



### Tour the Learning Center

Whether you are planning for next semester or next year, the [Michigan Supreme Court Learning Center](#) has tour openings available.

Free, guided tours may be reserved for Mondays–Fridays, 9 a.m.–4 p.m., except state holidays. If you would like to visit ahead of your group, walk-ins for individuals are welcome.

Call **517-373-7171** to schedule or find out more.



### Calendar

#### December

- 6 [MSC Oral Arguments](#)
- 22 State Holiday
- 25 State Holiday
- 29 State Holiday

#### January

- 1 State Holiday
- 10–11 [MSC Oral Arguments](#)
- 15 State Holiday
- 24 [MSC Public Hearing](#)

#### February

- 19 State Holiday

### Changes on the Michigan Supreme Court

On November 17, 2018, [Elizabeth T. Clement](#) was appointed a Justice of the [Michigan Supreme Court](#) by the Governor to fill the seat vacated by [Joan L. Larsen](#), Judge of the [U.S. Court of Appeals for the Sixth Circuit](#), who was recently confirmed by the U.S. Senate for a presidential appointment.



Justice Elizabeth T. Clement  
Michigan Supreme Court



Judge Joan L. Larsen  
U.S. Court of Appeals—Sixth Circuit

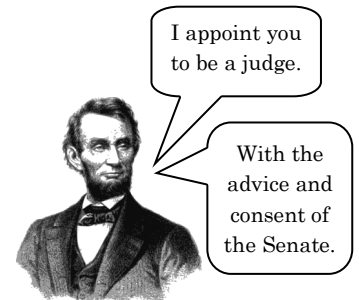
#### State Judges

**Elected** by the people for terms of office on the nonpartisan ballot – 8-year terms for the Supreme Court and 6-year terms for lower courts. In the event of a vacancy, the Governor appoints a successor who must run for retention for the remainder of the unexpired term in the next judicial election. Judges must be less than 70 years of age at the time of election or appointment. [Const 1963, art 6.](#)



#### Federal Judges

**Appointed** by the President with the advice and consent of the U.S. Senate. During good behavior, federal judges serve until resignation, retirement, or death. [US Const, art III, § 1.](#) Upon attaining certain age and service requirements, judges may take “[senior status](#),” which enables them to hear cases under a reduced workload.



## In Brief: Witnesses



A witness answers questions that supply evidence to help prove or disprove facts in a case. A witness may have seen what happened, know people involved, have expert information, or be directly involved. Some witnesses appear voluntarily, while others are

served with a legal document called a subpoena that requires them to appear.

In criminal cases, defendants have the right to confront witnesses against them and to find witnesses on their behalf. [US Const. Am VI](#). In addition, a criminal defendant cannot be forced to be a witness against himself or herself. [US Const. Am V](#).

### Oath for Witnesses

Witnesses swear under oath (or affirm) to tell the truth. Although state law references particular words and “holding up the right hand,” no specifics are required under the Michigan Rules of Evidence, as long as a witness promises “to testify truthfully[.]” [People v Putman, 309 Mich App 240, 244 \(2015\)](#).

Traditionally, though, courts have used the following form:

Do you solemnly swear or affirm that the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Above all, a witness must tell the truth for justice to be served. A witness who knowingly lies under oath or someone who encourages a witness to lie commits the crime of perjury, which could result in a prison sentence. [MCL 750.422 et seq.](#)

## A Witness' Best Friend

Witnesses, especially children, may find it difficult to testify. So some state courts allow “canine advocates” to go to the witness stand with them for emotional support. Typically, these specially trained dogs are sponsored by the county prosecutor.

For example, Reagan joined the Eaton County Prosecutor’s Office as a canine advocate in 2013 after having been trained by Leader Dogs for the Blind in Rochester, Michigan.

Find out more about “Reagan Canine” on [Facebook](#).

## Resources

**Serving as a Witness**, State Bar of Michigan | [www.alpenacounty.org/circuit%20court/Serving%20as%20a%20Witness.pdf](http://www.alpenacounty.org/circuit%20court/Serving%20as%20a%20Witness.pdf)

**Going to Court for Kids**, 86th District and 13th Circuit Courts | [www.leelanau.cc/downloads/kidsactivitybook\\_1.pdf](http://www.leelanau.cc/downloads/kidsactivitybook_1.pdf)

**What's My Job in Court?** U.S. Attorney's Office, Washington, D.C. | [files.eric.ed.gov/fulltext/ED430169.pdf](http://files.eric.ed.gov/fulltext/ED430169.pdf)

## Keywords

**Evidence** – Testimony, documents, physical objects, or other things presented at a trial or hearing to prove or disprove facts relevant to a case.

**Oath** – A declaration of a statement’s truth.

**Perjury** – A deliberate lie said under oath.

**Subpoena** – A writ or order to compel attendance in a court with a penalty for failure to do so.

**Testimony** – The statement of a witness under oath given as evidence.

**Witness** – One who testifies to what he or she has seen, heard, or otherwise observed.

**See also:** *Handbook of Legal Terms* [www.courts.mi.gov/legalterms](http://www.courts.mi.gov/legalterms)



Courtesy Office of the Eaton County Prosecuting Attorney