



MICHIGAN SUPREME COURT

CLIFFORD W. TAYLOR  
CHIEF JUSTICE

September 11, 2007

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The Honorable Andrew J. Dillon  
Speaker of the House of Representatives  
Michigan House of Representatives  
P.O. Box 30014  
Lansing, MI 48909

The Honorable Michael D. Bishop  
Senate Majority Leader  
Michigan Senate  
P.O. Box 30036  
Lansing, MI 48909

Dear Speaker Dillon and Senate Majority Leader Bishop:

On August, 1, 2007, the State Court Administrative Office (SCAO) issued its Judicial Resources Recommendations. In that report, the SCAO recommended a reduction of ten trial court judgeships (seven district court judgeships and three circuit court judgeships) and four Court of Appeals judgeships. The recommendation regarding trial court judgeships was based primarily on a weighted caseload analysis, and the Court of Appeals recommendation was based primarily on the reduction in cases filed in that court over the last 15 years. To view the JRR and documents submitted in opposition to and in support of the recommendations contained in the report, go to: <http://www.courts.michigan.gov/scao/resources/publications/reports/summaries.htm#judres>.

The Supreme Court considered the SCAO recommendations at its administrative conference last week, and decided to make its own recommendations regarding the reduction in judgeships. This Court is charged with the duty to make recommendations in Const 1963, art 6, § 11, which states in part:

*The number of judges may be changed and circuits may be created, altered and discontinued by law and the number of judges shall be changed and circuits shall be created, altered and discontinued on recommendation of the supreme court to reflect changes in judicial activity.*

The Supreme Court voted, 4-3, to support the SCAO recommendation that four judgeships from the Michigan Court of Appeals be eliminated through attrition. The majority consisted of Justices Markman, Corrigan, Young, and me. Justices Cavanagh, Kelly, and Weaver were opposed. This recommendation is based on a 40 percent decline in case filings at the Court of Appeals from 1992 to 2006.

In addition, the Supreme Court, by the same vote, recommends 20 judgeships be eliminated through attrition in state trial courts, which is 10 more than the number the SCAO recommended. The SCAO's recommendation was tempered by the fact that it is difficult to achieve judicial reductions in the Legislature. This Court, however, was persuaded that

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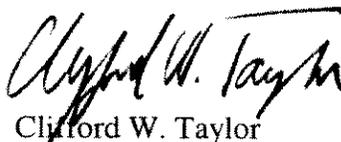
difficulty in achieving the recommendations should not dictate its position, and chose not to shy away from a recommendation that may be difficult to achieve, but is more in keeping with the Court's focus on good stewardship and efficiency.

In sum, the Court's trial court recommendations would eliminate 15 district court judgeships, 4 circuit court judgeships, and 1 probate judgeship. The trial court judgeships recommended for elimination through attrition are described in the attached materials that outline the additional Supreme Court recommendations.

In reaching this decision, the majority on the Court notes that even with the recommended reduction, each jurisdiction would maintain an excess of at least .43 judges, which is equivalent to nearly a half-time judge.

During these difficult economic times, it behooves us all to look to reduce expenditures wherever possible without compromising service to the public and a high quality of work. Our figures show the recommended reductions would save millions of dollars. A reduction of four Court of Appeals judgeships (including the judge, a law clerk, and judicial assistant) would save \$1.4 million. A reduction of 20 trial court judgeships would save \$3.1 million. Combined, these reductions would save more than \$4.5 million, although this amount would be reduced by \$770,000 in keeping with the Court's recommendation that a portion of the savings from judicial reductions be reallocated to increase the number of attorneys in the research division of the Court of Appeals. I have heard the argument that the judiciary budget is such a small percentage of the total state budget that the recommended reductions would have a negligible impact on the overall budget of the state of Michigan. However, it is indefensible to support maintaining the status quo when the data show a significant overallocation of judicial resources.

Sincerely,



Clifford W. Taylor

Enclosure

cc: Sen. Mark Schauer, Senate Democratic Leader  
Rep. Craig DeRoche, House Republican Leader  
Sen. Wayne Kuipers, Chair, Senate Judiciary Committee  
Rep. Paul Condino, Chair, House Judiciary Committee  
Sen. Gretchen Whitmer, Minority Vice-Chair, Senate Judiciary Committee  
Rep. Tonya Schuitmaker, Minority Vice-Chair, House Judiciary Committee

