

MICHIGAN SUPREME COURT



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2011 JUDICIAL RESOURCES RECOMMENDATIONS, INCLUDING CUTTING SOME JUDGESHIPS, ENDORSED BY UNANIMOUS MICHIGAN SUPREME COURT

Report by State Court Administrative Office calls for eliminating 45 trial court judgeships, four judgeships on the Michigan Court of Appeals; 31 new trial court judgeships also needed in some areas, SCAO finds, but does not recommend additions because of state, local economic climates

LANSING, MI, August 17, 2011 – The state must eliminate 45 trial court judgeships as a first step toward “rebalancing the workload” of Michigan’s courts, Chief Justice Robert P. Young, Jr. said today, in announcing the findings of the 2011 Judicial Resources Recommendations report.

The report, which also recommends reducing the number of Michigan Court of Appeals judges from 28 to 24, finds that some trial courts need a combined 31 new trial court judgeships. But the State Court Administrative Office, which produced the report, said it was not recommending any new judgeships at this time because of the state’s economic climate.

Young said that the Supreme Court unanimously endorses the report’s recommendations. “The Court has historically not taken a position either way on the report’s findings, so the Court’s unanimous endorsement is recognition of the superior quality of the JRR,” he noted. The Michigan Court of Appeals, the Michigan Judges Association, the Michigan Probate Judges Association, and the Michigan District Judges Association also endorse the findings, Young added.

“This is unprecedented, not just in Michigan but nationally, to have a state court system not only recognize that it needs to shrink, but also have a practical plan to accomplish that goal,” said the chief justice. “And to have the universal endorsement of the judiciary’s leadership – that has never happened before. This is an aggressive, but achievable, set of recommendations. We are unaware of any reduction of this magnitude attempted anywhere in our country.”

Gov. Rick Snyder also supports the recommendations, Young said.

State Court Administrator Chad C. Schmucker explained that SCAO determined each trial court’s need for judges based on workload.

“We use a weighted caseload formula, so that we’re not looking just at numbers of cases, but also at how much of a judge’s time a particular type of case needs,” Schmucker said. “For example, a medical malpractice case takes longer to process than a traffic ticket. We then do an extended analysis to take into account other factors that might affect a court’s workload –

population and case filings trends, for example. The result is the right number of judges for that court's workload and environment."

The Court of Appeals analysis focused primarily on numbers of new case filings and opinions, Schmucker said. The appellate court's filings have declined over the years; from 2006 to 2010, filings fell by 22 percent, he noted.

The SCAO report recommends eliminating unneeded judgeships by attrition, when a judge leaves office or dies.

SCAO, the Supreme Court's administrative agency, issues a Judicial Resources Recommendations report every two years. While past reports have recommended reductions in the state's trial and Court of Appeals benches, those recommendations were not implemented, Young said.

"The judicial branch can only recommend; it's up to the Legislature to act, and we hope that they will act this time," the chief justice said. "We would certainly not need to make as many reductions now if past Legislatures had heeded SCAO's findings."

For a complete list of proposed reductions and findings of needed judgeships, please see the Judicial Resources Report online at <http://www.courts.michigan.gov/scao/resources/publications/reports/JRRSummary2011.pdf>.

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