CITIZENS RESEARCH COUNCIL OF MICHIGAN

Michigan Constitutional Issues

Nineth in a series of papers about state constitutional issues

At the November 3, 2026, general election, Proposal 2026-01 will ask voters whether a constitutional convention should be convened for the purpose of a general revision of the 1963 Michigan Constitution. Article XII, Section 3 provides that in 1978 and every 16 years thereafter the question of a general revision of the constitution shall be submitted to voters. If the question is pproved, the convention would convene in Lansing on October 5, 2027. If rejected, it will automatically appear on the ballot again in 2042.

Proposal 2026-01 will ask voters:

> Shall a convention of elected delegates be called for the purpose of a general revision of the Michigan Constitution, any such revision to be submitted to the voters for ratification?

The Citizens Research Council is publishing a series of papers to provide information which voters may use to decide whether the convening of a constitutional convention is in the best interest of Michigan at this time. The Citizens Research Council takes no position on the question of calling a constitutional convention. It is hoped that examination of the matters identified in the papers in this series will promote discussion of vital constitutional issues and assist citizens in deliberations on the question of calling a constitutional convention.

Article VI – Judicial Branch

Within the American separation of powers doctrine that characterizes Michigan's state government, the judicial power to interpret the law is exercised by courts. That authority generally is limited to specific cases and controversies brought before the courts for resolution by public and private parties. Courts serve to adjudicate criminal cases and resolve civil disputes, with some cases involving significant questions of public policy.

In Michigan, the judicial system is composed of a supreme court, a statewide court of appeals, county or multi-county circuit and probate courts, and county or municipal district courts. The 1963 Constitution created "one court of justice," meaning that all courts are organized under the Supreme Court and operate under rules and procedures created by the Supreme Court.

In the event of a constitutional convention, key areas of deliberation would likely focus on court organization, the selection process for judges, the process in which judicial conduct is reviewed, judicial pay, and trial court funding.

Michigan's Judicial Branch

Michigan's judicial branch is established by Article VI of the 1963 Constitution, which contains provisions outlining the structure and powers of Michigan's courts; the method of judicial selection and replacement; and issues related to judicial pay and conduct.

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Court Organization

The 1963 Constitution places the Supreme Court atop all other courts in the state, serving as the court of last resort and as the body responsible for supervising all lower courts. While previous constitutions had granted superintending control over lower courts to the Supreme Court, a feeling existed at the 1961-62 constitutional convention that lower courts had evolved into largely independent entities. As a result, the 1963 Constitution established "one court of justice" in the state to create a more unified judiciary. Article VI establishes the number and method of selection for justice of the Supreme Court (see *Selection of Justices and Judges* below), as well as the court's ability to appoint an administrator and other assistants; superintending control over lower courts; appellate authority; ability to draft court rules; requirement that its decisions be in writing; and control over its budget.[1]

Sections 8 through 10 establish a statewide court of appeals whose jurisdiction is defined by law and whose practice is governed by rules made by the Supreme Court.[2] Prior to the 1963 Constitution, Michigan did not have an intermediate court of appeals that sat between the trial courts and the Supreme Court. Article I, Section 20 provides that everyone convicted of a criminal offense, other than by a guilty plea, has the right to an appeal and many civil cases are also appealable to the Court of Appeals from lower courts. The decisions of the Court of Appeals are final unless appealed to the Supreme Court and the Supreme Court agrees to weigh in.

Article VI establishes circuit courts as trial courts with general jurisdiction, meaning they hear all cases except those that are specifically given to another court by law.[3] In practice, this generally means all civil cases with more than $25,000 at stake, most family law cases, certain appeals of administrative action, appeals from lower courts, and felonies[a] are heard in circuit courts.[4] Circuit courts were initially established along county lines, although the 1963 Constitution allows for circuits to be created, altered, and discontinued by law, which has led to some consolidation of judicial circuits over the years.

Probate courts also are established in the constitution, with a similar provision allowing the consolidation of districts by law, as well as the combination of judicial offices (i.e., the combination of circuit and probate courts in some locations).[5] Probate courts handle the admission of wills, administration of estates and trusts, guardianships, conservatorships, and treatment of the mentally ill and developmentally disabled.[6]

a Under current law, most felony cases begin in district court but are later "bound over" to circuit court for trial and adjudication.