## SUMMARY OF SUPREME COURT RECOMMENDATIONS

Courts	Net Judicial Excess (-)	Recommendations
3 <sup>rd</sup> Circuit Court and Wayne County Probate Court	-3.64	Eliminate two circuit judgeships and one probate judgeship through attrition.
41 <sup>st</sup> Circuit Court, Dickinson County Probate Court, Iron County Probate Court, Menominee County Probate Court, 95A District Court, and 95B District Court	-3.64	Eliminate two district judgeships through attrition. Give the Dickinson County and Menominee County probate judges district court jurisdiction.
23 <sup>rd</sup> Circuit Court, Alcona County Probate Court, Arenac County Probate Court, Iosco County Probate Court, Oscoda County Probate Court, and 81 <sup>st</sup> District Court	-3.31	Eliminate one circuit judgeship and one district judgeship through attrition. Give the Iosco County probate judge district court jurisdiction.
36 <sup>th</sup> District Court – City of Detroit	-3.08	Eliminate two district judgeships through attrition.
32 <sup>nd</sup> Circuit Court, Gogebic County Probate Court, Ontonagon County Probate Court, and 98 <sup>th</sup> District Court	-2.66	Eliminate one district judgeship through attrition. Give the Gogebic County probate judge district court jurisdiction.
12 <sup>th</sup> Circuit Court, Baraga County Probate Court, Houghton County Probate Court, Keweenaw County Probate Court, and 97 <sup>th</sup> District Court	-2.40	Eliminate one district judgeship through attrition. Give the Houghton County and Keweenaw County probate judges district court jurisdiction.
25 <sup>th</sup> Circuit Court, Marquette County Probate Court, and 96 <sup>th</sup> District Court	-2.37	Eliminate one circuit judgeship through attrition.
10 <sup>th</sup> Circuit Court, Saginaw County Probate Court, and 70 <sup>th</sup> District Court	-2.13	Eliminate one district judgeship through attrition.
46 <sup>th</sup> Circuit Court, Crawford County Probate Court, Kalkaska County Probate Court, Otsego County Probate Court, and 87 <sup>th</sup> District Court	-2.03	Eliminate one district judgeship through attrition. Give the Otsego County probate judge district court jurisdiction.

<b>Courts</b>	<b>Net Judicial Excess (-)</b>	<b>Recommendations</b>
51 <sup>st</sup> Circuit Court, Lake County Probate Court, Mason County Probate Court, and 79 <sup>th</sup> District Court	-1.77	Eliminate one district judgeship through attrition. Give the Mason County probate judge district court jurisdiction.
19 <sup>th</sup> Circuit Court, Benzie County Probate Court, Manistee County Probate Court, and 85 <sup>th</sup> District Court	-1.74	Eliminate one district judgeship through attrition. Give the Manistee County probate judge district court jurisdiction.
50 <sup>th</sup> District Court – City of Pontiac	-1.69	Eliminate one district judgeship through attrition.
26 <sup>th</sup> Circuit Court, Alpena County Probate Court, Montmorency County Probate Court, and 88 <sup>th</sup> District Court	-1.63	Eliminate one district judgeship through attrition. Give the Alpena County probate judge district court jurisdiction.
9 <sup>th</sup> Circuit Court, Kalamazoo County Probate Court, and 8 <sup>th</sup> District Court	-1.44	Eliminate one district judgeship through attrition.
68 <sup>th</sup> District Court – City of Flint	-1.43	Eliminate one district judgeship through attrition.
<b>TOTAL REDUCTION THROUGH ATTRITION:</b>		<b>20 Judgeships</b>

\*Additional information by court is provided in the following pages. For those courts where there was a recommendation by SCAO, detailed tables and charts can be found in SCAO's report at <http://courts.michigan.gov/scao/resources/publications/reports/JRRSummary2007.pdf>. For those courts where there was not a recommendation by SCAO, detailed tables and charts are included in the following pages.

**3<sup>rd</sup> Circuit Court – Wayne County  
Wayne County Probate Court**

**SCAO Recommendation:** Eliminate through attrition two circuit judgeships.

**Additional Supreme Court Recommendation:** Eliminate through attrition one probate judgeship.

The weighted caseload results indicate a combined excess of 3.64 judges for both courts. In the 2007 JRR report, the SCAO recommended the elimination of two circuit judgeships in the 3<sup>rd</sup> Circuit Court. In 2005, the SCAO recommended the elimination of one Wayne County probate judgeship. All three of these judgeships should be eliminated, which would result in a judicial excess of 0.64 judges for the combined circuit and probate courts.

Both case filings and population have decreased; therefore, the remaining 66 judges should be sufficient to handle the current and future workload.

For comprehensive weighted caseload, population trends, and case filing trends, refer to the SCAO's 2007 Judicial Resources Recommendations report, available on the web at <http://courts.michigan.gov/scao/resources/publications/reports/JRRSummary2007.pdf>.

