entitled to be excused from service on juries in circuit courts in this state shall be entitled to be excused from service as jurors in justice courts in cities adopting this act. In such cases the same proceedings shall be taken as in circuit courts.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16508 ;-- CL 1948, 730.262

730.263 Compensation of jurors and constables.

Sec. 13.

Each justice court juror shall be entitled to receive \$6.00 for each day's attendance, and \$3.00 for each half day's attendance upon any term of justice court, to be paid out of the city treasury of the city on the certificate or order of the clerk of the justice court: Provided, There shall be deducted therefrom the amount of any certificate issued to such juror on account of services performed as a juror in a case brought for a violation of the criminal laws of the state. The constable, or deputy sheriff, summoning said jurors, shall be entitled to receive the sum of 50 cents for each summons so served, and the constable shall be entitled to \$4.00 per day for each day's attendance and \$2.00 for each half day's attendance upon the jury at any such jury term, to be paid out of the city treasury on the certificate or order of the clerk of the justice court. Any city may by ordinance increase the compensation of jurors and constables to a sum not exceeding \$6.00 for each day's attendance and \$3.00 for each half day's attendance.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16509 ;-- CL 1948, 730.263 ;-- Am. 1957, Act 247, Eff. Sept. 27, 1957

730.264 Demand for jury trial.

Sec. 14.

When any cause shall become at issue, any party thereto shall be entitled to a jury trial by filing with the justice of the peace a demand for a jury, and in case said cause be a civil action, by depositing with the clerk of the justice court the sum of 12 dollars, which sum shall be taxed as costs if the party depositing the same shall prevail on the trial of said cause; and said sum will be returned to the person depositing the same if said cause shall be disposed of without a trial thereof by a jury.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16510 ;-- CL 1948, 730.264

730.265 Trial of jury cases; discharge of jurors.

Sec. 15.

At each jury term all jury cases set for trial at said term shall be tried in the order in which they become at issue unless for good cause shown a continuance shall be granted until the next term of court or until a subsequent date during the same term. The jurors impaneled for such term shall be discharged from further attendance as jurors when all cases ready for trial shall have been disposed of, and all cases not ready for trial shall stand adjourned until the next succeeding jury term of court unless otherwise disposed of.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16511 ;-- CL 1948, 730.265

730.266 Justice may order jury impaneled.

Sec. 16.

Nothing in this act contained shall prevent any justice of the peace, when no jury is in attendance, in his discretion and in order to avoid hardship, from delay, from ordering a jury impaneled in accordance with the method provided by law to secure a jury in trials before justices of the peace in townships.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16512 ;-- CL 1948, 730.266

730.267 Drawing of jury; challenges.

Sec. 17.

As the cases shall be called for trial during each jury term, each jury shall consist of 6 persons and shall be drawn from the list of jurors impaneled for the term in the manner provided by the general laws of the state for drawing juries in the circuit court, as near as may be, and no person so drawn shall be excused from serving except for causes recognized in the trial of cases in the circuit court; except that the plaintiff and defendant in each civil action may respectively challenge peremptorily not more than 2 jurors, and in each criminal action and action for violation of ordinances, the attorney representing the people may challenge peremptorily not more than 2 jurors and the defendant may challenge peremptorily not more than 4 jurors. No jurors shall be disqualified by reason of having sat as juror on any number of cases during any 1 term for the trial of jury cases.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16513 ;-- CL 1948, 730.267

730.268 Failure to attend and continue in attendance as juror; penalty.

Sec. 18.

Any person who shall fail to attend and continue in attendance at the justice court room in the city as a juror for the term for which he or she shall have been selected and duly summoned, as herein provided, without the consent of the justice presiding on that particular day or that particular term, shall be punished by a fine of not more than \$100.00, or by imprisonment for not more than 90 days, or both.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16514 ;-- CL 1948, 730.268 ;-- Am. 1985, Act 50, Imd. Eff. June 14, 1985

730.269 Presiding justice.

Sec. 19.

