



MICHIGAN SUPREME COURT

ELIZABETH A. WEAVER

JUSTICE

June 10, 2005

FOR IMMEDIATE RELEASE

Michigan Supreme Court JUSTICE ELIZABETH A. WEAVER announced today that she has delayed to a yet to be determined time her planned departure from the Michigan Supreme Court. She stated:

Since my January 2005 announcement of my intention to step down during October 2005, I have met with numerous Michigan legislators, the Governor, and many interested citizens and discussed the need to reform existing term limits for Michigan Supreme Court Justices and Michigan Legislators and for reform of how vacancies are filled on the Michigan Supreme Court. There is growing support for such reforms, but there is more education and work yet to be done.

My state Senator, Michelle McManus, has begun preparation of proposed constitutional amendments that would create shorter term limits for Supreme Court Justices, longer term limits for Senators and Representatives, and that would address how vacancies on the Michigan Supreme Court created by resignation, removal, or death are filled.

As I said in my earlier statement, Michigan's terms limits are like the story of Goldilocks and the three bears: the Supreme Court justices' term limits are "too long" (justices can run for repeated 8-year terms until they reach the age of 70, potentially 24 - 32 years), the Representatives' and Senators' term limits established in 1992 have proven "too short" (6 and 8 years), while the Governor's, the Secretary of State's, and the Attorney General's term limits are "just right" (8 years).

There is also a problem with how vacancies on the Michigan Supreme Court created by the resignation, removal, or death of a justice are filled. Currently, the Governor can appoint any person who has been admitted to the practice of law for at least 5 years; the Governor is not required to seek advice from anyone, nor consent from the Senate, and there is no time limit to act. This unchecked power was not part of our 1963 Constitution, but was added by a Constitutional amendment in 1968 to end the expense of holding special elections to fill judicial vacancies.

Since January, it has become clear that it is in my role as a Justice of the Michigan Supreme Court that I can most effectively help to bring these important issues to the attention of the people of Michigan for their consideration and action.

After careful reflection, I have delayed to a yet to be determined time my departure from the Michigan Supreme Court.