**41<sup>st</sup> Circuit Court – Dickinson, Iron, Menominee Counties  
Dickinson County Probate Court  
Iron County Probate Court  
Menominee County Probate Court  
95A District Court – Menominee County  
95B District Court – Dickinson and Iron Counties**

**SCAO Recommendation:** Eliminate through attrition two district judgeships.

**Additional Supreme Court Recommendation:** None.

The weighted caseload results indicate a combined excess of 3.64 judges for all six courts. In the 2007 JRR report, the SCAO recommended the elimination of one district judgeship in the 95A District Court and one district judgeship in the 95B District Court, and that all of the probate judges be given district court jurisdiction. The two district judgeships should be eliminated, which would result in a judicial excess of 1.64 judges for the combined six courts.

Case filings have decreased and the population is stable; however, reductions beyond the two district judgeships are not recommended at this time.

For comprehensive weighted caseload, population trends, and case filing trends, refer to the SCAO's 2007 Judicial Resources Recommendations report, available on the web at <http://courts.michigan.gov/scao/resources/publications/reports/JRRSummary2007.pdf>.

**23<sup>rd</sup> Circuit Court – Alcona, Arenac, Iosco, and Oscoda Counties**  
**Alcona County Probate Court**  
**Arenac County Probate Court**  
**Iosco County Probate Court**  
**Oscoda County Probate Court**  
**81<sup>st</sup> District Court – Alcona, Arenac, Iosco, and Oscoda Counties**

**SCAO Recommendation:** Eliminate through attrition one district judgeship.

**Additional Supreme Court Recommendation:** Eliminate through attrition one circuit judgeship.

The weighted caseload results indicate a combined excess of 3.31 judges for all six courts. In the 2007 JRR report, the SCAO recommended the elimination of the only district judgeship in the 81<sup>st</sup> District Court and that all of the probate judges be given district court jurisdiction. There are currently two circuit judges in the 23<sup>rd</sup> Circuit Court. A probate judge must be elected in each county and there must be at least one circuit judge elected in each judicial circuit. Both the district judgeship and one circuit judgeship should be eliminated, which would result in a judicial excess of 1.31 judges for the combined six courts.

Population and case filings in the circuit and probate courts are stable; however, case filings in the district court have decreased. Therefore, the remaining five judges should be sufficient to handle the current and future workload.

For comprehensive weighted caseload, population trends, and case filing trends, refer to the SCAO's 2007 Judicial Resources Recommendations report, available on the web at <http://courts.michigan.gov/scao/resources/publications/reports/JRRSummary2007.pdf>.

**36<sup>th</sup> District Court – City of Detroit**

**SCAO Recommendation:** Eliminate through attrition one district judgeship.

**Additional Supreme Court Recommendation:** Eliminate through attrition one district judgeship.

The weighted caseload results indicate an excess of 3.08 judges for this court. In the 2007 JRR report, the SCAO recommended the elimination of one district judgeship in the 36<sup>th</sup> District Court. Two judgeships should be eliminated, which would result in a judicial excess of 1.08 judges.

Both case filings and population have decreased; therefore, the remaining 29 judges should be sufficient to handle the current and future workload.

For comprehensive weighted caseload, population trends, and case filing trends, refer to the SCAO's 2007 Judicial Resources Recommendations report, available on the web at <http://courts.michigan.gov/scao/resources/publications/reports/JRRSummary2007.pdf>.

**32<sup>nd</sup> Circuit Court – Gogebic and Ontonagon Counties**  
**Gogebic County Probate Court**  
**Ontonagon County Probate Court**  
**98<sup>th</sup> District Court – Gogebic and Ontonagon Counties**

**SCAO Recommendation:** Eliminate through attrition one district judgeship.  
**Additional Supreme Court Recommendation:** None.

The weighted caseload results indicate a combined excess of 2.66 judges for all four courts. In the 2007 JRR report, the SCAO recommended the elimination of the only district judgeship in the 98<sup>th</sup> District Court and that both of the probate judges be given district court jurisdiction. There is currently only one circuit judge in the 32<sup>nd</sup> Circuit Court. A probate judge must be elected in each county and there must be at least one circuit judge elected in each judicial circuit. Therefore, it is not possible to eliminate any more judgeships, beyond the one district judgeship, without combining this judicial circuit with another judicial circuit.

The elimination of one district judgeship would result in a judicial excess of 1.66 for the combined four courts. Both case filings and population have decreased; therefore, the remaining three judgeships should be sufficient to handle the current and future workload.

For comprehensive weighted caseload, population trends, and case filing trends, refer to the SCAO's 2007 Judicial Resources Recommendations report, available on the web at <http://courts.michigan.gov/scao/resources/publications/reports/JRRSummary2007.pdf>.