Article VI also permits the creation of courts of limited jurisdiction by law.[7] This process was used to create district courts. District courts hear civil disputes over items valued under $25,000, including small claims; landlord-tenant cases; land contract issues; civil infractions; and misdemeanors. District courts also are responsible for certain initial proceedings in felony cases that are later resolved in circuit court. Other specialty courts have been created by law within trial courts, including mental health courts and drug treatment courts.[8] Similarly, legislation was enacted to create a Court of Claims that serves as a trial court for certain cases filed against the state.[9]

Within this structure, the State Court Administrative Office serves as the administrative agency of the Supreme Court (SCAO). SCAO aids in the administration of the courts and has many functions, including tracking caseloads for the purpose of making recommendations related to the establishment or reduction of judgeships in different courts.[10]

Delegates of a constitutional convention would likely consider a number of issues related to court organization. While the Court of Appeals was new in 1963, the concept of an intermediate court of appeals between trial courts and the state supreme court is now widely established (42 states have at least one court of appeals)[11] and has had the effect of allowing for robust appeals without burdening the supreme court, so it is unlikely that would change.

What is likely to draw more attention is the arrangement of Michigan's trial courts. District courts were created after the 1963 Constitution was adopted, as were the Court of Claims and all of Michigan's specialty courts.[12] Delegates would be faced with the question of whether it is worth unifying Michigan's trial courts to allow for a more efficient process and unified approach to funding. For example, felonies now flow through district courts during the initial stages and are eventually "bound over" into circuit court for trial. In some parts of the state, circuit and probate judges are the same. It may no longer be the case that wholly separate trial courts need to exist for different purposes, and it may be better left up to the courts to divide the workload among the judges within their boundaries. The public may think this aspect of Michigan's court organization is working well and is not worth the disruption that would be caused by altering the trial court structure, but the court jurisdictions and circuits/districts have been amended enough times via statute that it is easy to imagine delegates considering constitutional changes to meet the state's judicial needs.

Similarly, the Court of Claims was created as a way to ensure claims involving the state were held by judges elected statewide (as opposed to judges elected by the people in one jurisdiction, such as Ingham County), but the implementation is something that would be ripe for discussion at a convention. One central consideration is that Court of Claims judges are drawn from the Court of Appeals, but the actual function of the Court of Claims is that of a trial court. The potential pitfall is that the traits the public might favor in an appellate judge and a trial judge could be different and the current setup does not allow for that kind of distinction. If support continues to exist for

a Court of Claims, it is worth considering the establishment of an electoral process that allows the public to select those judges. This change would not inherently require a convention, as it could be done via statutory change, but it would likely be an area of discussion for delegates.

Another consideration for delegates would be whether the provision in Section 14 that designates the county clerks as the clerks of the circuit courts still makes sense.[13] This arrangement places the clerks' offices in a unique position in which it has to carry out the county clerk functions as well as work to ensure operation of the local court. With the county clerk and the circuit court judges being independently elected, this creates an odd situation where no clear hierarchy exists.

Selection of Justices and Judges

The method of selection of Michigan Supreme Court justices, court of appeals judges, and circuit, probate and district court judges is a question that has persistently cropped up throughout Michigan's history and undoubtedly would be reopened at a constitutional convention. Michigan's history with judicial selection is mixed. The 1835 Constitution called for the governor to appoint supreme court justices.[14] The 1850 and 1908 Constitutions authorized the election of supreme court justices.[15] The 1963 Constitution maintained the election of judges but called for candidates for supreme court justices to be nominated by political parties for statewide election.

Section 2 provides that "The supreme court shall consist of seven justices elected at non-partisan elections as provided by law…Nominations for justices of the supreme court shall be in the manner prescribed by law." Current state law provides that nominations for the office of supreme court justice shall be made at the state party conventions held in the fall, one candidate for each vacancy to be filled at the next general election. In addition, Section 2 allows that any incumbent justice may become a candidate for reelection by filing an affidavit of candidacy. Justices serve eight-year terms.[16]