If in any city adopting this act there is more than 1 justice of the peace, such city may by charter or ordinance provide for the selection of a presiding justice by the justices of the peace of such city, and in such case the action of the presiding justice as to any matter herein required shall be deemed the action of the justices of the peace of such city.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16515 ;-- CL 1948, 730.269

730.270 Instructions to jury.

Sec. 20.

It shall be the duty of said justices to instruct the jury in all cases as to the law applicable to the case, which instruction shall be received by the jury as the law of such case. Either party may present written requests to charge to the justice, who shall present the same to the jury as requested if he shall deem the same to correctly state the law applicable to such case.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16516 ;-- CL 1948, 730.270

730.271 Directed verdicts.

Sec. 21.

The justices shall have the same power to direct a verdict for either party as is had by judges of circuit courts of this state in similar cases.

History: 1929, Act 288, Eff. Aug. 28, 1929 ;-- CL 1929, 16517 ;-- CL 1948, 730.271

SUBSTITUTE FOR JUSTICE OF THE PEACE OR MUNICIPAL JUDGE

Act 41 of 1947

730.301, 730.302 Repealed. 1990, Act 217, Imd. Eff. Oct. 8, 1990.

ASSOCIATE JUSTICE OR JUDGE

Act 109 of 1947

730.321-730.328 Repealed. 1990, Act 217, Imd. Eff. Oct. 8, 1990.

CHANGING NAME OF JUSTICE COURT TO MUNICIPAL COURT

Act 103 of 1947

730.351-730.354 Repealed. 1990, Act 217, Imd. Eff. Oct. 8, 1990.

DRAWING JURIES IN JUSTICE COURT

Act 179 of 1951

AN ACT to provide an optional method of drawing juries in justice courts or in any court having the civil and criminal jurisdiction of a justice court, in civil and criminal cases, in cities, and in which a court clerk is provided for by law.

History: 1951, Act 179, Eff. Sept. 28, 1951

The People of the State of Michigan enact:

730.401 Juries in justice courts; impaneling and drawing.

Sec. 1.

Juries in civil and criminal cases in justice courts or in any court having the civil and criminal jurisdiction of justices of the peace, in cities, and having a clerk, may be impaneled and drawn in the manner prescribed in this act.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.402 Juries; duties of city clerk and assessing officer.

Sec. 2.

The city clerk and city assessor or other assessing officer shall, on or before October first of each year, prepare a list in duplicate of the names and addresses of not less than 1 resident of the county for each 1,000 inhabitants of such county, according to the last federal census taken previous to the preparation of any such list, and in no case shall less than 100 names be placed on such list. The above named officials shall then sign each copy and shall certify thereon that every person whose name and address appears thereon is to the best of his knowledge legally qualified and that such list is a true list of the names and addresses of the persons selected. The said officials shall then, on or before October first, file 1 copy with the city clerk and 1 copy with the clerk of the court; and juries may be drawn during the ensuing calendar year from the said list in the manner and under the conditions hereinafter set forth.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.403 Juries; additional list of names and addresses, disposition.

Sec. 3.

At any time the judge or justice, or judges or justices, as the case may be, shall so request of the city clerk in writing, the aforesaid officials shall prepare and file an additional list of names and addresses of persons having the qualifications prescribed by this act, within such time and containing the number of names specified in such request; and the names of persons listed therein shall be placed by the clerk of the court in the box hereinafter provided for in receptacles as herein provided for, and with the names already in such box, used in the drawing of juries during the balance of the calendar year.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.404 Juries; qualifications; persons over 70 years of age.

Sec. 4.

The officials preparing jury lists shall select only residents of and qualified and registered electors of the county in which such city is situated; and in making such selection they shall take the names of such only as are not exempt from serving on juries, by the provisions of this act, who are in possession of their natural faculties, and are not infirm or decrepit, of good character, of approved integrity, of sound judgment, and well informed in and conversant with the English language, and free from all legal exceptions: Provided, That the name of any person more than 70 years of age who is otherwise eligible may be placed on a list, but such a person if drawn as a juror shall be excused upon his request, and the fact that such person is more than 70 years of age shall not be ground for challenge for cause.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.405 Juries; exemption from serving.