**12<sup>th</sup> Circuit Court – Baraga, Houghton, and Keweenaw Counties**  
**Baraga County Probate Court**  
**Houghton County Probate Court**  
**Keweenaw County Probate Court**  
**97<sup>th</sup> District Court – Baraga, Houghton, and Keweenaw Counties**

**SCAO Recommendation:** Eliminate through attrition one district judgeship.  
**Additional Supreme Court Recommendation:** None.

The weighted caseload results indicate a combined excess of 2.40 judges for all five courts. In the 2007 JRR report, the SCAO recommended the elimination of the only district judgeship in the 97<sup>th</sup> District Court and that all of the probate judges be given district court jurisdiction. There is currently only one circuit judge in the 12<sup>th</sup> Circuit Court. A probate judge must be elected in each county and there must be at least one circuit judge elected in each judicial circuit. Therefore, it is not possible to eliminate any more judgeships, beyond the one district judgeship, without combining this judicial circuit with another judicial circuit.

The elimination of one district judgeship would result in a judicial excess of 1.40 for the combined five courts. Both case filings and population have decreased; therefore, the remaining three full-time judgeships and one part-time judgeship should be sufficient to handle the current and future workload.

For comprehensive weighted caseload, population trends, and case filing trends, refer to the SCAO's 2007 Judicial Resources Recommendations report, available on the web at <http://courts.michigan.gov/scao/resources/publications/reports/JRRSummary2007.pdf>.

**25<sup>th</sup> Circuit Court – Marquette County  
Marquette County Probate Court  
96<sup>th</sup> District Court – Marquette County**

**SCAO Recommendation:** Eliminate through attrition one circuit judgeship.

**Additional Supreme Court Recommendation:** None.

The weighted caseload results indicate a combined excess of 2.37 judges for all three courts. In the 2007 JRR report, the SCAO recommended the elimination of one circuit judgeship in the 25<sup>th</sup> Circuit Court. There are currently two circuit judges in the 25<sup>th</sup> Circuit Court and two district judges in the 96<sup>th</sup> District Court. One circuit judgeship should be eliminated, which would result in a judicial excess of 1.37 judges for the combined three courts.

Case filings have decreased and the population is stable; however, reductions beyond the one circuit judgeship are not recommended at this time.

For comprehensive weighted caseload, population trends, and case filing trends, refer to the SCAO's 2007 Judicial Resources Recommendations report, available on the web at <http://courts.michigan.gov/scao/resources/publications/reports/JRRSummary2007.pdf>.

**10<sup>th</sup> Circuit Court – Saginaw County  
Saginaw County Probate Court  
70<sup>th</sup> District Court – Saginaw County**

**SCAO Recommendation:** Eliminate through attrition one district judgeship.

**Additional Supreme Court Recommendation:** None.

The weighted caseload results indicate a combined excess of 2.13 judges for all three courts. In the 2007 JRR report, the SCAO recommended the elimination of one district judgeship in the 70<sup>th</sup> District Court. In 2005, the SCAO recommended the elimination of one district judgeship. In 2003, the SCAO recommended the elimination of one district judgeship. In 2001, the SCAO recommended the elimination of one district judgeship at the first vacancy.

One district judgeship should be eliminated, which would result in a judicial excess of 1.13 judges for the combined three courts. Case filings have decreased and the population is stable; however, reductions beyond the one district judgeship are not recommended at this time.

For comprehensive weighted caseload, population trends, and case filing trends, refer to the SCAO's 2007 Judicial Resources Recommendations report, available on the web at <http://courts.michigan.gov/scao/resources/publications/reports/JRRSummary2007.pdf>.

**46<sup>th</sup> Circuit Court – Crawford, Kankaska, and Otsego Counties**  
**Crawford County Probate Court**  
**Kankaska County Probate Court**  
**Otsego County Probate Court**  
**87<sup>th</sup> District Court – Crawford, Kankaska, and Otsego Counties**

**SCAO Recommendation:** None.

**Supreme Court Recommendation:** Eliminate through attrition one district judgeship.

The weighted caseload results indicate a combined excess of 2.03 judges for all five courts. There are currently two circuit judges in the 46<sup>th</sup> Circuit Court and one district judge in the 87<sup>th</sup> District Court. The district judgeship should be eliminated and all of the probate judges should be given district court jurisdiction, which would result in a judicial excess of 1.03 judges for the combined five courts.

The population is increasing and case filings are stable; however, the remaining five judges should be sufficient to handle the current and future workload.

The population of Crawford, Kankaska, and Otsego counties increased by 23.9 percent between 1990 and 2000, from 43,714 to 54,145. From 2000 to 2006 it increased an additional 5.2 percent, to an estimated 56,969.

