
ADMINISTRATIVE ORDER 1998-09

STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT

**SUBJECT: JUDICIAL AVAILABILITY PLAN FOR FELONY AND
MISDEMEANOR ARRAIGNMENTS ARISING WITHIN THE
COUNTY OF WAYNE**

Pursuant to the requirements of MCR 8.112(B), Administrative Orders, and MCR 6.104(G) Plan for Judicial Availability,

IT IS ORDERED THAT:

Effective July 2, 1998,

Arraignments shall be conducted every day of the year, including holidays and weekends, for all felony and statute misdemeanor arrests arising within the county of Wayne.

In every district court within the County of Wayne, arraignments shall be conducted every business day of the year as needed by a judge or magistrate of that court for all arrests arising within each district.

Weekend and holiday arraignments of defendants arrested within the city of Detroit shall be conducted at the Thirty-sixth District Court by a judge or magistrate of that court.

Weekend and holiday arraignments of defendants arrested outside the city of Detroit shall be conducted by district judges assigned to all other Wayne County district courts by the State Court Administrative Office. Third Circuit Court shall schedule all Wayne County district court judges (except those serving in the Thirty-sixth District Court) to conduct out-county weekend/holiday arraignments on a rotating basis. Judges shall be required to conduct out-county weekend/holiday arraignments on the dates appointed unless other arrangements are made with the knowledge and approval the Third Circuit Court.

Out-county weekend/holiday arraignments shall be conducted at a central location during the hours designated by the Third Circuit Court. Participating agencies including courts, police, the prosecuting attorney and defense counsel, shall be notified by the Third Circuit Court of the location and hours of operation.

Out-county weekend/holiday arraignments shall be conducted at district court facilities equipped with video technology compatible with that of the Wayne County Prosecutor's Office, Wayne County jail, and local police agencies as agreed upon and approved by the State Court Administrative Office.

Third Circuit Court and the selected district courts shall enter into written agreements governing the use of local courts' facilities and their video equipment, as well as the provision of security.

Pursuant to MCL 767.37a and Supreme Court Administrative Order 1991-2, out-county weekend/holiday proceedings shall be conducted electronically through two-way closed circuit television, contingent upon the capabilities of the local police departments. Otherwise, in-person arraignments shall be conducted until the date above. In the event that the police agency is not compatible for electronic transmission, in-person arraignments shall be conducted.

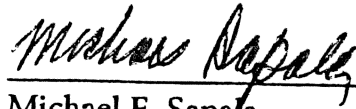
After December 4, 1999, all out-county weekend arraignments shall be conducted electronically through two-way close circuit television. Pursuant to MCL 767.37a(1), any defendant may request and shall be granted an in-person arraignment. The public will be permitted to observe arraignments as required by statute, court rule and Supreme Court order.

Attorney/client meetings shall take place at the jail site or holding facility. Counsel shall be provided with a reasonably private setting to consult with clients.

Facsimile copies of appropriate paperwork shall be transmitted between criminal justice agencies. Original documents shall be delivered or mailed subsequently as appropriate.

Only arraignments for felonies and statute misdemeanor arrests for which bail must be set, as well as show cause hearings involving Personal Protection Order violations and Domestic Violence violations shall be conducted under this program. No other arraignments will be conducted at the out-county site.

This Administrative Order rescinds Third Circuit Court Miscellaneous Order # 93917 issued January 17, 1967, and governs the conduct of arraignments on weekends and holidays in the County of Wayne.



Michael F. Sapala

Chief Judge

Third Judicial Circuit of Michigan

DATED: June 16, 1998