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February 25, 2013

Senator Rick Jones  
915 Farnum Bldg  
PO Box 30036  
Lansing, MI 48909-7536

Re: SB 35 and SB 38

Dear Senator Jones,

On February 15<sup>th</sup>, the Michigan District Judges Association Board reviewed SB 35 and SB 38 which you sponsored and which have been referred to the Senate Judiciary Committee. We oppose these bills.

These bills would allow a garnishment in the judicial branch to be filed without any filing fees after a hearing by an executive branch hearing officer with fines of up to \$500. Garnishments require a clerk's time to process and therefore cost the court money. Filing fees are user fees to compensate the court for its costs.

The bill provides the forms that the court uses for garnishments shall not be used. The forms used by the courts are very important in processing garnishments. They have been carefully drafted to comply with statutes and court rules and be user-friendly. Garnishee defendants recognize them and know what they are to do. If there is a reason that the current State Court Administrative (SCAO) forms can't be used, then SCAO can either amend the forms or create new forms.

Please feel free to contact me at [rlope@35thdistrictcourt.org](mailto:rlope@35thdistrictcourt.org) or at (734) 781-0107 or Judge Bill Kelly at [kellyw@ci.kentwood.mi.us](mailto:kellyw@ci.kentwood.mi.us) or at (616) 554-0717 if you wish to discuss this bill further.

Respectfully submitted,

  
Ronald W. Lowe

President  
Michigan District Judges Association