**Judicial Workload Estimates**

Courts	Three Year Weighted Caseload	Current Judgeships	Net Judicial Need (+) or Excess (-)
C46, Crawford County Probate Court, Kankaska County Probate Court, and Otsego County Probate Court	2.72		
87 <sup>th</sup> District Court	1.25		
<b>Totals</b>	<b>3.97</b>	<b>6.00</b>	<b>-2.03</b>

Combined case filings in the circuit and probate courts decreased by 7.4 percent between 2000 and 2006. Case filings in the district court decreased by 2.7 percent between 2000 and 2006.

**Circuit and Probate Filing Trends 2000-2006**

Case Category	2000	2001	2002	2003	2004	2005	2006	Percent Change
Circuit Civil	251	267	300	283	266	251	253	0.8%
Circuit Criminal	343	242	323	371	391	434	522	52.2%
Circuit Family	1,650	1,581	1,565	1,581	1,416	1,413	1,381	-16.3%
Probate	559	464	427	459	441	415	439	-21.5%
<b>Total</b>	<b>2,803</b>	<b>2,554</b>	<b>2,615</b>	<b>2,694</b>	<b>2,514</b>	<b>2,513</b>	<b>2,595</b>	<b>-7.4%</b>

**District Filing Trends 2000-2006**

Case Category	2000	2001	2002	2003	2004	2005	2006	Percent Change
Felony	503	519	596	580	639	666	770	53.1%
Nontraffic Misdemeanor	3,783	3,643	2,084	2,326	2,000	1,845	1,770	-53.2%
Nontraffic Civil Infraction	81	123	323	575	564	496	659	713.6%
Traffic Civil Infraction	13,649	12,734	14,319	12,638	12,366	12,478	13,318	-2.4%
Traffic Misdemeanor	906	860	1,878	1,249	867	802	763	-15.8%
OUIL	401	385	519	387	373	353	356	-11.2%
Civil	2,182	2,410	2,785	3,093	2,755	2,991	3,298	51.1%
<b>Total</b>	<b>21,505</b>	<b>20,674</b>	<b>22,504</b>	<b>20,848</b>	<b>19,564</b>	<b>19,631</b>	<b>20,934</b>	<b>-2.7%</b>

**51<sup>st</sup> Circuit Court – Lake and Mason Counties**  
**Lake County Probate Court**  
**Mason County Probate Court**  
**79<sup>th</sup> District Court – Lake and Mason Counties**

**SCAO Recommendation:** None.

**Supreme Court Recommendation:** Eliminate through attrition one district judgeship.

The weighted caseload results indicate a combined excess of 1.77 judges for all four courts. There is currently one circuit judge in the 51<sup>st</sup> Circuit Court and one district judge in the 79<sup>th</sup> District Court. The district judgeship should be eliminated and both probate judges should be given district court jurisdiction, which would result in a judicial excess of 0.77 judges for the combined four courts.

The population is increasing, but case filings have decreased substantially; therefore, the remaining three judges should be sufficient to handle the current and future workload.

The population of Lake and Mason counties increased by 16.1 percent between 1990 and 2000, from 34,120 to 39,607. From 2000 to 2006 it increased an additional 3.1 percent, to an estimated 40,838.

### Judicial Workload Estimates

Courts	Three Year Weighted Caseload	Current Judgeships	Net Judicial Need (+) or Excess (-)
C51, Lake County Probate Court, and Mason County Probate Court	1.51		
79 <sup>th</sup> District Court	0.72		
<b>Totals</b>	<b>2.23</b>	<b>4.00</b>	<b>-1.77</b>

Combined case filings in the circuit and probate courts decreased by 28.1 percent between 2000 and 2006. Case filings in the district court decreased by 17.9 percent between 2000 and 2006.

### Circuit and Probate Filing Trends 2000-2006

Case Category	2000	2001	2002	2003	2004	2005	2006	Percent Change
Circuit Civil	149	145	159	148	138	125	117	-21.5%
Circuit Criminal	263	316	328	314	285	280	257	-2.3%
Circuit Family	1,480	1,215	1,075	925	937	1,038	934	-36.9%
Probate	332	396	289	292	265	275	292	-12.0%
<b>Total</b>	<b>2,224</b>	<b>2,072</b>	<b>1,851</b>	<b>1,679</b>	<b>1,625</b>	<b>1,718</b>	<b>1,600</b>	<b>-28.1%</b>