Sec. 5.

Any person shall be exempt from serving on a jury drawn in accordance with the provisions of this act if such person is exempt from serving on juries in the circuit courts of the state, except as is otherwise provided by this act.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.406 Juries; reasons for exemption.

Sec. 6.

Any person shall be entitled to be excused from serving on a jury drawn in accordance with the provisions of this act for the same reasons he would be entitled to be excused from serving as a juror in the circuit courts of the state, except as is herein otherwise provided.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.407 Juries; slips, receptacles; custody.

Sec. 7.

The clerk of the court shall write the name and address of each person named on any list, on a separate slip of paper, together with such other information as may aid in communicating with such person. Each slip shall then be placed in a separate receptacle so designed as to conceal the information contained on the slip, and all the receptacles containing the slips shall then be placed in a box to be kept for that purpose, which shall be kept locked when not being used to draw a jury. The clerk of the court shall be the custodian of the slips, receptacles, box, lock, and key.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.408 Juries; drawing, method; compelling appearance.

Sec. 8.

When a jury is to be drawn, the clerk of the court shall bring said box into open court, and draw therefrom such names, one at a time, as may be needed to impanel the jury, and the parties or their attorneys may be present. Any person whose name is drawn may be compelled to appear by subpoena, or the justice or judge may in his discretion communicate with such person by telephone or in any other manner, or cause such person to be so communicated with. If in the discretion of the judge or justice before whom such trial is held, any person whose name is drawn cannot be reached or brought into court with sufficient promptness or within a reasonable time, he may order such name passed and another drawn: Provided, however, That no person shall be adjudged guilty of contempt of court for failure or refusal to appear as a juror under the provisions of this act unless he has been duly served with a subpoena to appear signed by the judge or justice.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.409 Juries; slips, replacing.

Sec. 9.

All slips drawn shall be replaced in the receptacle and returned to the box, after the drawing of a jury has been completed, whether or not any or all of the persons named on said slips served on such jury, and used with the names already in the box in the drawing of subsequent juries.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.410 Juries; alphabetical list kept.

Sec. 10.

The clerk of the court shall keep an alphabetical list of the names and addresses of all persons who have served on juries drawn under this act, together with the date such persons served, and whether a civil or criminal trial; if a criminal trial the name of the respondent; if a civil trial the file number and the names of plaintiff and defendant.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.411 Deputy clerk; authority.

Sec. 11.

Any deputy clerk of any court affected by the provisions of this act is hereby authorized to perform all duties and is granted all powers, so far as the duties imposed and powers granted by this act are concerned, which the clerk is herein authorized and enjoined to perform.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.412 Number of jurors.

Sec. 12.

Juries in all cases drawn in accordance with the provisions of this act shall consist of 6 persons, or less if agreed to by both parties.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.413 Charge of jury.

Sec. 13.

Any deputy sheriff of the county or police officer of the city in which a court drawing a jury by virtue of the provisions of this act is situated, or any duly authorized process server of such court, may be authorized by the justice or judge conducting the trial to have charge of the jury. Before entering upon such duty, the justice or judge shall administer to such officer the same oath that a person having charge of a jury in a jury trial in justice court in this state is or may by law be required to take.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.414 Excusing from service; challenge.

Sec. 14.

No person shall be required to serve as a juror more than twice within 1 year. Any person who has served in said court as a juror 4 or more times within a year shall be excused by the court upon his request, and may be challenged for cause by any party to a cause.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.415 Challenging; time.

Sec. 15.

Any person drawn as a juror by virtue of the provisions of this act may be challenged either at the time of drawing or at the time of trial for cause for the same reasons he could be challenged for cause if drawn as a juror on a jury drawn in accordance with the statutes providing for jury trials in justice courts in townships, in addition to the grounds for challenge for cause provided for in this act, unless inconsistent with the provisions of this act.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.416 Peremptory challenges.

