

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961
Chapter 1
SHORT TITLE AND CONSTRUCTION

600.101 Revised judicature act of 1961; short title.

Sec. 101.

This act shall be known and may be cited as the "revised judicature act of 1961." RJA may be used as an abbreviation for the revised judicature act.

History: 1961, Act 236, Eff. Jan. 1, 1963

Compiler's Notes: Former MCL 600.1 to 681.3, deriving from Act 314 of 1915 and entitled "The Judicature Act of 1915," were repealed by Act 236 of 1961.

600.102 Construction of act.

Sec. 102.

This act is remedial in character, and shall be liberally construed to effectuate the intents and purposes thereof.

History: 1961, Act 236, Eff. Jan. 1, 1963

600.103 Repealed. 1980, Act 438, Eff. Sept. 1, 1981.

Compiler's Notes: The repealed section pertained to inapplicability of act to common pleas court. See Compiler's note to MCL 600.224.

600.111 Counter claim; definition.

Sec. 111.

The term "counterclaim," as used in this act, includes setoff and recoupment.

History: 1961, Act 236, Eff. Jan. 1, 1963

600.112 Judgment; definition.

Sec. 112.

The term "judgment," as used in this act, includes decree.

History: 1961, Act 236, Eff. Jan. 1, 1963

600.113 Definitions; provisions governing traffic or parking violation or municipal civil infraction action; determination by preponderance of evidence.

Sec. 113.

(1) As used in this act:

(a) "Civil infraction" means an act or omission that is prohibited by a law and is not a crime under that law or that is prohibited by an ordinance, as defined in section 8701, and is not a crime under that ordinance, and for which civil sanctions may be ordered. Civil infraction includes, but is not limited to, the following:

(i) A violation of the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, designated as a civil infraction.

(ii) A violation of a city, township, or village ordinance substantially corresponding to a provision of the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, if the ordinance designates the violation as a civil infraction.

(iii) A violation of an ordinance adopted under 1969 PA 235, MCL 257.941 to 257.943.

(iv) A violation of a city, township, or village ordinance adopting the uniform traffic code promulgated under 1956 PA 62, MCL 257.951 to 257.955, if the uniform traffic code designates the violation as a civil infraction.

(v) A violation of an ordinance adopted by the governing board of a state university or college under 1967 PA 291, MCL 390.891 to 390.893, if the ordinance designates the violation as a civil infraction.

(vi) A violation of regulations adopted by a county board of commissioners under 1945 PA 58, MCL 46.201.

(vii) A municipal civil infraction.

(viii) A state civil infraction.

(ix) A violation of the pupil transportation act, 1990 PA 187, MCL 257.1801 to 257.1877, designated as a civil infraction.

(b) "Civil infraction action" means a civil action in which the defendant is alleged to be responsible for a civil infraction.

(c) "Municipal civil infraction" means a civil infraction involving a violation of an ordinance, as defined in section 8701. Municipal civil infraction includes, but is not limited to, a railway municipal civil infraction. Municipal civil infraction does not include a violation described in subdivision (a)(i) to (vi) or (ix) or any act or omission that constitutes a crime under any of the following:

(i) Article 7 of the public health code, 1978 PA 368, MCL 333.7101 to 333.7545.

(ii) The Michigan penal code, 1931 PA 328, MCL 750.1 to 750.568.

(iii) The Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

(iv) The Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303.

(v) Part 801 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.80101 to 324.80199.

(vi) The aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.1 to 259.208.

(vii) Part 821 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82101 to 324.82161.

(viii) Part 811 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81101 to 324.81151.

(ix) The railroad code of 1993, 1993 PA 354, MCL 462.101 to 462.451.

(x) Any law of this state under which the act or omission is punishable by imprisonment for more than 90 days.

(d) "Municipal civil infraction action" means a civil action in which the defendant is alleged to be responsible for a municipal civil infraction. Municipal civil infraction action includes, but is not limited to, a railway municipal civil infraction action.

(e) "State civil infraction" means a civil infraction involving either of the following:

(i) A violation of state law that is designated by statute as a state civil infraction.

(ii) A violation of a city, township, village, or county ordinance that is designated by statute as a state civil infraction.

(f) "State civil infraction action" means a civil action in which the defendant is alleged to be responsible for a state civil infraction.

(g) "Railway municipal civil infraction" means a municipal civil infraction involving the operation of a vehicle on a recreational railway at a time, in a place, or in a manner prohibited by ordinance.

(h) "Railway municipal civil infraction action" means a civil infraction action in which the defendant is alleged to be responsible for a railway municipal civil infraction.

