Court reform breaks down in GOP House, Senate next

A key state representative has given up on trial court reform — at least until the Senate takes a

given up on trial court reform—at least until the Sensite takes a crack at it.
"I'll wait and see what the Sensite does. They said they could pump it out in a week," said Rep. Michael Nye, R-Litchfield, chair of the House Judiclary Committee and sponsor of three pieces of legislation that could unify Michigan's trial courts into a single court of justice.
"The Democrats won't put up the votes unless (Detroil) Recorder's Court is intact. But that's not court reform." Nye said in an interdew Feb. 28, the day after he announced his frustration to the House leadership.

His legislation has been sitting on the House calcular for weeks after coming out of his committee, but he lacks the whose to move it. The GOP's 56-54 majority in the House lant enough to pass it. A key step involves proposing constitutional at worthirds vote is required to put I on the New 5 fablic.
"It simply broke down," agreed Rep. James Ryan, R-Reford, a committee member. "Mike Nye said 'I've had enough. We were trying to come up with a floor substitute."

Meanwhile, Rep. Deborah Whyman, R-Canton, has hopes

substitute"
Mennwhile, Rep. Deborah
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Mhyman, R-Canton, has hopes
Nye's panel will take up her simpler bill to combine Detroit Reserder's with Wayne Circuit
Court, in effect elevating the Deroit judges. Courts in the other
82 counties would be unaffected.

Reform obstacles

Reform obstacles
Ryan said Nye's package faced
three obstacles court. Of 1,776
units of local government in
Michigan, only Detroit has its
own criminal court; moreover, it
has handled out-county cases—
major irritation to suburbanites.
In the other 82 counties, a circuit
court tries criminal matters and
major civil cases within a county,
betroit politicos view any attempt
to combine Recorder's Court as

MA single trial court has been discussed by lawyers for a long time, but Gov. John Engler's budgets are bringing matters to a

racist; they won's even consider a name change.

Employees. Some court employees work for counties, others for cities, others for townships. They also belong to various unions.

Administration. Some judges want to do the hiring and union negotiating county officials think general government is better equipped to handle those chores, and judges should stick to judging.

Sudicial conflicts. Circuit judges should stick to judging.

Circuit judges have fought this tooth and nail! wald Rep. Gerald Law, R.Plymouth, another members of the House Judiciary Committee.

As a suburbanite. Law likes the

Law, R. Plymouth, another member of the House Judiciary Committee.

As a suburbanite, Law likes the
idea of combining circuit, probate
and district courts — a kind of
one-stop shouping. "Attornays
have to charge cilents two hours
diriving time to file papers downtown." said Law.

A single trial court has been
discussed by lawyers for a long
time, but Gov. John Engler's
undjets are bringing matters to a
head. He has threatened to veto
creation of new judgeships until
lawmakers come up with more efficient methods of delpolying judgcs — between kinds of cases and
thetween geographic boundaries.
Engler's position hits hardest
in the growth areas of Wayne and
Oakland Counties and, to some
extent, in Washtenaw County.
Nye's plan

dren, adoption, juvenile matters, abuse, paternity, etc.); 2) circuit (major civil suits, divorces without children, criminal cases, fore-cloaures); and 3) district (small cialms, lendlord-tenant case, misdemeaners, pre-trial exams). Detroit would be one court unit; suburban Wayne County would be a second unit. Elsewhere, each county would be a unit.

3 A one-cent increase in the sales tax, and elimination of the fuel tax. Of the new \$1.1 billion, 93 percent would go for roads; 5 percent for libraries; and 2 percent for secondary road patrols and justice training. The general effect would be to increase road money by helf.

His complex financial measuremet such widespread opposition that it's considered dead. Nyo said it probably will be sent back to committee.

House John Resolution S was a constitutional amendment to remove the need for a probate court

House Joint Resolution S was a constitutional amendment to re-move the need for a probate court in every county, HJR T was the sales tax measure. House Bill 5158 was the bill that implement-ed all the changes.

Senate plan
In the Senate, Judiciary Chair
William VanRegenmorter, R.-Jenison, has a plan that's closer to
Chief Justice James Brickley's
views. There would be "n twolevel trial court, similar to the existing circuit and district courts
... uniform statewide. Wayne
County would no longer have a
different) system," he said in a
Michigan Bar Journal article.
"The Recorder's Court for the
city of Detroit would be abolished
— it would become part of the
criminal division of the new
Wayne County Circuit Court. The
probate court would be abolished.
Its jurisdiction would be divided
detween the new circuit and district courts."
VanRegemmorter's circuit court
VanRegemmorter's circuit court
VanRegemmorter's circuit court
VanRegemmorter's circuit court

trict courts."

VanRegementer's circuit court
would have three divisions —
family, criminal and civil. "The
chief judge of each circuit would
have authority to reassign cases
within the circuit's triol court system . . ."

Nye's plan

Lawmakers and lawyers have
many variations on the reform
theme. Here is Nye's plan:

A single Court of Justice in
each country with three divisions

(divorces with chil-This month, you can actually afford to fall in love.



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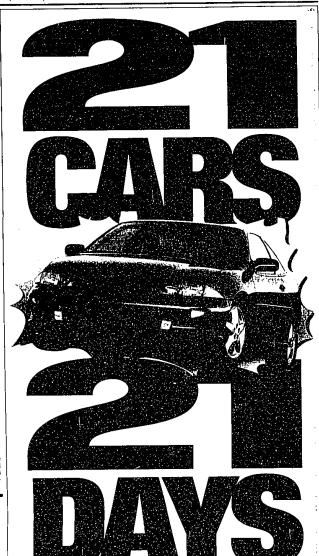
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