

Chapter 8

COURT¹

Sec. 8-1. Compensation of the Judge.

Beginning January 1, 2017, the Municipal Judge shall be paid a salary of twenty three thousand dollars (\$23,000) per year. In consideration of such salary the Judge shall collect, relinquish and pay into the City Treasury all fees chargeable by the Judge in all civil and criminal cases and other proceedings and matters by and before the judge and for services of whatever nature performed by the Judge in an official capacity, including fees payable by the county and state; and such salary shall be in lieu of such fees, provided that the Judge shall be entitled to retain any fees which may be paid to the judge for performing marriages or for acknowledging papers not connected with the official duty of the judge.
(Ord. No. 160, §1, 1-1-96; Ord. No. 204, §1, 1-9-2017)

Sec. 8-2. Substitute Judge.

The Mayor may appoint one or more substitute judges. Any such substitute judge shall be a Municipal Judge of a city in the state under the Michigan Uniform Municipal Court Act or any other municipal court act of the state, who is paid a salary in lieu of fees and who is an attorney-at-law. Orders appointing such substitute judges and orders terminating such appointments shall be filed in the municipal court. Any case pending during the absence, disability or disqualification of the Municipal Judge may be transferred to a substitute judge. A note of transfer shall be entered in the docket of each case transferred to such substitute judge. A substitute judge shall receive as compensation for regular sessions of the court and other matters pertaining to the office, the sum of twenty-five dollars (\$25.00) during each week in which he shall conduct one more sessions of the court.

(Code 1957, §1.163; Ord. No. 21, §1, 1-1-58)

Charter reference – Substitute judge, §15.11.

Sec. 8-3. Court Clerks.

There shall be a Court Clerk for the Municipal Court and one or more Deputy Clerks. The Court Clerk and each Deputy Clerk shall be appointed and employed by the Municipal Judge. Such Court Clerk and each Deputy Clerk shall hold office at the pleasure of the Municipal Judge and shall perform the duties of Clerk of the Municipal Court under the supervision and direction of the Municipal Judge. No additional compensation shall be paid to such Court clerk or any Deputy Clerk for the performance of their duties as such.

(Code 1957, §1.162; Ord. No. 62, §1,7-5-74; Ord. No. 108, §11-5-84)

Charter reference – court clerk, §15.12.

¹ **Charter reference** – Court, Ch. 21.

Cross reference – Administration, Ch. 2; streets, sidewalks and other public property, Ch. 21.

Sec. 8-4. Fees in civil actions.

The fees chargeable in District Court under Michigan statute or District Court rule shall be collected in civil actions instituted in the Municipal Court.

(Code 1957, §1.161; Ord. No. 104, §1, 6-7-84)

Charter reference – Disposition of fees, costs and fines, §15.8

Sec. 8-5. Violations Bureau.

There is hereby established a violations bureau under the supervision of the Municipal Judge for the routine handling of violations of municipal ordinances. The particular violations which may be settled at the violations bureau and the amount of fine required shall be prescribed from time to time by the Municipal Judge, the same to be evidenced by a schedule under his signature and filed with the City Clerk. Any person charged with a violation set forth in such schedule, shall have the option, in lieu of answering in court, to settle the matter before the Violations Bureau by payment in advance of the court date, of the fine set forth in such schedule, upon execution by the person charged, or his agent, a waiver and plea of guilty to the charge. Such option of settlement shall be available only when the charge is brought by an officer or employee of the City acting in his official capacity. The city officer or employee making the charge may, in his discretion, to be exercised in individual cases according to the circumstances, deny such option of settlement before the Violations Bureau and require that the charge be answered in court. As a condition of settlement, the person charged shall be required to execute, in person or by agent, a waiver and a plea of guilty to the charge. No person shall be required to settle any charge of ordinance violation at the Violations Bureau, and every such person shall have the right to appear in court in answer to the charge. The revenue of the Violations Bureau shall be deposited in the general fund.

(Code 1957, §1.164)

Charter reference – Violations bureau, §15.15

Sec. 8-6. Uniform Municipal Court Act to Apply.

The provision of the Michigan Municipal Court Act (Act 15, Public Acts, 1956 as amended [MCL 730.501 et seq., MSA 27.3937(1) et seq.]) are adopted and shall govern the Municipal Court.

(Ord. No. 21, §2, 1-1-58)

Sec. 8-7. Extended Civil Jurisdiction.

Pursuant to the provisions of Section 22 of the Michigan Uniform Municipal Court Act [MCL 730.522, MSA 27.3937(22)], the municipal court shall have concurrent jurisdiction in all civil actions wherein the debt or damages claimed do not exceed the sum of one thousand five hundred dollars (\$1,500) and concurrent jurisdiction in all actions of replevin wherein the value of the property involved does not exceed the sum of one thousand five hundred dollars (\$1,500).

(Ord. No. 21, §3, 1-1-58)

Charter reference –Jurisdiction of court, §15.6