### District Filing Trends 2000-2006

Case Category	2000	2001	2002	2003	2004	2005	2006	Percent Change
Felony	309	384	404	410	365	353	358	15.9%
Nontraffic Misdemeanor	2,010	1,904	1,609	1,728	1,526	1,293	1,280	-36.3%
Nontraffic Civil Infraction	80	48	138	269	218	211	231	188.8%
Traffic Civil Infraction	4,365	4,172	4,652	4,811	4,465	3,964	3,249	-25.6%
Traffic Misdemeanor	1,144	1,117	1,563	1,354	907	843	877	-23.3%
OUIL	351	317	353	341	292	252	281	-19.9%
Civil	1,334	1,674	1,673	1,667	1,529	1,543	1,597	19.7%
<b>Total</b>	<b>9,593</b>	<b>9,616</b>	<b>10,392</b>	<b>10,580</b>	<b>9,302</b>	<b>8,459</b>	<b>7,873</b>	<b>-17.9%</b>

**19<sup>th</sup> Circuit Court – Benzie and Manistee Counties**  
**Benzie County Probate Court**  
**Manistee County Probate Court**  
**85<sup>th</sup> District Court – Benzie and Manistee Counties**

**SCAO Recommendation:** None.

**Supreme Court Recommendation:** Eliminate through attrition one district judgeship.

The weighted caseload results indicate a combined excess of 1.74 judges for all four courts. There is currently one circuit judge in the 19<sup>th</sup> Circuit Court and one district judge in the 85<sup>th</sup> District Court. The district judgeship should be eliminated and both probate judges should be given district court jurisdiction, which would result in a judicial excess of 0.74 judges for the combined four courts.

The population is increasing and case filings have decreased; however, the remaining three judges should be sufficient to handle the current and future workload.

The population of Benzie and Manistee counties increased by 21.1 percent between 1990 and 2000, from 33,465 to 40,525. From 2000 to 2006 it increased an additional 5.4 percent, to an estimated 42,719.

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**Judicial Workload Estimates**

Courts	Three Year Weighted Caseload	Current Judgeships	Net Judicial Need (+) or Excess (-)
C19, Benzie County Probate Court, and Manistee County Probate Court	1.47		
85 <sup>th</sup> District Court	0.79		
<b>Totals</b>	<b>2.26</b>	<b>4.00</b>	<b>-1.74</b>

Combined case filings in the circuit and probate courts decreased by 7.7 percent between 2000 and 2006. Case filings in the district court decreased by 4.3 percent between 2000 and 2006.

**Circuit and Probate Filing Trends 2000-2006**

Case Category	2000	2001	2002	2003	2004	2005	2006	Percent Change
Circuit Civil	167	131	173	155	153	145	154	-7.8%
Circuit Criminal	117	144	164	125	159	164	130	11.1%
Circuit Family	961	1,035	1,025	964	850	855	926	-3.6%
Probate	401	317	315	329	288	315	309	-22.9%
<b>Total</b>	<b>1,646</b>	<b>1,627</b>	<b>1,677</b>	<b>1,573</b>	<b>1,450</b>	<b>1,479</b>	<b>1,519</b>	<b>-7.7%</b>

**District Filing Trends 2000-2006**

Case Category	2000	2001	2002	2003	2004	2005	2006	Percent Change
Felony	239	313	339	311	380	341	287	20.1%
Nontraffic Misdemeanor	1,285	1,591	1,907	1,965	1,753	1,720	1,671	30.0%
Nontraffic Civil Infraction	15	59	130	175	135	256	218	1353.3%
Traffic Civil Infraction	5,299	5,294	4,685	4,047	5,019	4,704	4,433	-16.3%
Traffic Misdemeanor	1,214	1,357	981	758	492	502	538	-55.7%
OUIL	333	382	469	373	407	348	301	-9.6%
Civil	1,087	1,166	1,506	1,625	1,415	1,530	1,618	48.9%
<b>Total</b>	<b>9,472</b>	<b>10,162</b>	<b>10,017</b>	<b>9,254</b>	<b>9,601</b>	<b>9,401</b>	<b>9,066</b>	<b>-4.3%</b>

**50<sup>th</sup> District Court – City of Pontiac**

**SCAO Recommendation:** None.

**Supreme Court Recommendation:** Eliminate through attrition one district judgeship.

The weighted caseload results indicate an excess of 1.69 judges for this court. One district judgeship should be eliminated, which would result in a judicial excess of 0.69 judges for this court.

The population is stable and case filings have decreased; therefore, the remaining three judges should be sufficient to handle the current and future workload.

The population of the city of Pontiac decreased by 6.8 percent between 1990 and 2000, from 71,166 to 66,337. From 2000 to 2006 it increased by 1.2 percent, to an estimated 67,124.

**Judicial Workload Estimates**

Courts	Three Year Weighted Caseload	Current Judgeships	Net Judicial Need (+) or Excess (-)
50 <sup>th</sup> District Court – City of Pontiac	2.31	4.00	-1.69

Case filings in the district court decreased by 17.0 percent between 2000 and 2006.

