## awmakers may 'war' over court funding

this year over state funding of courts, a lobbyist for Michigan judges es warned.

courts, a lobbylst for Michigan judg-es warned.
"There is a great deal of restless-ness outstate" and Milton Zangman, executive director of the Michigan Judges Association. A former state senator from Grand Raphts, Zang-man testified last week before the state Senate Judicity Committee, chaired by Sen. Rudy Nichols, R-Waterford.

Waterford.
In 1979 state government began
paying 109 percent of the cost of
lower courts. The process began—
and ended—with the Wayne County
Circuit Court, Detroit Recorders
Court and the 36th District Court in
Detroit.

THEN CAME the recession and budget cuts. For several year, Michigan has had two funding systems—one for Detroit/Wayne County, where the state pays all, another for the Wayne suburbs and the other 82

the Wayne suburbs and the other 82
million to \$225 million from the
counties.
"The issue of court financing is be
coming increasingly verations," said
Zaagman, who was pinchitting for
MIAJ president Hilda Gage, an Oakland circuit judge.
Theoretically, there are three solutions:

million to \$225 million from the
finding state funding of Deto Mich Wayne County courts, going
back to the previous system of the
cut guaranteeing part of judges'
salaries and local governments supplementing them. Zaagman sees this
aunder attack.

"In the House of Representatives last year, there were 57 votes (more than a majority) to wipe out Wayne County court reorganization funding," be said. "There is a great deal of restlessness. There could be a real war this year, and that war could be won." • Continuing the dual system, which Zaagman sees as doomed.
• State funding of all 571 lower court judges and their staffs, as originally planned, at an additional \$150 million to \$225 million from the

'The governor's office has not got behind state funding,' and

state Senate Republicans 'won't

jump' to support it until Gov. James

Blanchard advocates the plan.

-- Sen. Rudy Nichols Judiciary chairman

NICHOLS SAW a political prob-

lem with the state's picking up the entire cost.

"The governor's office has not got behind state funding," said Nichols, a second-term senator elected dur-ing the 1883 tax revolt.

In a post-hearing interview, Ni-chols quoted Senato Majority Lender John Engler, R-Mouth Pleasant, as asying "the Senate want jump" until Gov. James Blanchard advocates the plan.

Gov. James Blanchard advocates un-plan.

Michols, an attorney, said Michi-gan's constitution clearly called for a single court system, not multiple systems of paying. "This has not been done because of money," the judiciary chairman said.

JUDGES DISLIKE the dual sys-tem because of pay inequities (see salary story) and the budget argu-ments they get into with local gov-

ernments.
"Counties like that," said Zangman, "because a judge comes to them with hat in hand."

Sen. John Kelly, D-Detroit, had a war story from the other point of view: "The Grosse Pointe Park district judge says unless she gets a pay raise, she's going to order the city to give her one."

Zaagman noted that Perry Bul-lard, D-Ann Arbor, House Judiciary chairman, is author of a bill to pro-vide procedures for handling budget disputes between courts and local control units. The problem has cropped up in every corner of the state.

state.

It has even pitted local governments against each other, as in Oakland County, where county government subsidizes the \$2nd District Court (including Troy and Rochester) but not the 48th District (Bloomfield area).

LAST YEAR G. Mcanen Williams, then chief Justice of the Supreme of the highest chief of the supreme of the form of the first of the fir

In other Judiciary Committee business, Zaagman, in answer to a question from Nichols, personally endorsed the idea of requiring a cir-cuit judge to have five or so years of

trial court experience as a lawyer to be eligible for the bench.
That drive began again in earnest after the 1986 election when Wayne Connty voters elected Kalileam Macdonald, fresh from law school, to the circuit bench, and Gov. James Blanchard appointed chief of staff Philip Jourdan, a lawyer who hadn't practiced, to the same bench.

## 'One court of justice'

Those, such as former Chief Justice G. Mennew Williams, who advocate full state funding of the courts point to Article VI, Sec. I of the Michigan Constitution:
"The judicial power of the state is vested exclusively in one court of justice which shall be divided into one supreme court, one court of appeals, one trial court of general jurisdiction known as the circuit court, one probale court, and courts of limited jurisdiction that the legislature may establish by a two-thirds vote..."

## What judges are paid

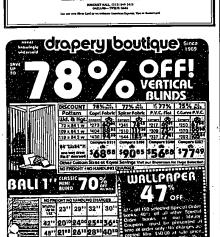




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