

# Michigan District Judges Association



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April 3, 2015

Anne Boomer  
Administrative Counsel  
Michigan Supreme Court  
925 W. Ottawa St.  
Post Office Box 30048  
Lansing, MI 48909

Dear Ms. Boomer:

At the March 20, 2015, meeting of the Michigan District Judges Association, the Board of Directors reviewed and adopted the positions stated in reference to the Proposed Amendment as set forth below:

2014-42

6.006 This amendment would clarify that video and audio proceedings may be used for probable cause conferences. The Michigan District Judges Association agrees with this addition.

6.104(E)(4) This amendment sets forth the timelines for probable cause conferences and preliminary examinations as established in the new statute. The Michigan District Judges Association accepts this court rule amendment as complying with the statute.

6.108 This is a new court rule which gives guidelines for the probable cause conference. We have the following suggested additions to this court rule.

(A) After the first full sentence we would add "and approved by the court". This part of the process will be more effective if judges have the authority to require parties to attend if the judge thinks that attendance would facilitate resolution.

(B) We propose adding at the end of this sentence, "and taking testimony of a victim if requested by the prosecutor."

(C) This sentence is acceptable as proposed.

(D) We suggest adding at the end of this sentence "and take testimony of a victim if requested by the prosecutor".

(E) This section is acceptable as proposed.

Ms. Anne Boomer  
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6.110 This rule governs the conduct of the preliminary examination. We suggest a change as follows:

(B)(2) We would amend the last sentence to change "may proceed" to "will be continued".

We thank the Court for considering our positions. Please do not hesitate to contact me if you need any further assistance or information.

Sincerely,

Richard Hammer, President  
Michigan District Judges Association

cc: Hon Robert Young, Chief Justice, Michigan Supreme Court  
Larry Royster, Chief of Staff/Clerk of Court, Michigan Supreme Court