

S T A T E O F M I C H I G A N

BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEGAN

RESOLUTION APPROVING THE CREATION OF ONE ADDITIONAL CIRCUIT COURT JUDGESHIP IN THE FORTY-EIGHTH JUDICIAL CIRCUIT COURT

WHEREAS, MCL 600.549 is an excerpt of the Revised Judicature Act of 1961 and is amended effective March 29, 2023, to allow for 1 additional judge in the forty-eighth judicial circuit effective January 1, 2025; and

WHEREAS, to create the additional circuit court judgeship, the provisions of MCL 600.550 require a resolution to be adopted by the Allegan County Board of Commissioners (Board) approving the creation of that judgeship prior to its effective date; and

WHEREAS, pursuant to MCL 600.550(3), the county's approval of an additional circuit court judgeship shall not affect the State's obligation to pay the same portion of the additional judge's salary, which is paid by the State to the other judges of the same circuit, or to appropriate and disburse funds to the county for the necessary costs of state requirements established by state law which became effective on or after December 23, 1978; and

WHEREAS, the Board previously adopted two resolutions on January 27, 2022. One authorized the County Administrator to research and develop plans, particularly with respect to personnel and space needs relative to the addition of a third Circuit Court Judge. The second resolution endorsed the addition of a third Circuit Court Judge for the 48th judicial circuit. While both of the previously approved Board resolutions offer support for creating a third circuit court judgeship, neither of the resolutions approved the creation of a third circuit court judgeship within the context of the statute definition; and

WHEREAS, the Board desires to create one (1) additional circuit court judgeship, which it acknowledges constitutes an exercise of the county's option to provide a new activity or service or to increase the level of activity or service offered in Allegan County beyond that required by existing law and, therefore, voluntarily accepts its statutory obligation for expenses and capital improvements, which may result from the creation of the additional judgeship); as determined by the funding unit through its annual budget process, and

WHEREAS, to create the additional circuit court judgeship, the Allegan County Clerk is also required by MCL 600.550 to file the Board's resolution with the state court administrator not later than 4:00 p.m. of the sixteenth Tuesday preceding the August primary for the election immediately preceding the effective date of the additional circuit court judgeship.

THEREFORE BE IT RESOLVED that the Board has reviewed this matter and approves the creation of one additional circuit court judgeship in the forth-eighth circuit effective January 1, 2025; and

BE IT FURTHER RESOLVED that the Board approval of the additional circuit court judgeship does not necessarily result in an additional appropriation for all requests, nor does it guarantee that any

additional appropriation will automatically be associated with the creation of the additional judgeship; and

BE IT FINALLY RESOLVED that the Board directs the County Administrator to work with the forty-eighth Judicial Circuit Court Administrator to take all necessary steps to implement the creation of one (1) additional circuit court judgeship by January 1, 2025, and that copies of this resolution be transmitted to the State Court Administrative Office, the Judges of the Courts serving Allegan County, and the Michigan Association of County Legislative Affairs Office.