Section 8 provides that court of appeals judges "shall be nominated and elected at non-partisan elections from districts drawn on county lines and as nearly as possible of equal population, as provided by law…"[17] The number of Court of Appeals judges was set in the 1963 Constitution at nine, but further language allows the size of the court to increase via statute. The current Court of Appeals has 24 judges who serve six-year terms. Trial court judges are also elected in Michigan, for six-year terms. Circuit court judges (Section 12)[18] and probate court judges (Section 16)[19] "…shall be nominated and elected at non-partisan elections in the circuit in which they reside…" District court judges are also elected in non-partisan elections, as provided by law.[20] Incumbent judges are identified as such on the ballot.[21]

The method of selecting justices and judges would be central to any deliberations about the state's judiciary at a constitutional convention, along with the process for filing vacancies. Judges can either be elected or appointed,

but nuance exists within those categories as well. Judicial elections can take place in a partisan or non-partisan manner, and existing judges can sit for true re-election or a retention election. On the appointment side, the most common appointing authority is the state's governor, but some states have other entities nominate candidates for appointments. Additionally, the method of selection can be different for filing an unexpired term. For instance, vacancies in Michigan are filled by appointment by the governor with a special election to follow at the next general election. In some cases, this dynamic leads to judges who do not intend to run for reelection to resign before the end of their term so that the governor can appoint a new judge who can run for reelection with the incumbent moniker.

Several important principles are in play when considering how judicial officers are selected. Judicial independence, accountability to the public, and legal qualifications are all important factors that delegates would have to balance when deciding on an approach. In theory, elections produce more judicial independence and public accountability, but they can also lead to less qualified candidates. On the other hand, appointments theoretically allow for more vetting, but the candidates are likely to appear less independent and only indirectly accountable to the public. That said, each process can produce varying results depending on the level of public knowledge about judges and the manner in which appointments are made.

Michigan has a long tradition of judicial elections, seeming to favor independence and accountability. However, limitations exist in this approach. It is difficult for voters to gather much information about the nature of a judicial candidate and those who are adept at electoral politics are not necessarily those who fit the public's idea of a model jurist. In most other elections, voters can rely on party identification to help guide their decisions about candidates they do not know. But in non-partisan judicial elections, that heuristic is also missing. The Supreme Court and Court of Appeals candidates are also currently nominated at party conventions, which limit the public's ability to shape the races via the primary election process. Ironically, this impacts the offices in which partisanship is the most relevant, as appellate courts have much more influence on public policy than trial court judges.

Appointing judicial officers also comes with downsides. Barring a lifetime appointment (as is the case federally), appointed judges are accountable to the other two branches of government rather than directly to the people. Also, no guarantee exists that the vetting process would produce higher quality judges, as an appointment process is also subject to politics.

Good and bad outcomes seem possible with each approach, conditioned on the exact processes and how the public and candidates approach them. Delegates have a variety of models to consider (see *Judicial Selection, Retention, and Filling of Vacancies in Other States*), both in terms of how judicial officers are selected for full terms and how vacancies and retention are handled.

Judicial Selection, Retention, and Filling of Vacancies in Other States[22]

Judicial selection processes vary by state and also by court level within states. States also use different models of initial selection versus retention of existing judges. Still, other processes exist when a judge is being selected to fill an unfinished term of a judge who has left office.

The number of different models across the different dimensions makes a straightforward summary difficult. For example, 38 states use elections for some part of their selection process for the state's highest court. In 16 states, the governor makes an initial appointment but the selected judge is subject to an unopposed retention election. Michigan is one of 14 states that has non-partisan elections, but eight states run partisan elections. When judges are appointed, usually it is by the governor but some states have judicial nominating councils or rely on legislative appointments to fill vacancies. Additionally, some states that do not use elections at the highest level do use contested elections to select lower court judges. Most vacancies are filled by appointment of the governor, but in some states that appointment only stands until a special election.

Another consideration that is certain to arise at a constitutional convention is Michigan's judicial age limit. Section 19 requires judges "have been admitted to the practice of law for at years 5 years" and "[n]o person shall be elected or appointed to a judicial office after reaching the age of 70 years."[23] Joint resolutions have been introduced frequently in the legislature over the years to repeal or amend this age limit. It is argued primarily that the age limit restricts voters' ability to elect the candidate of their choice. Age limits are not present for any other office and there is no inherent reason why age should impact judicial ability but not legislative ability, for instance. Life expectancy and modern medicine have also improved since the age limit was first introduced in 1955.[24] Proponents of the age limit have traditionally pointed to the concerns about the ability of aging judges to sufficiently perform their duties.