(2) Except as otherwise provided in this act:

(a) A civil infraction action involving a traffic or parking violation is governed by the Michigan vehicle code,

1949 PA 300, MCL 257.1 to 257.923.

(b) A municipal civil infraction action is governed by chapter 87.

(c) A state civil infraction action is governed by chapter 88.

(3) A determination that a defendant is responsible for a civil infraction and thus subject to civil sanctions shall be by a preponderance of the evidence.

History: Add. 1978, Act 511, Eff. Aug. 1, 1979 ;-- Am. 1994, Act 12, Eff. May 1, 1994 ;-- Am. 1995, Act 54, Eff. Jan. 1, 1996 ;-- Am. 1996, Act 79, Imd. Eff. Feb. 27, 1996 ;-- Am. 2020, Act 71, Imd. Eff. Apr. 2, 2020

JUDICIAL SYSTEM

600.151 Judicial power of state; vesting in courts.

Sec. 151.

The judicial power of the state is vested exclusively in 1 court of justice which shall be divided into 1 supreme court, 1 court of appeals, 1 trial court of general jurisdiction known as the circuit court, 1 probate court, and courts of limited jurisdiction created by the legislature.

History: 1961, Act 236, Eff. Jan. 1, 1963 ;-- Am. 1963, 2nd Ex. Sess., Act 18, Eff. Mar. 24, 1964

600.151a State court fund; creation; use; crediting deposits and income from investments; unencumbered balance remaining in fund; distribution of proceeds.

Sec. 151a.

(1) The state court fund is created in the state treasury. The money in the fund shall be used as provided in this section.

(2) The state treasurer shall credit to the state court fund deposits of proceeds from the collection of revenue from court fees as provided in this act, and shall credit all income from investment credited to the fund by the state treasurer. The state treasurer may invest money in the fund in any manner authorized by law for the investment of state money. However, an investment shall not interfere with any apportionment, allocation, or payment of money as required by this section. The state treasurer shall credit to the fund all income earned as a result of an investment of money in the fund. The unencumbered balance remaining in the fund at the end of a fiscal year shall remain in the fund and shall not revert to the general fund.

(3) In the state fiscal year beginning October 1, 1993, the state treasurer shall distribute proceeds of the fund as follows:

(a) To the state court administrator for the operational expenses of trial courts in counties other than the counties of the trial courts described in subdivision (c), \$1,600,000.00, with the balance of the fund being distributed according to subdivisions (b) to (e).

(b) To the state court administrator for the operational expenses of trial courts in counties other than the counties of the trial courts described in subdivision (c), 44% of the balance of the fund.

(c) To the state court administrator for the operational expenses of trial courts that receive appropriations to implement sections 563, 564, 592, 593, 594, 595, 8272, 8273, 8275, 9104, and 9943, 28% of the balance of the fund.

(d) For indigent civil legal assistance to be distributed under section 1485, and to the state court administrator for the operation of the court of appeals to alleviate the backlog in that court's caseload, 23% of the balance of the fund. Of the amount allocated under this subdivision, \$2,000,000.00 shall be allocated for the court of appeals and the remainder of the amount shall be allocated for indigent civil legal assistance.

(e) To the state court administrator for oversight, data collection, and court management assistance by the state court administrative office, 5% of the balance of the fund.

(4) In the state fiscal year beginning October 1, 1994, the state treasurer shall distribute proceeds of the fund as follows:

(a) To the state court administrator for the operational expenses of trial courts in counties other than the counties of the trial courts described in subdivision (c), \$1,600,000.00, with the balance of the fund being distributed according to subdivisions (b) to (e).

(b) To the state court administrator for the operational expenses of trial courts in counties other than the counties of the trial courts described in subdivision (c), 46% of the balance of the fund.

(c) To the state court administrator for the operational expenses of trial courts that receive appropriations to implement sections 563, 564, 592, 593, 594, 595, 8272, 8273, 8275, 9104, and 9943, 26% of the balance of the fund.

(d) For indigent civil legal assistance to be distributed under section 1485, and to the state court administrator for the operation of the court of appeals to alleviate the backlog in that court's caseload, 23% of the balance of the fund. Of the amount allocated under this subdivision, \$2,000,000.00 shall be allocated for the court of appeals and the remainder of the amount shall be allocated for indigent civil legal assistance.

(e) To the state court administrator for oversight, data collection, and court management assistance by the state court administrative office, 5% of the balance of the fund.

(5) In the state fiscal year beginning October 1, 1995, the state treasurer shall distribute proceeds of the fund as follows:

(a) To the state court administrator for the operational expenses of trial courts in counties other than the counties of the trial courts described in subdivision (c), \$1,600,000.00, with the balance of the fund being distributed according to subdivisions (b) to (e).