**District Filing Trends 2000-2006**

Case Category	2000	2001	2002	2003	2004	2005	2006	Percent Change
Felony	1,231	1,108	1,395	1,194	1,414	1,204	1,048	-14.9%
Nontraffic Misdemeanor	4,731	4,052	3,635	2,781	2,918	1,934	1,913	-59.6%
Nontraffic Civil Infraction	252	214	116	121	240	484	597	136.9%
Traffic Civil Infraction	10,860	14,536	11,680	10,773	13,315	6,960	6,205	-42.9%
Traffic Misdemeanor	2,881	3,793	4,043	4,663	3,380	2,802	2,600	-9.8%
OUIL	291	391	426	365	263	251	199	-31.6%
Civil	6,702	8,015	7,895	8,828	8,051	8,326	9,796	46.2%
<b>Total</b>	<b>26,948</b>	<b>32,109</b>	<b>29,190</b>	<b>28,725</b>	<b>29,581</b>	<b>21,961</b>	<b>22,358</b>	<b>-17.0%</b>

**26<sup>th</sup> Circuit Court – Alpena and Montmorency Counties**  
**Alpena County Probate Court**  
**Montmorency County Probate Court**  
**88<sup>th</sup> District Court – Alpena and Montmorency Counties**

**SCAO Recommendation:** None.

**Supreme Court Recommendation:** Eliminate through attrition one district judgeship.

The weighted caseload results indicate a combined excess of 1.63 judges for all four courts. There is currently one circuit judge in the 26<sup>th</sup> Circuit Court and one district judge in the 88<sup>th</sup> District Court. The district judgeship should be eliminated and both probate judges should be given district court jurisdiction, which would result in a judicial excess of 0.63 judges for the combined four courts.

The population is stable and case filings have decreased; therefore, the remaining three judges should be sufficient to handle the current and future workload.

The population of Alpena and Montmorency counties increased by 5.3 percent between 1990 and 2000, from 39,541 to 41,629. From 2000 to 2006 it decreased by 2.6 percent, to an estimated 40,545.

### Judicial Workload Estimates

Courts	Three Year Weighted Caseload	Current Judgeships	Net Judicial Need (+) or Excess (-)
C26, Alpena County Probate Court, and Montmorency County Probate Court	1.64		
88 <sup>th</sup> District Court	0.73		
<b>Totals</b>	<b>2.37</b>	<b>4.00</b>	<b>-1.63</b>

Combined case filings in the circuit and probate courts decreased by 24.4 percent between 2000 and 2006. Case filings in the district court decreased by 22.1 percent between 2000 and 2006.

### Circuit and Probate Filing Trends 2000-2006

Case Category	2000	2001	2002	2003	2004	2005	2006	Percent Change
Circuit Civil	166	148	147	145	107	152	103	-38.0%
Circuit Criminal	232	254	213	287	247	300	256	10.3%
Circuit Family	1,107	1,024	1,146	955	921	856	752	-32.1%
Probate	431	458	408	408	406	398	353	-18.1%
<b>Total</b>	<b>1,936</b>	<b>1,884</b>	<b>1,914</b>	<b>1,795</b>	<b>1,681</b>	<b>1,706</b>	<b>1,464</b>	<b>-24.4%</b>

### District Filing Trends 2000-2006

Case Category	2000	2001	2002	2003	2004	2005	2006	Percent Change
Felony	358	372	388	434	387	478	393	9.8%
Nontraffic Misdemeanor	1,681	1,484	1,491	1,338	1,321	1,419	1,238	-26.4%
Nontraffic Civil Infraction	29	34	14	24	67	254	295	917.2%
Traffic Civil Infraction	5,354	4,509	5,558	5,229	3,595	3,643	3,323	-37.9%
Traffic Misdemeanor	684	659	1,292	1,012	583	614	595	-13.0%
OUIL	270	254	328	323	303	284	294	8.9%
Civil	1,454	1,384	1,699	2,066	1,568	1,554	1,521	4.6%
<b>Total</b>	<b>9,830</b>	<b>8,696</b>	<b>10,770</b>	<b>10,426</b>	<b>7,824</b>	<b>8,246</b>	<b>7,659</b>	<b>-22.1%</b>

**9<sup>th</sup> Circuit Court – Kalamazoo County  
Kalamazoo County Probate Court  
8<sup>th</sup> District Court – Kalamazoo County**

**SCAO Recommendation:** None.

**Supreme Court Recommendation:** Eliminate through attrition one district judgeship.

The current weighted caseload results indicate a combined excess of 1.44 judges for all three courts. In 2003, the district court had a judicial excess of 1.87 judges and the SCAO recommended a reduction of one district judgeship. One district judgeship should be eliminated, which would result in a judicial excess of 0.44 judges for the combined three courts.