Judicial Conduct and Ethics

The issue of judicial conduct and ethics would likely feature prominently during deliberations about the judicial branch at a constitutional convention. When the 1963 Constitution was adopted, it spoke to methods for removing justices/judges from office but did not outline broader ethical principles or lesser sanctions for conduct that was problematic but did not rise to the level of removal.

Originally the 1963 Constitution had two methods to remove a justice or judge from office. The first method was impeachment and conviction under Article XI, Section 7, requiring a majority vote of members of the house and a two-thirds supermajority vote in the senate, for corrupt conduct in office or for crimes or misdemeanors. The second method, found in Article VI, Section 25, requires a two-thirds supermajority vote of both legislative chambers for "reasonable cause, which is not sufficient ground for impeachment."[25] Judges are not subject to recall by the voters under Article II, Section 8.[26]

In 1968, voters adopted an amendment to the constitution creating a Judicial Tenure Commission (JTC) that could recommend disciplinary action against judges to the Supreme Court. The amendment allows the Supreme Court to "censure, suspend with or without salary, retire or remove a judge" for "conviction of a felony, physical or mental disability which prevents the performance of judicial duties, misconduct in office, persistent failure to perform his duties, habitual intemperance or conduct that is clearly prejudicial to the administration of justice" following a JTC recommendation.[27]

While the JTC amendment offers broad categories of behaviors that could warrant sanction, more detailed judicial ethics are defined by the Supreme Court through the Michigan Code of Judicial Conduct.[28] The JTC's investigatory process is also governed by rules made by the Supreme Court, with the constitution only specifying that the rules should provide for "confidentiality and privilege of proceedings."

Delegates at a constitutional convention may seek to make changes to the JTC. One possible change could be widening the membership of the body to include more members who are not judges or members of the state bar. Delegates may also consider altering the types of behaviors that are reviewable by the JTC. It is also worth noting that a provision in Article VI, Section 4 conflicts with the JTC amendment and states "The Supreme Court shall not have the power to remove a judge," which is something that would likely be cleaned up at a convention.[29]

The biggest point of discussion would likely be the JTC process itself, particularly how much control the Supreme Court should have over shaping the JTC process. The constitution currently defers to the Supreme Court to shape the process via rulemaking, but more detail could be placed into the constitutional language to shape the process. A key area of focus is likely to be when and how complaints and investigations against judges could become public. While legitimate due process reasons exist to keep complaints confidential early in the process, delegates would likely consider when the public's right to know about investigations into judicial conduct overtakes those reasons. Judges who are formally sanctioned by the Supreme Court have details of their conduct made public, but if the JTC stops short of a recommendation, much of the information, including the identity of the judge, is shielded from public view. In 2024, the JTC resolved 622 complaints, 586 of which were determined to be factually untrue or were not actionable even if the facts were true (i.e., the subject of the complaint was not misconduct). Of the 36 complaints that were resolved in 2024, the JTC resolved the complaints with 13 admonitions, 13 cautions, and four explanatory letters (and six resignations), but no referrals to the Supreme Court.[30]

Another question delegates would likely consider is whether the Supreme Court should be the body taking action or if the JTC should be empowered to act on its own investigation. In 21 states, the JTC equivalent adjudicates the charges rather than merely making a recommendation, and then the judge has the ability to appeal the decision to the Supreme Court.[31]

Within the broader context of judicial conduct and accountability, delegates may wish to spell out more detailed ethical principles beyond the JTC process and removal provisions. Specifically, judicial ethics is largely governed by rules of the Supreme Court, but the constitution could outline principles related to ethical conduct, particularly as it relates to a judge's role as a public officer even if delegates continue to defer to the Supreme Court to regulate judicial conduct on the bench. Judges are not included in the recently-enacted financial disclosure amendment (Article IV, Section 10),[32] for example, and it is easy to imagine issues like gifts to public officials and campaign finance considerations arising at a convention.