(b) To the state court administrator for the operational expenses of trial courts in counties other than the counties of the trial courts described in subdivision (c), 47% of the balance of the fund.

(c) To the state court administrator for the operational expenses of trial courts that receive appropriations to implement sections 563, 564, 592, 593, 594, 595, 8272, 8273, 8275, 9104, and 9943, 25% of the balance of the fund.

(d) For indigent civil legal assistance to be distributed under section 1485, and to the state court administrator for the operation of the court of appeals to alleviate the backlog in that court's caseload, 23% of the balance of the fund. Of the amount allocated under this subdivision, \$2,000,000.00 shall be allocated for the court of appeals and the remainder of the amount shall be allocated for indigent civil legal assistance.

(e) To the state court administrator for oversight, data collection, and court management assistance by the state court administrative office, 5% of the balance of the fund.

(6) In the state fiscal year beginning October 1, 1996, the state treasurer shall distribute proceeds of the fund as follows:

(a) To the state court administrator for the operational expenses of trial courts as provided in section 151b, \$1,600,000.00 with the balance of the fund being distributed according to subdivisions (b) to (d).

(b) To the state court administrator for the operational expenses of trial courts as provided in section 151b, 76% of the balance of the fund.

(c) For indigent civil legal assistance to be distributed under section 1485, and to the state court administrator for the operation of the court of appeals to alleviate the backlog in that court's caseload, 23% of the balance of the fund. Of the amount allocated under this subdivision, \$2,000,000.00 shall be allocated for the court of appeals and the remainder of the amount shall be allocated for indigent civil legal assistance.

(d) To the state court administrator for oversight, data collection, and court management assistance by the state court administrative office, 1% of the balance of the fund.

(7) In the state fiscal year beginning October 1, 1997, and for each subsequent state fiscal year, the state treasurer shall distribute proceeds of the fund as follows:

(a) To the state court administrator for the operational expenses of trial courts as provided in section 151b, \$1,600,000.00 with the balance of the fund being distributed according to subdivisions (b) to (d).

(b) To the state court administrator for the operational expenses of trial courts as provided in section 151b, 76% of the balance of the fund.

(c) For indigent civil legal assistance to be distributed under section 1485, 23% of the balance of the fund.

(d) To the state court administrator for oversight, data collection, and court management assistance by the state court administrative office, 1% of the balance of the fund.

(8) Distributions of funds under this section shall be made every 3 months.

History: Add. 1993, Act 189, Imd. Eff. Oct. 8, 1993 ;-- Am. 1996, Act 374, Eff. Oct. 1, 1996

Constitutionality: The Supreme Court in *Judicial Attorneys Association v State of Michigan*, 460 Mich 590; 597 NW2d 113 (1999), ruled that 1996 PA 374 did not violate Const 1963, art 9 § 29 (Headlee amendment) because Act 374 of 1996 neither imposed new activities nor increased the level of activities on local units. 1996 PA 374 merged the Recorder's Court into the Third Circuit Court. In adopting a narrow interpretation of Const 1963, art 9, § 29, the Court held that the second sentence of § 29 is only triggered by a mandate that requires local units to perform an activity that the state previously did not require local units to perform or at an increased level from that previously required of local units and that the act did not trigger § 29 and did not violate the Headlee amendment.

600.151b Court equity fund; creation; duties of state court administrative office; hold harmless fund; payments; reduced shares; retention of balance in work project account; formula; distributions; definitions.

Sec. 151b.

(1) The court equity fund is created in the state treasury. For each state fiscal year beginning on or after October 1, 1996, each county shall receive funds pursuant to this section from the court equity fund, which consists of the following:

(a) The portion of the state court fund set aside for the operational expenses of trial courts under section 151a(6) (a) and (b) and (7)(a) and (b).

(b) The proceeds of the \$4.25 portion of costs assessed by the district court as provided in section 8381.

(c) Excess court fees transmitted by the state treasurer pursuant to section 217 of the judges retirement act of 1992, Act No. 234 of the Public Acts of 1992, being section 38.2217 of the Michigan Compiled Laws.

(d) State general funds in an amount as follows:

(i) For the state fiscal year beginning October 1, 1996, \$18,436,700.00.

(ii) For the state fiscal year beginning October 1, 1997, \$25,796,400.00.

(iii) For the state fiscal year beginning October 1, 1998, \$29,796,400.00.

(iv) For the state fiscal year beginning October 1, 1999, \$33,796,400.00.

(v) For the state fiscal year beginning October 1, 2000, \$37,796,400.00.

