

MACOMB COUNTY 2024 FILING REQUIREMENTS FOR JUDGE OF PROBATE COURT

ELECTION DATES: The primary election will be held on Tuesday, August 6, 2024.
The general election will be held on Tuesday, November 5, 2024.

FILING DEADLINE: Non-Incumbent judicial candidates are required to file nonpartisan nominating petitions containing a minimum of 2,000 and a maximum of 4,000 valid signatures and a Non-Incumbent Judicial Affidavit of Identity and Affidavit of Constitutional Qualification no later than **4:00 p.m. on Tuesday April 23, 2024.**

FILING LOCATION: Macomb County Election Department
32 Market St.
Mount Clemens MI 48043

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 within Macomb County. All Judge of Probate Court candidates may use either version of the form as convenient.

SIGNATURE REQUIREMENTS: Minimum of 2,000 and maximum of 4,000 from qualified and registered electors of Macomb County.

REQUIRED AFFIDAVIT: Non-Incumbent judicial candidates are required to file a Non-Incumbent Judicial Affidavit of Identity and Affidavit of Constitutional Qualification. A candidate who fails to file the required document by the filing deadline is ineligible to appear on the ballot.

MCL 168.558 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. Therefore, a candidate may not have any outstanding notices of failure to file or late fees with any filing official in the state.

WITHDRAWAL DEADLINE: Non-Incumbent Judge of Probate Court candidates who file for the August 6, 2024 primary ballot who wish to withdraw from the election must submit a written notice of withdrawal to the Macomb County Election Department no later than **5:00 p.m. on Friday, April 26, 2024.**

CAMPAIGN FINANCE

All candidates are required to comply with the Campaign Finance Act filing requirements.

AFFIXING OFFICE DESIGNATION ON PETITION: Petitions for Macomb County Judge of Probate Court must bear the appropriate designation listed below to indicate the office sought by the candidate. These categories refer to the type of judicial position to be filled at the election, not the candidate's status as a non-incumbent or new judge (if elected).

- Regular Term – Incumbent Position
- New Judgeship

Important Information Regarding Macomb County's New Probate Judgeship

Public Act 310 of 2023 permitted the creation of a new Probate judgeship in Macomb County. However, this additional judgeship cannot be filled by election until the Macomb County Board of Commissioners passes a resolution creating the position and the County Clerk files the resolution with the State Court Administrator's Office. The control date for nominating petition signatures is the date of receipt to the State Court Administrator's Office, any signatures dated prior to that date will be deemed invalid.

Update: *The State Court Administrator's Office confirmed receipt of Macomb County's signed resolution regarding the new Probate Judgeship on January 26, 2024.*

Other Information Regarding Office Designation

"Incumbent" position refers to a position held by a judicial officer who is seeking reelection to his or her seat. "Non-Incumbent" position refers to a position held by a judicial officer who is not seeking reelection to his or her seat. "New Judgeship" refers to a position that will be filled for the very first time at this election and is used when a new position is created by legislative enactment.

Please Note: Office designations may change during the petition circulation period, at the incumbent filing deadline, or when a vacancy is filled by gubernatorial appointment.

An "incumbent position" designation may change to "non-incumbent position" if an incumbent judge who is eligible to seek re-election fails to file the Affidavit of Identity and Affidavit of Candidacy by the incumbent filing deadline.

a. All petition sheets circulated after the incumbent filing deadline when the incumbent fails to file must include the office designation "non-incumbent position" in the heading.

b. Signatures on petition sheets circulated before the incumbent filing deadline when the incumbent fails to file that contain the "incumbent position" designation will count toward the candidate's total number of signatures filed as long as the signatures are otherwise validly signed.

QUESTIONS:

If you have any questions, you may contact us at:

Macomb County Elections Department
32 Market Street, Mount Clemens MI 48043

Phone: (586) 469-5209

Email: elections@macombgov.org

Web: macombgov.org/elections