Judicial Pay

Judicial pay is another topic that would likely be central to deliberations about the judiciary at a constitutional convention. The constitution requires that judges are paid salaries from government funds and should not be based on any fees collected through their work as judicial officers. This provision is designed to ensure no financial incentive exists in how judges apply the law. It is unlikely that delegates would seek to change that dynamic.

The broader question of judicial pay levels, and who pays, is something that would garner more attention. Salaries for Supreme Court justices are set by the State Officers Compensation Commission (SOCC), which requires a recommendation from the SOCC and an affirmative vote of the legislature to raise salaries for the justices (see Article IV – Legislative Branch). Since the 2002 amendment that required an affirmative vote in favor of pay raises, the justices' salaries were not increased for many years until a 2020 resolution approved raises for 2021 and 2022.[33] Given the high salaries available to successful attorneys, many argue that the salary paid to Supreme Court justices in Michigan (currently $181,483) is too low to attract and retain the best jurists, including recent examples of justices leaving office before the end of their term to take other legal jobs.[34]

While the SOCC could be reformed in its entirety at a convention, one intermediate option could be to remove Supreme Court justices from the SOCC process. Delegates might consider setting the Supreme Court justice compensation at an appropriate level in the constitution and then index that amount to annual changes in inflation going forward. Alternatively, the pay rate for Supreme Court justices could be set comparatively to lower court judges (e.g., 20 percent higher than circuit court judges). This approach would keep the year-to-year budgetary considerations in the hands of the legislative process but ensure that the justices remained the highest paid judges. Presently, Supreme Court justices in Michigan are paid less than all other judges in the state.[35]

Court of Appeals judges are paid directly by the state at levels set by law. Trial court judges, however, are paid a base salary by the state at levels set by law, but their local funding units can also provide a salary on top of that amount as long as all judges in that jurisdiction are paid the same amount.[36]

The question of trial court judge pay would likely be an issue at a convention. The argument in favor of allowing local funding units to pay additional salaries to their judges makes sense in the context of local job markets and cost of living, as local jurisdictions want to make sure they can attract the best judges. However, this creates a situation where judges can make more money working in jurisdictions that can afford to pay more, which is not necessarily an arrangement the state that is in the best interest of the state as a whole. It may make sense to eliminate the provision allowing for local payments to judges and make it the state's responsibility to pay a high enough base rate to all judges statewide. This would be especially true if trial courts become more unified (see *Court Organization* above) and/or trial court funding is reformed (see *Trial Court Funding* below).

Trial Court Funding

In the event of a constitutional convention, the judicial branch issue that would likely receive the most attention is the way trial courts are funded in the state. While the 1963 Constitution created "one court of justice" under the direction of the Supreme Court, it did not establish a unified system of court finance. The state pays base judicial salaries (see *Judicial Pay* above) and contributes to local trial courts through grants and a statutory formula[37], but most funding for trial court operations comes from the local governments that make up each court jurisdiction. Roughly $1.2 billion is spent annually on trial court operations in the state.[38] State-funding only accounts for about one-quarter of that, but a good portion of that state funding comes from state-collected local court assessments. This means the state general fund contribution to trial court operations is only about two or three percent of total costs.[39]

A number of problems exist with the current funding model. First, given the nature of the separation of powers, local governments find themselves in a situation where they have to provide funding for their local courts but have very limited control over operations of the courts themselves. Local funding requirements also create an incentive (or perception of an incentive) for judges to generate revenue for their courts via court assessments that may not be in the interest of justice. The situation also creates a potentially uneven justice system in which resources are not allocated fairly across communities.[40]

A movement toward larger state involvement in trial court funding has been underway for decades. Financial difficulties in Detroit led the state to assume responsibility for the Third Circuit Court, Detroit Recorder's Court, and 36th District Court during the 1980s. These efforts were part of a plan for the state to overhaul all trial court funding that never came to fruition. The state later increased certain court fees in an effort to provide trial court funding, but those fees did not provide sufficient funding to supplant local funding. By the mid-1990s, the state had established a system to provide some funding to local courts to support local operations, but the grant amounts were still well short of the actual costs at the local level.[41]