(vi) For the state fiscal year beginning October 1, 2001 and each subsequent state fiscal year, \$41,796,400.00.

(2) For each state fiscal year, the state court administrative office shall do all of the following:

(a) Determine the relative caseload of each county and multiply that percentage by the total amount available for distribution from the court equity fund described in subsection (1) for that fiscal year.

(b) Determine the number of circuit, recorder's court, probate, and district judges for each county and the ratio of that sum to the total number of the circuit, recorder's court, probate, and district court judges statewide. If a judge serves more than 1 county, the county shall be credited for that judge only for the fraction of the judicial salary standardization payment the state reimburses that county.

(c) Multiply the amount determined under subdivision (a) for each county by the sum of 1 and the ratio of judges for that county determined under subdivision (b).

(d) Total the results for all counties determined under subdivision (c).

(e) Divide the amount determined under subdivision (c) for each county by the total determined under subdivision (d) and multiply the amount by the total amount available for distribution for the court equity fund described in subsection (1) for that fiscal year. This represents the funds a county shall receive from the court equity fund.

(3) A hold harmless fund is created in the state treasury through September 30, 2001 and shall consist of state general funds as follows:

(a) For the state fiscal year beginning October 1, 1996, \$20,000,000.00.

(b) For the state fiscal year beginning October 1, 1997, \$16,000,000.00.

(c) For the state fiscal year beginning October 1, 1998, \$12,000,000.00.

(d) For the state fiscal year beginning October 1, 1999, \$8,000,000.00.

(e) For the state fiscal year beginning October 1, 2000, \$4,000,000.00.

(4) The following shall receive funds from the hold harmless fund in a state fiscal year beginning on or after October 1, 1996 as provided in this subsection and subsection (5):

(a) If a county receives a smaller amount under the formula in subsection (2) in a fiscal year than the amount that it received from the state court fund for the state fiscal year beginning October 1, 1995 plus the amount it received for reimbursement of compensation paid to jurors under Act No. 149 of the Public Acts of 1995, the county shall receive the difference.

(b) If a city received an amount from the state court fund under section 9947 for the state fiscal year beginning October 1, 1995, the city shall receive that amount.

(c) The county of Wayne shall receive the difference of the amount determined under subparagraph (i) minus the amount determined under subparagraph (ii):

(i) The total of the following:

(A) The amount of general fund/general purpose funds paid for the third judicial circuit, recorder's court, and Wayne county clerk services by the supreme court under Act No. 149 of the Public Acts of 1995 for the state fiscal year beginning October 1, 1995.

(B) The amount of the state court fund paid for the third judicial circuit, recorder's court, and Wayne county clerk services by the supreme court under Act No. 149 of the Public Acts of 1995 for the state fiscal year beginning October 1, 1995.

(C) The amount distributed under sections 217 and 304 of the judges retirement act of 1992, Act No. 234 of the Public Acts of 1992, being sections 38.2217 and 38.2304 of the Michigan Compiled Laws, for the third judicial circuit for the state fiscal year beginning October 1, 1995.

(D) \$1,438,900.00 received by the county of Wayne for reimbursement of compensation paid to jurors under Act No. 149 of the Public Acts of 1995.

(E) Two percent of the expenditures for salaries, wages, and social security and medicare taxes for employees of the state judicial council assigned to serve in the circuit court in the third judicial circuit and the recorder's court of the city of Detroit for the state fiscal year beginning October 1, 1995.

(ii) The sum of the amount the county of Wayne receives under the formula in subsection (2) in that state fiscal year and the amount the county of Wayne receives under section 18a of the social welfare act, Act No. 280 of the Public Acts of 1939, being section 400.18a of the Michigan Compiled Laws, in that state fiscal year.

(d) The city of Detroit shall receive the difference of the amount determined under subparagraph (i) minus the amount determined under subparagraph (ii):

(i) The total of the following:

(A) The expenses for the district court in the thirty-sixth district for which the state was responsible and that the state paid out of appropriations under Act No. 149 of the Public Acts of 1995 for the state fiscal year beginning October 1, 1995.

(B) \$387,000.00 for full-year funding for 12 promotions and 8 new hires after August 1, 1996.

(C) Two percent of the expenditures for salaries, wages, and social security and medicare taxes for employees of the state judicial council assigned to serve in the district court in the thirty-sixth district for the state fiscal year beginning October 1, 1995 and 2% of the amount described in sub-subparagraph (B).

(ii) The total of the following:

(A) Federal drug funds allocated by the supreme court for the state fiscal year beginning October 1, 1995 to offset operational expenses of the district court in the thirty-sixth district.