The population is stable, case filings in the circuit and probate courts have decreased, and case filings in the district courts have increased. The remaining 14 judges should be sufficient to handle the current and future workload.

The population of Kalamazoo County increased by 6.8 percent between 1990 and 2000, from 223,411 to 238,603. From 2000 to 2006 it increased an additional 0.9 percent, to an estimated 240,720.

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**Judicial Workload Estimates**

<b>Courts</b>	<b>Three Year Weighted Caseload</b>	<b>Current Judgeships</b>	<b>Net Judicial Need (+) or Excess (-)</b>
C09 and Kalamazoo County Probate Court	7.66		
8 <sup>th</sup> District Court	5.90		
<b>Totals</b>	<b>13.56</b>	<b>15.00</b>	<b>-1.44</b>

Combined case filings in circuit and probate courts in Kalamazoo County decreased by 8.3 percent between 2000 and 2006. Case filings in district court increased by 16.2 percent between 2000 and 2006.

**Circuit and Probate Filing Trends 2000-2006**

<b>Case Category</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>Percent Change</b>
Circuit Civil	721	704	711	693	705	605	693	-3.9%
Circuit Criminal	1,550	1,679	1,692	1,591	1,914	2,131	2,051	32.3%
Circuit Family	6,901	7,221	6,751	6,063	6,284	5,492	5,899	-14.5%
Probate	1,283	1,029	941	978	1,027	995	941	-26.7%
<b>Total</b>	<b>10,455</b>	<b>10,633</b>	<b>10,095</b>	<b>9,325</b>	<b>9,930</b>	<b>9,223</b>	<b>9,584</b>	<b>-8.3%</b>

**District Filing Trends 2000-2006**

Case Category	2000	2001	2002	2003	2004	2005	2006	Percent Change
Felony	1,667	1,823	1,868	1,842	2,167	2,372	2,202	32.1%
Nontraffic Misdemeanor	8,180	9,619	9,706	8,484	8,636	8,905	8,383	2.5%
Nontraffic Civil Infraction	277	444	461	425	579	516	392	41.5%
Traffic Civil Infraction	35,565	32,094	32,505	42,025	45,632	46,240	44,585	25.4%
Traffic Misdemeanor	8,412	8,534	8,963	7,928	6,575	6,872	7,125	-15.3%
OUIL	1,293	1,173	1,283	1,196	1,165	1,310	1,178	-8.9%
Civil	12,804	15,358	17,190	17,396	15,854	16,111	15,392	20.2%
<b>Total</b>	<b>68,198</b>	<b>69,045</b>	<b>71,976</b>	<b>79,296</b>	<b>80,608</b>	<b>82,326</b>	<b>79,257</b>	<b>16.2%</b>

**68<sup>th</sup> District Court – City of Flint**

**SCAO Recommendation:** None.

**Supreme Court Recommendation:** Eliminate through attrition one district judgeship.

The current weighted caseload results indicate an excess of 1.43 judges for this court. In 2005, the district court had a judicial excess of 1.37 judges and the SCAO recommended a reduction of one judgeship. One district judgeship should be eliminated, which would result in a judicial excess of 0.43 judges for this court.

The population is decreasing and case filings are stable; therefore, the remaining four judges should be sufficient to handle the current and future workload.

The population of the city of Flint decreased by 11.2 percent between 1990 and 2000, from 140,761 to 124,943. From 2000 to 2006 it decreased an additional 6.3 percent, to an estimated 117,068.

**Judicial Workload Estimates**

Courts	Three Year Weighted Caseload	Current Judgeships	Net Judicial Need (+) or Excess (-)
68 <sup>th</sup> District Court – City of Flint	3.57	5.00	-1.43

Case filings in the district court increased by 7.6 percent.

**District Filing Trends 2000-2006**

<b>Case Category</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>Percent Change</b>
Felony	1,502	1,531	1,463	1,681	1,768	1,511	1,711	13.9%
Nontraffic Misdemeanor	3,942	3,853	3,397	3,292	3,202	3,722	3,933	-0.2%
Nontraffic Civil Infraction	4	1	0	1	3	5	71	1675.0%
Traffic Civil Infraction	16,436	16,067	17,538	18,035	16,445	17,235	17,614	7.2%
Traffic Misdemeanor	7,780	7,377	8,068	7,411	6,098	6,520	7,320	-5.9%
OUIL	614	618	495	450	364	327	299	-51.3%
Civil	13,470	15,421	16,180	16,931	16,191	15,315	16,135	19.8%
<b>Total</b>	<b>43,748</b>	<b>44,868</b>	<b>47,141</b>	<b>47,801</b>	<b>44,071</b>	<b>44,635</b>	<b>47,083</b>	<b>7.6%</b>