Over the last decade, efforts to move to a statewide trial court funding system have reignited but remain unfinished. In 2017, legislation was enacted to create a Trial Court Funding Commission (TCFC) to make recommendations about statewide funding. The legislation was enacted in the wake of a Supreme Court decision that called into question the constitutionality of certain court fees that had been providing funding to local courts and the Supreme Court's associated recommendation that this problem be resolved legislatively. The TCFC issued its final report in 2019, calling for statewide funding, unified court technology, uniform court assessments and collections, and a movement toward judges, referees, and court employees becoming state employees.[42] Despite the recommendations, statewide funding did not follow. In 2024, legislation was passed to direct SCAO to provide a detailed implementation strategy for the TCFC recommendations. SCAO's report was issued in late 2025. The 2025 report provides a more nuanced approach to court funding but calls for a detailed process to determine the appropriate funding level for each court and a mechanism to distribute both money collected from court assessments and new state funds to local courts.[43]

While nothing in the 1963 Constitution prohibits a solution to the trial court funding issues in the state through the ordinary legislative process, a constitutional convention would likely be a venue to force the issue. One reason is that local governments would likely seek constitutional language in favor of statewide court funding, but another is that this discussion would fit into broader issues related to state/local finance and revenue sharing (topics that cross over into the Finance and Taxation article of the current constitution) which would likely feature prominently in the convention.

The arguments in favor of statewide funding are compelling. Unified funding would give more operational control to SCAO and allow the Supreme Court to allocate resources more efficiently to balance workloads across jurisdictions. Unified funding would also make it easier to ensure the justice system operates more evenly across jurisdictions. It would also likely simplify court staffing and administration; court employees would be part of the state government workforce rather than various local governments. The opposition to this change largely comes from two places. The first is simply the logistical challenge of switching from one model to the other. The second is the concern that some jurisdictions that are currently well-funded under the existing model would lose local control.

Amendments to Article VI

Article VI has been amended four times since 1963.[44] In August 1968, voters adopted two proposals to amend Article VI. One proposal, which amended four sections, allowed the governor to fill judicial vacancies by appointment. This had been the practice prior to the 1963 Constitution, which required all judicial vacancies be filled at an election.[45] The other amendment established the Judicial Tenure Commission.[46] In 1996, voters approved a proposal that required judges to have been admitted to practice law for at least five years prior to serving as a judge.[47] The 2018 redistricting amendment altered Section 1 and Section 4 of Article VI, but only to add language stating that the provisions were potentially "limited or abrogated by" the new language in Article IV, Section 6 and Article V, Section 2.[b] All four proposals that amended Article VI were approved by large margins.

Over the years, other proposals have been introduced in the legislature to make changes to Article VI, none of which have made it to the ballot. Potential amendments have included removing the judicial age limit, removing the incumbency designation for judges on the ballot, and altering the method of judicial selection.

Conclusion

While opinions about Michigan's judicial system vary, the constitutional language governing it is not inherently in need of revision due to inoperable language. The provisions in Article VI could carry on largely unchanged and the court would continue to operate as designed.

That said, Article VI presents a number of issues that would be ripe for debate at a constitutional convention. These include the organization of the state's trial courts, the manner of judicial selection, judicial ethics and conduct, judicial pay, and (especially) trial court funding. At a convention, delegates would have an opportunity to reflect on whether the balance struck at the 1961-62 convention remains the correct one.

Certainly, room exists to improve the efficiency and operation of Michigan's judiciary, particularly as it relates to trial court organization and funding. These are not issues that require a constitutional convention to address, but a convention may force them to the forefront.

b This was a formality to ensure the proposal complied with Article XII, Section 2's requirement that "Such proposed amendment, existing provisions of the constitution which would be altered or abrogated thereby, and the question as it shall appear on the ballot shall be published in full as provided by law."