(B) \$7,150,000.00 payable by the city of Detroit to the state under section 9945.

(C) The revenue due to the state from the Detroit parking violation bureau under section 9945(8) for the state fiscal year beginning October 1, 1995, as determined by the audit of the auditor general.

(D) All court revenues received by the district court in the thirty-sixth district for the state fiscal year beginning October 1, 1995 and payable to the state under section 9945.

(E) Any funds from private sources.

(5) If the total amount payable under subsection (4) for a state fiscal year exceeds the amount available in the hold harmless fund, the amount paid to each recipient shall be reduced to a pro rata share of the funds available.

(6) If the total amount available in the hold harmless fund exceeds the amount payable under subsection (4) for a state fiscal year, the balance shall be retained in a work project account at the end of the state fiscal year to be added to the amount otherwise available in the hold harmless fund in the next state fiscal year.

(7) The formula in subsection (2) does not include, for purposes of applying the formula, the caseload of the district court in any district or any municipal court.

(8) Distributions of funds under this section from the court equity fund and the hold harmless fund shall be made every 3 months.

(9) As used in this section:

(a) "Qualifying period" means the following:

(i) For the state fiscal year beginning October 1, 1996, calendar year 1995.

(ii) For the state fiscal year beginning October 1, 1997, the last 2 calendar years for which reasonably complete trial court caseload statistics are available.

(iii) For the state fiscal year beginning October 1, 1998 and each subsequent state fiscal year, the last 3 calendar years for which reasonably complete trial court caseload statistics are available.

(b) "Relative caseload" means, for each county, the percentage derived by dividing the sum of the amounts determined under the following subparagraphs (i) and (ii) by the sum of the caseloads of all judicial circuits statewide, the caseload of the recorder's court of the city of Detroit, and the caseloads of the probate court statewide for the qualifying period:

(i) The portion of the caseload of a judicial circuit attributable to that county for the qualifying period. For the county of Wayne, that portion shall also include the caseload of the recorder's court of the city of Detroit for the qualifying period.

(ii) One of the following:

(A) The caseload of the probate court in that county for the qualifying period if only that county funds the probate court.

(B) The portion of the caseload of the probate district attributable to that county for the qualifying period if the county is in a probate district.

History: Add. 1996, Act 374, Eff. Oct. 1, 1996 ;-- Am. 1996, Act 388, Eff. Oct. 1, 1996 ;-- Am. 1996, Act 524, Imd. Eff. Jan. 13, 1997

600.151c Local court management council; creation; resolution; delivery of court services.

Sec. 151c.

A county or a group of counties may by resolution create a local court management council pursuant to Act No. 8 of the Public Acts of the Extra Session of 1967, being sections 124.531 to 124.536 of the Michigan Compiled Laws. A council created under this section may be given the responsibility for coordinating the delivery of court services within that county or those counties.

History: Add. 1996, Act 374, Eff. Oct. 1, 1996

600.151d Juror compensation reimbursement fund; creation; use; deposits; investments; disposition of unencumbered balance; transfer to general fund; transfer to court equity fund.

Sec. 151d.

(1) The juror compensation reimbursement fund is created in the state treasury. The money in the fund must be used as provided in section 151e.

(2) The state treasurer shall credit to the juror compensation reimbursement fund deposits of proceeds from the collection of driver license clearance fees as provided in section 321a(5) of the Michigan vehicle code, 1949 PA 300, MCL 257.321a, and deposits of proceeds from the collection of jury demand fees as provided in sections 2529(1)(c) and 8371(9), and shall credit all income from investment credited to the fund by the state treasurer. The state treasurer may invest money in the fund in any manner authorized by law for the investment of state money. However, an investment must not interfere with any apportionment, allocation, or payment of money as required by section 151e. The state treasurer shall credit to the fund all income earned as a result of an investment of money in the fund. Except as provided in subsections (3), (4), (5), (6), and (7), the unencumbered balance remaining in the fund at the end of a fiscal year must remain in the fund and must not revert to the general fund.

(3) For the state fiscal year ending September 30, 2005 only, \$4,000,000.00 of the unencumbered balance remaining in the fund at the end of that fiscal year must be transferred by the state treasurer to the general fund.

(4) For the state fiscal year ending September 30, 2008 only, \$2,250,000.00 of the unencumbered balance remaining in the fund at the end of that fiscal year must be transferred by the state treasurer to the general fund.

(5) For the state fiscal year ending September 30, 2010 only, \$1,352,100.00 of the unencumbered balance remaining in the fund at the end of that fiscal year must be transferred by the state treasurer to the court equity fund created in section 151b.