Sec. 16.

In a criminal trial the people and the respondent shall each be entitled to 4 peremptory challenges and no more. In a civil trial the plaintiff and the defendant shall each be entitled to 2 peremptory challenges and no more.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.417 Laws governing.

Sec. 17.

The provisions of existing laws relative to civil and criminal juries and jury trials in justice courts in townships shall govern in jury trials in which the jury is drawn in accordance with the provisions of this act, unless contrary to the provisions of this act or to the provisions of other laws or charter provisions to which such court is subject: Provided, That the only qualifications necessary to being placed on a jury list and serving as a juror are those stated in section 4 of this act.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.418 Optional method of drawing juries.

Sec. 18.

This act shall not be construed to repeal the provisions of any other law in effect in a particular city providing a method of drawing juries, but the justice or judge conducting a trial may in any case order a jury drawn according to the provisions of this act or in any other way permitted by law, and this act shall be an optional method of drawing juries.

History: 1951, Act 179, Eff. Sept. 28, 1951

730.419 List filed before act effective.

Sec. 19.

This act shall not go into effect in any city to which it applies unless the judge or judges, or justice or justices, notify the city clerk and city assessor or assessing officer in writing to prepare and file lists of names as is provided for herein. The first list shall be filed as soon as it is prepared and may be used to draw juries at the expiration of 2 months from the date of filing and until the first regular annual list provided for herein goes into effect.

History: 1951, Act 179, Eff. Sept. 28, 1951

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, 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 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.

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 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

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 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

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

MUNICIPAL COURTS

Act 184 of 1956

AN ACT to provide that municipal courts having a salaried judge or judges shall have original jurisdiction of all prosecutions and proceedings for all misdemeanors and offenses arising under the laws of this state and committed within the corporate limits of any such city, which are punishable by a fine or imprisonment for not more than 1 year, or both.

History: 1956, Act 184, Eff. Aug. 11, 1956 ;-- Am. 1974, Act 385, Imd. Eff. Dec. 23, 1974

The People of the State of Michigan enact:

730.551 Municipal courts; criminal jurisdiction.

Sec. 1.

In addition to such jurisdiction as previously conferred upon them, municipal courts having a salaried judge or judges shall have original jurisdiction of all prosecutions and proceedings in behalf of the people of this state for all misdemeanors and offenses arising under the laws of this state and committed within the corporate limits of the cities in which the courts are located, and which are punishable by a fine or imprisonment for not more than 1 year, or both, and may issue all lawful writs and process and do all lawful acts which may be necessary and proper to carry into effect the jurisdiction given by this act. This act shall not affect the jurisdiction of the circuit court over any case pending in the circuit court when this 1974 amendatory act takes effect.

History: 1956, Act 184, Eff. Aug. 11, 1956 ;-- Am. 1974, Act 385, Imd. Eff. Dec. 23, 1974

MUNICIPAL COURTS OR JUSTICE OF THE PEACE COURTS

Act 42 of 1961

730.571-730.575 Repealed. 1990, Act 217, Imd. Eff. Oct. 8, 1990.

REPEALER

Act 217 of 1990

AN ACT to repeal certain acts and parts of acts.

History: 1990, Act 217, Imd. Eff. Oct. 8, 1990

The People of the State of Michigan enact:

730.581 Acts and parts of acts repealed.

Sec. 1.

The following acts and parts of acts are repealed:

YEAR OF ACT PUBLIC ACT NUMBER COMPILED LAWS SECTIONS

1911	299	730.1 to 730.30
1933	269	730.101 to 730.159
1911	171	730.201 to 730.204
1947	41	730.301 to 730.302
1947	109	730.321 to 730.328
1947	103	730.351 to 730.354
1961	42	730.571 to 730.575

History: 1990, Act 217, Imd. Eff. Oct. 8, 1990