Endnotes

1 See 1963 Constitution, Article VI, Sections 1 through 7.
2 See 1963 Constitution, Article VI, Sections 8 through 10.
3 See 1963 Constitution, Article VI, Sections 11 through 13.
4 "Trial Courts." Michigan Supreme Court. Accessed May 21, 2026.
5 See 1963 Constitution, Article VI, Sections 15 through 16.
6 "Trial Courts." Michigan Supreme Court. Accessed May 21, 2026.
7 See 1963 Constitution, Article VI, Section 1.
8 "Trial Courts." Michigan Supreme Court. Accessed May 21, 2026.
9 "Court of Claims." Michigan Supreme Court. Accessed 21, 2026.
10 See 1963 Constitution, Article VI, Section 3; "State Court Administrative Office." Michigan Supreme Court. Accessed May 21, 2026.
11 "Intermediate Appellate Courts." Ballotpedia. Accessed May 21, 2026.
12 See Chapters 81 to 83 (District Courts), Chapters 10A to 10D and 12 (Specialty Courts), and Chapter 64 (Court of Claims) of the Revised Judicature Act of 1961.
13 See 1963 Constitution, Article VI, Section 14.
14 See 1835 Constitution, Article VI, Section 2.
15 See 1850 Constitution, Article VI, Section 2 and 1908 Constitution, Article VII, Section 2.
16 See 1963 Constitution, Article VI, Section 2.
17 See 1963 Constitution, Article VI, Section 8.
18 See 1963 Constitution, Article VI, Section 12.
19 See 1963 Constitution, Article VI, Section 16.
20 See MCL 600.8204 and MCL 168.467 et seq.
21 See 1963 Constitution, Article VI, Section 24.
22 "Table 5.6: Selection and Retention of Appellate Court Judges." *Book of the States*, 2023; "Table 5.7 Selection and Retention of Trial Court Judges." *Book of the States*, 2023; "Judicial Selection: An Interactive Map." *Brennan Center for Justice*. August 20, 2024.
23 See 1963 Constitution, Article VI, Section 16.
24 See Proposal No. 2 of 1955, April 4, 1995 (Joint Resolution No. 2 of 1955).
25 See 1963 Constitution, Article VI, Section 25.
26 See 1963 Constitution, Article II, Section 8.
27 See 1963 Constitution, Article VI, Section 30.
28 "Michigan Code of Judicial Conduct." Michigan Judicial Tenure Commission. Accessed May 21, 2026.
29 See 1963 Constitution, Article VI, Section 4.
30 "Judicial Tenure Commission Annual Report 2024." Michigan Judicial Tenure Commission. May 20, 2025.
31 "Table 5.8 Judicial Discipline: Investigating and Adjudicating Bodies." *Book of the States*, 2023.
32 See 1963 Constitution, Article IV, Section 10.
33 See House Concurrent Resolution 10 of 2019.
34 "Michigan Supreme Court justice decides to resign to return to private practice." MLive. August 17, 2015; "Robert Young Jr is resigning from Michigan Supreme Court." Associated Press. March 29, 2017; "Michigan Supreme Court chief justice leaving bench this year." Associated Press. September 12, 2022. "Michigan Chief Justice Elizabeth Clement will step down from Supreme Court." Detroit Free Press. February 20, 2025.
35 "2025 Report of the State Officers Compensation Commission." State Officers Compensation Commission. April 30, 2025.
36 See 1963 Constitution, Article VI, Section 18.
37 See MCL 600.151b.
38 See "Alternative Funding for Trial Courts Implementation Recommendations." Michigan Judicial Council. November 2025.
39 See "Alternative Funding for Trial Courts Implementation Recommendations." Michigan Judicial Council. November 2025.

40 See "Alternative Funding for Trial Courts Implementation Recommendations." Michigan Judicial Council. November 2025.
41 "Article VI – Judicial Branch." Citizens Research Council of Michigan. Report 360-09, June 2010.
42 "Trial Court Funding Commission Final Report." Michigan Trial Court Funding Commission. September 6, 2019.
43 See "Alternative Funding for Trial Courts Implementation Recommendations." Michigan Judicial Council. November 2025.
44 "Proposed Amendments to the Constitution of 1963 —Summary of Adoption or Rejection." *Michigan Manual*, 2025-2026.
45 "State Ballot Issues, August 6, 1968." Citizens Research Council of Michigan. Council Comments 806, July 18, 1968.
46 "State Ballot Issues, August 6, 1968." Citizens Research Council of Michigan. Council Comments 806, July 18, 1968.
47 "Statewide Ballot Issues." Citizens Research Council of Michigan. Memorandum 1044, September 1996.

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Publication of the series of constitutional convention papers will conclude with a webinar reviewing the con con process and the major issues identified. If you would like us to share this information with your business, civic group, association, or another gathering, please contact Maureen McNulty-Saxton (msaxton@crcmich.org or 517-485-9444) to make arrangements.