(6) For the state fiscal year ending September 30, 2011 only, \$2,607,500.00 of the unencumbered balance remaining in the fund at the end of that fiscal year must be transferred by the state treasurer to the court equity fund created in section 151b.

(7) For the state fiscal year ending September 30, 2020 only, \$2,500,000.00 of the unencumbered balance remaining in the fund at the end of that fiscal year must be transferred by the state treasurer to the general fund.

History: Add. 2002, Act 740, Eff. Jan. 1, 2003 ;-- Am. 2004, Act 465, Imd. Eff. Dec. 28, 2004 ;-- Am. 2008, Act 197, Imd. Eff. July 11, 2008 ;-- Am. 2009, Act 151, Imd. Eff. Nov. 19, 2009 ;-- Am. 2011, Act 234, Imd. Eff. Nov. 30, 2011 ;-- Am. 2020, Act 172, Imd. Eff. Oct. 1, 2020 ;-- Am. 2020, Act 378, Eff. Oct. 1, 2021

600.151e Juror compensation reimbursement fund; distribution; allocation of funds for contract with software vendor and position within state court administrator office that provides technical support; report; conditions for reimbursement; payments; definitions.

Sec. 151e.

- (1) The money in the juror compensation reimbursement fund must be distributed as provided in this section.
- (2) The state court administrator is authorized to allocate funds from the juror compensation reimbursement fund to enter into a contract with a jury management software vendor to provide software and ongoing support and maintenance to all state trial courts.
- (3) The state court administrator is authorized to provide funding from the juror compensation reimbursement fund for a position within the state court administrative office that provides technical assistance to all state trial courts on jury management in order to improve efficiency, reduce the number of citizens summoned unnecessarily for jury service, and reduce costs to state taxpayers for juror pay, mileage, and meals.
- (4) The sum of money spent in subsections (2) and (3) must not diminish the amount reimbursed to court funding units as prescribed in subsection (7).
- (5) Each court funding unit shall submit a report semiannually to the state court administrator for each court for which it is a funding unit providing the total amount of the expense incurred during the period for juror compensation.
- (6) Each year, the state court administrator, at the direction of the supreme court and upon confirmation by the state treasurer of the total amount available in the fund, shall distribute from the fund the amount prescribed in subsection (7). However, reimbursements under this subsection are subject to both of the following:
 - (a) The state court administrator must be reimbursed semiannually from the fund for reasonable costs associated with the administration of this section, including expenditures under subsections (2), (3), and (4).
 - (b) If the amount available in the fund in any fiscal year is more than the amount needed to pay the entire reimbursement required under subsections (2), (3), and (7), the unencumbered balance must be carried forward to the next fiscal year and must not revert to the general fund.
- (7) Each court funding unit is entitled to receive reimbursement from the fund for the juror compensation expense amount reported under subsection (5) for the preceding 6 months, excluding any juror compensation in excess of the statutory minimum under section 1344 and excluding the first \$7.50 for half-day juror attendance rates, the first \$15.00 for full-day juror attendance rates, and the first 10 cents per mile reimbursement.
- (8) Payments from the fund must be made every 6 months. Reimbursement for each 6-month period must be made from the fund not later than 2 months after the end of the 6-month period.
- (9) As used in this section:
 - (a) "Court funding unit" means 1 of the following, as applicable:
 - (i) For circuit or probate court, the county.
 - (ii) For district court, the district funding unit as that term is defined in section 8104.
 - (iii) For a municipal court, the city in which the municipal court is located.
 - (b) "Juror compensation" means mileage reimbursement and attendance rates paid to jurors.

History: Add. 2002, Act 742, Eff. Oct. 1, 2003 ;-- Am. 2004, Act 465, Imd. Eff. Dec. 28, 2004 ;-- Am. 2017, Act 52, Eff. Sept. 13, 2017

600.152 Chief justice; head of judicial system.

Sec. 152.

The chief justice of the supreme court is the head of the judicial system.

History: 1961, Act 236, Eff. Jan. 1, 1963

600.171 Civil filing fee fund; creation; use; deposits; investment; distribution of proceeds.

Sec. 171.

- (1) The civil filing fee fund is created in the state treasury. The money in the fund shall be used as provided in this section.
- (2) The state treasurer shall credit to the civil filing fee fund deposits of proceeds from the collection of revenue from court filing fees designated by law for deposit in the fund and shall credit all income from investment credited

to the fund by the state treasurer. The state treasurer may invest money in the fund in any manner authorized by law for the investment of state money. However, an investment shall not interfere with any apportionment, allocation, or payment of money as required by this section. The unencumbered balance remaining in the fund at the end of a fiscal year shall remain in the fund and shall not revert to the general fund.

