



The Circuit Court
for the Tenth Judicial Circuit of Michigan

DARNELL JACKSON
CHIEF JUDGE, SAGINAW COUNTY

Telephone
(989) 790-5488

TO MEMBERS OF THE SAGINAW COUNTY BAR ASSOCIATION:

I am quite pleased to inform you all that yesterday Governor Whitmer signed into law Senate Bill 694, which retains the Circuit Court judgeship that was slated for elimination at the end of the year. This means that those interested in running for election to the position may do so. It will be designated as a non-incumbent race.

I am also providing you with information received from the Saginaw County Clerks Office which outlines in detail the timelines and requirements for seeking the position. Should you have any further questions please feel free to contact myself or the clerk's office. Please pay special attention to the following information:

ELECTION DATES: The primary election will be held on Tuesday, August 2, 2022. The general election will be held on Tuesday, November 8, 2022.

FILING DEADLINE: Non-incumbent judicial candidates are required to file nonpartisan nominating petitions containing the requisite number of valid signatures, an Affidavit of Identity (two copies) and an Affidavit of Constitutional Qualification (one copy) no later than **4:00 p.m. on April 19, 2022**

FILING LOCATION: Candidates for Court of Appeals Judge, Circuit Court Judge and District Court Judge file with the Michigan Department of State, Bureau of Elections, P.O. Box 20126, Lansing, MI 48901-0726. Office location: Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918. Candidates for Probate Court Judge file with the local county clerk's office.

PETITION FORM: All non-incumbent judicial candidates are required to use the *nonpartisan nominating petition form* prescribed by the Secretary of State when collecting signatures. There are two versions of the form: 1.) A "city/township" version and 2.) a "countywide" version. The "city/township" version of the form is designed for circulation within a single city or township; the "countywide" version of the form can be signed by anyone registered to vote in a city or township that falls within the boundaries of the listed county. All judicial candidates may use the "city/township" nonpartisan nominating petition form or the "countywide" nonpartisan nominating petition form as convenient.



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REQUIRED AFFIDAVITS: Non-incumbent candidates who file for the office of Appeals Court Judge, Circuit Court Judge, District Court Judge or Probate Court Judge are required to file an Affidavit of Identity (two copies) and an Affidavit of Constitutional Qualification (one copy). The required affidavits can be obtained from the Michigan Department of State's Bureau of Elections in Lansing or on the Bureau's website: Michigan.gov/Elections. A candidate who fails to file the required documents by the filing deadline (**no later than 4:00 pm on April 19, 2022**) is ineligible to appear on the ballot.

Michigan election law requires any candidate filing an Affidavit of Identity to state on the form that at the date the affidavit was executed, "all statements, reports, late filing fees, and fines required of the candidate, or any candidate committee organized to support the candidate's election under the Michigan Campaign Finance Act ... have been filed or paid". All judicial candidates are subject to the Campaign Finance Compliance Statement requirement. This remains true even if the candidate maintains a "Reporting Waiver." Failure to sign the statement or signing a false statement will result in your disqualification.

AFFIXING OFFICE DESIGNATION ON PETITION: Petitions for a judicial office must bear the appropriate designation listed below to indicate the office sought by the candidate. Note that "incumbent" position means a position held by a judge who is seeking reelection to his or her seat; "non-incumbent" position means a position held by a judge who is not seeking reelection to his or her seat or the position is vacant.

- Regular Term – Incumbent Position
- Regular Term – Non-Incumbent Position
- Partial Term – Incumbent Position*
- Partial Term – Non-Incumbent Position*
- New Judgeship

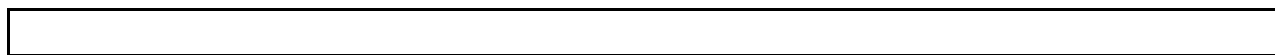
* Add expiration date of term if more than one partial term will be filled in judicial district. The terms "vacancy," "partial term" and "unexpired term" are interchangeably used to reference a judicial position which will be filled at an election for less than the full term.



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OBTAINING INFORMATION ON APPROPRIATE OFFICE DESIGNATION: Michigan election law stipulates that in instances where a candidate for Court of Appeals Judge, Circuit Court Judge, District Court Judge or Probate Court Judge seeks election in a district where there are a combination of “new” positions, “incumbent” positions and/or “non-incumbent” positions to fill, the candidate must “apply to the Bureau of Elections for a written statement of office designation to correspond to the judgeship sought by the candidate.” The designations listed in the following charts are provided to fulfill this information requirement. (See *Petition Signature Requirements and Office Designations* below.)

Michigan election law directs the Bureau of Elections to designate a judicial position as an “incumbent” position in any instance where 1.) there is an incumbent judge eligible to seek reelection to the position and 2.) the deadline for filing the Affidavit of Candidacy (March 21, 2022) has not yet elapsed.

If the incumbent judge does not file for reelection by the deadline for submitting an Affidavit of Candidacy, the amendment directs the Bureau of Elections to 1.) redesignate the position as a “non-incumbent” position and 2.) notify all candidates seeking election in the judicial district that a “non-incumbent” position exists.

The Law further stipulates that in such instances, 1.) nominating petition sheets circulated for the “non-incumbent” position after the Affidavit of Candidacy filing deadline (March 21, 2022) shall bear an office designation of “non-incumbent” position and 2.) signatures collected prior to the Affidavit of Candidacy filing deadline with “incumbent” office designation may be filed with the “non-incumbent” nominating petitions.

The Affidavit of Candidacy filing deadline established for the August 2, 2022 primary elapses at 5:00 p.m. on March 21, 2022.

WITHDRAWAL DEADLINE: Judicial candidates who file for the August 2, 2022 primary ballot with a petition who wish to withdraw from the election must submit a written notice of withdrawal to the filing official no later than **5:00 p.m. on April 22, 2022.**



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SIGNATURE REQUIREMENTS: The petition signature requirements imposed on candidates who seek the office of Appeals Court Judge, Circuit Court Judge, District Court Judge and Probate Court Judge are listed below (MCL 168.544f). The Bureau of Elections has made every effort to ensure that the signature requirements listed below are correct. If a conflict exists between this memorandum and MCL 168.544f, the statute controls.

- - Petition Signature Requirements and Office Designations - -

JUDGE OF THE COURT OF APPEALS

District	Min. Sig. Required	Max. Sig. Required	<u>Number To Be Elected</u>		Term Ending January 1, of
			Term	Designation	
4	6,200	12,000	2 Regular Terms Gadola Swartzle	Incumbent	2029

JUDGE OF THE CIRCUIT COURT

Circuit	Min. Sig. Required	Max. Sig. Required	<u>Number To Be Elected</u>		Term Ending January 1, of
			Term	Designation	
10	600	1,000	1 Regular Term Borrello	Incumbent	2029
10	600	1,000	1 Regular Term Borchard	Non- Incumbent ¹	2029



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JUDGE OF THE DISTRICT COURT

District	Min. Sig. Required	Max. Sig. Required	<u>Number To Be Elected</u>		Term Ending January 1, of
			Term	Designation	
70-1	200 Pop: 69,316	400	1 Regular Term Jurrens	Incumbent	2029

JUDGE OF THE PROBATE COURT

Probate	Min. Sig. Required	Max. Sig. Required	<u>Number To Be Elected</u>		Term Ending January 1, of
			Term	Designation	
Saginaw	N/A	N/A	N/A	N/A	N/A

Note that 2022 is an off-rotation year for Saginaw County Probate and the office will not appear on the ballot.

Darnell Jackson

Chief Judge, Saginaw County Trial Courts
February 9, 2022