(3) In the state fiscal year beginning October 1, 2003 and in subsequent state fiscal years, the state treasurer shall distribute the proceeds of the fund monthly as follows:

- (a) To the state court fund created in section 151a, 48.5% of the fund balance.
- (b) To the court equity fund created in section 151b, 8.2% of the fund balance.
- (c) To the judicial technology improvement fund created in section 175, 11.1% of the fund balance.
- (d) To the community dispute resolution fund created by the community dispute resolution act, 1988 PA 260, MCL 691.1551 to 691.1564, 5.2% of the fund balance.
- (e) To the executive secretary of the Michigan judges retirement system created by the judges retirement act of 1992, 1992 PA 234, MCL 38.2101 to 38.2670, 24% of the fund balance.
- (f) To the secretary of the legislative retirement system for deposit with the state treasurer in the retirement fund created by the Michigan legislative retirement system act, 1957 PA 261, MCL 38.1001 to 38.1080, 1.5% of the fund balance.
- (g) To the state general fund, 1.5% of the fund balance.

History: Add. 2003, Act 138, Eff. Oct. 1, 2003

600.175 Judicial technology improvement fund; creation; use; disposition; investment; transfer of balance to general fund; administration; expenditure; reimbursement to state court administrative office.

Sec. 175.

(1) The judicial technology improvement fund is created in the state treasury. The money in the fund shall be used as provided in this section.

(2) The state treasurer shall credit to the judicial technology improvement fund deposits of proceeds from the collection of revenue from court fees as provided in this act and shall credit all income from investment credited to the fund by the state treasurer. The state treasurer may invest money in the fund in any manner authorized by law for the investment of state money. However, an investment shall not interfere with any apportionment, allocation, or payment of money as required by this section. The state treasurer shall credit to the fund all income earned as a result of an investment of money in the fund. Except as provided in subsection (3), the unencumbered balance remaining in the fund at the end of a fiscal year shall remain in the fund and shall not revert to the general fund.

(3) For the state fiscal year ending September 30, 2005 only, \$1,500,000.00 of the unencumbered balance remaining in the fund at the end of that fiscal year shall be transferred by the state treasurer to the general fund.

(4) The state court administrative office shall administer the judicial technology improvement fund. Money from the fund shall be expended for the development and ongoing support of a statewide judicial information system. The supreme court and the state court administrative office, working with the departments of state police, corrections, information technology, and secretary of state and with the prosecuting attorneys association of Michigan, will develop a statewide telecommunications infrastructure to integrate criminal justice information systems. The judicial technology improvement fund shall also be used to pursue technology innovations that will result in enhanced public service and access to local trial courts. These innovations will include, but not be limited to, electronic filing, on-line payments of fines and fees, data warehousing, and web-based instructions for completion of court documents.

(5) The state court administrative office shall be reimbursed annually from the judicial technology improvement fund for all reasonable costs associated with the administration of this section, including judicial and staff training, on-site management assistance, and software development and conversion.

History: Add. 2003, Act 78, Eff. Oct. 1, 2003 ;-- Am. 2004, Act 466, Imd. Eff. Dec. 28, 2004

600.176 Judicial electronic filing fund; creation; use; credit; unencumbered balance remaining in fund; administration; expenditure; development of statewide electronic filing system; reimbursement to state

court administrative office for costs.

Sec. 176.

(1) The judicial electronic filing fund is created in the state treasury. The money in the fund shall be used as provided in this section.

(2) The state treasurer shall credit to the judicial electronic filing fund deposits of proceeds from the collection of revenue from court fees as provided in this act and shall credit all income from investment credited to the fund by the state treasurer. The state treasurer may invest money in the fund in any manner authorized by law for the investment of state money. However, an investment shall not interfere with any apportionment, allocation, or payment of money as required by this section. The state treasurer shall credit to the fund all income earned as a result of an investment of money in the fund. Except as provided in subsection (3), the unencumbered balance remaining in the fund at the end of a fiscal year shall remain in the fund and shall not revert to the general fund.

(3) The state court administrative office shall administer the judicial electronic filing fund created under subsection (1). Money from the fund shall be expended to support the implementation, operation, and maintenance of a statewide electronic filing system and supporting technology as provided in this section and chapter 19A. Using a competitive bidding process, the supreme court and the state court administrative office may develop a statewide electronic filing system to facilitate statewide electronic filing of court documents.

(4) The state court administrative office shall be reimbursed annually from the judicial electronic filing fund for all reasonable costs associated with the administration of this section, including judicial and staff training, on-site management assistance, and software development and conversion.

History: Add. 2015, Act 234, Eff. Jan. 1, 2016

600.181 Justice system fund; creation; use; disposition; investment; distributions.

Sec. 181.

(1) The justice system fund is created in the state treasury. The money in the fund must be used as provided in this section.

(2) The state treasurer shall credit to the justice system fund deposits of proceeds from the collection of revenue from court assessments and costs designated by law for deposit in the fund and shall credit all income from investment credited to the fund by the state treasurer. The state treasurer may invest money in the fund in any manner authorized by law for the investment of state money. However, an investment must not interfere with any apportionment, allocation, or payment of money as required by this section. The unencumbered balance remaining in the fund at the end of a fiscal year must remain in the fund and must not revert to the general fund.

(3) Each fiscal year, the state treasurer shall distribute the proceeds of the fund monthly as follows:

(a) To the Michigan justice training fund created in 1982 PA 302, MCL 18.421 to 18.430, an amount equal to \$10.00 multiplied by the number of civil infraction actions on which assessments are collected each month under section 629e or 907 of the Michigan vehicle code, 1949 PA 300, MCL 257.629e and 257.907.

(b) The balance of the fund remaining after the allocation in subdivision (a) shall be distributed as follows:

(i) To the highway safety fund created in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, 23.66% of the fund balance.

(ii) To the jail reimbursement program fund created in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, 11.84% of the fund balance.

(iii) To the Michigan justice training fund created in 1982 PA 302, MCL 18.421 to 18.430, 11.84% of the fund balance.

(iv) To the secretary of the legislative retirement system for deposit with the state treasurer in the retirement fund created in the Michigan legislative retirement system act, 1957 PA 261, MCL 38.1001 to 38.1080, 1.10% of the fund balance.

(v) To the drug treatment court fund created in section 185, 2.73% of the fund balance.

(vi) To the state forensic laboratory fund created in section 3 of the forensic laboratory funding act, 1994 PA 35, MCL 12.203, 5.35% of the fund balance.

(vii) To the state court fund created in section 151a, 12.69% of the fund balance.

(viii) To the court equity fund created in section 151b, 24.33% of the fund balance.

(ix) To the state treasurer for monitoring of collection and distribution of fund receipts, 0.98% of the fund balance.

(x) To the state court administrative office for management assistance and audit of trial court collections, 0.98%

of the fund balance.

(xi) To the sexual assault victims' medical forensic intervention and treatment fund created in section 3 of the sexual assault victims' medical forensic intervention and treatment act, 2008 PA 546, MCL 400.1533, 2.65% of the fund balance.

(xii) To the children's advocacy center fund created in section 3 of the children's advocacy center act, 2008 PA 544, MCL 722.1043, 1.85% of the fund balance.

History: Add. 2003, Act 97, Eff. Oct. 1, 2003 ;-- Am. 2008, Act 545, Eff. Apr. 1, 2009 ;-- Am. 2016, Act 292, Eff. Jan. 2, 2017 ;-- Am. 2022, Act 189, Imd. Eff. Sept. 27, 2022

600.185 Drug treatment court fund; creation; use; disposition; investment; administration; eligibility conditions; reimbursement to state court administrative office.

Sec. 185.

(1) The drug treatment court fund is created in the state treasury. The money in the fund shall be used as provided in this section.

(2) The state treasurer shall credit to the drug treatment court fund deposits of proceeds from the collection of revenue from court assessments and costs directed to the fund by law and shall credit all income from investment credited to the fund by the state treasurer. The state treasurer may invest money in the fund in any manner authorized by law for the investment of state money. However, an investment shall not interfere with any apportionment, allocation, or payment of money as required by this section. The unencumbered balance remaining in the fund at the end of a fiscal year shall remain in the fund and shall not revert to the general fund.

(3) The fund shall be administered by the state court administrative office for the administration of, and awarding of grants for, drug treatment court programs throughout the state.

(4) To be eligible for funding, a drug treatment court shall meet both of the following conditions:

(a) The court shall be responsible for handling cases involving nonviolent substance abuse offenders through comprehensive supervision, testing, treatment services, and immediate sanctions and incentives.

(b) The court shall use all available local and state personnel involved in the disposition of cases, including, but not limited to, parole and probation agents, prosecuting attorneys, defense attorneys, and community corrections providers.

(5) Money from the fund may be used in connection with other state, federal, and local funding sources. The state court administrative office shall be reimbursed annually from the drug treatment court fund for all reasonable costs associated with the administration of this section.

History: Add. 2003, Act 72, Eff. Oct. 1, 2003