



## Winter 2011

### CALENDAR

Feb 21	Presidents Day, State Holiday
Mar 8–10	MSC Oral Arguments*
Mar 16	Administrative Conference*
Apr 5–7	MSC Oral Arguments*
Apr 13	Administrative Conference*
May 2	Law Day
June 8	Administrative Conference*
Jun 20–24	Exploring Careers, Grades 10–12
Jul 6	Administrative Conference*
Jul 18–22	Exploring Careers, Grades 7–9

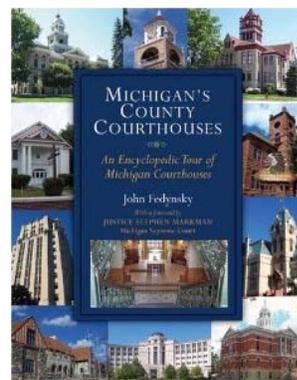
\*Proceedings of the Michigan Supreme Court are broadcast on Michigan Government Television (MGTV). The State Bar of Michigan also archives proceedings online at [www.michbar.org/courts/virtualcourt.cfm](http://www.michbar.org/courts/virtualcourt.cfm).



*Students trying out court simulations at Exploring Careers in the Law.*

## Temporary Exhibit: *Michigan's Courthouses*

A temporary exhibit featuring six county courthouses and the Hall of Justice is now at the Learning Center. Photos in the exhibit are from *Michigan's County Courthouses: An Encyclopedic Tour of Michigan Courthouses* (2010) by John Fedynsky. The courthouses are located in: Alpena, Grand Traverse, Ingham, Marquette and Midland counties. The exhibit is open January 21–March 18.



## Law Day, May 2

Law Day, the annual national celebration of liberty under law, will be held May 2. Limited openings for the event – which includes themed tours, guest speakers, and free curriculum materials – are available. Call 517-373-7171 to reserve your Law Day tours today!

## Exploring Careers in the Law 2011

Each summer, students interested in finding out more about legal careers visit the Learning Center for week-long day programs. Applications will be available on the [web site](#) March 1. Students are accepted on a first-come, first-served basis.

- **7th–9th grade** students explore a range of law-related careers. They meet with judges, lawyers, and other legal professionals, and observe real court proceedings. *July 18–22*
- **10th–12th grade** students prepare and present a moot court case, similar to arguments before the Michigan Supreme Court. They serve as attorneys, justices, and other major players. Participants meet with justices, lawyers, and other legal professionals to help them prepare the case. *June 20–24*



## In Brief: Criminal Procedure in Michigan

Court cases fall into two categories: criminal and civil. A civil case is typically a matter between parties who ask a court to resolve their dispute. The parties in a criminal case are the prosecutor, who represents the “People,” and the defendant, who is accused of breaking one or more criminal laws.

Crimes are categorized as misdemeanors or felonies. Felonies are more serious crimes typically punishable by one year or more in prison. Misdemeanors are less serious crimes typically punishable by less than one year in jail.

Criminal cases generally begin with a crime being reported and a police investigation. The prosecutor reviews the information and decides whether to file a case with the court, commonly referred to as “pressing charges.” A judge or magistrate then reviews the case to determine if there is probable cause to issue an arrest warrant.

After an arrest, an arraignment is scheduled in district court. At the arraignment, the defendant is told the charges, possible penalties, and his/her rights, including the right to an attorney. If the alleged crime is a misdemeanor, the defendant may plead guilty or not guilty. (Felony defendants do not enter a plea until a later hearing.)

Misdemeanor cases remain in district court, and a pretrial conference is held, at which the prosecutor may offer a plea bargain to the defendant. If the defendant does not plead guilty, the case goes to trial to be decided by a six-person jury or a judge. If the defendant is unanimously found guilty beyond a reasonable doubt, a presentence investigation occurs and the defendant is sentenced by the judge at a sentencing hearing. Misdemeanor appeals are made to circuit court.

In felony cases, the defendant may exercise the right to a preliminary examination in district court. At the examination, the prosecutor presents evidence and the judge determines whether there is probable cause to bind over the case to circuit court. If the case is bound over, the defendant is arraigned a second time and enters a plea. As with a misdemeanor, the next step is a pretrial conference at which the prosecutor may offer a plea bargain to the defendant. If the defendant does not plead guilty, the case goes to trial to be decided by a 12-person jury. If the defendant is found guilty beyond a reasonable doubt, a presentence investigation occurs and the defendant is sentenced by the judge according to the statutory Michigan Sentencing Guidelines. Felony appeals are made to the Michigan Court of Appeals.

**Felony** – A serious crime; 12-person jury at trial; one year or more in prison upon conviction.  
**Misdemeanor** – A less serious crime; 6-person jury at trial; less than one year in jail upon conviction.

### Best of the Web COURT PROCEDURES



#### Elementary – A Day in Court, Learning Center

<http://courts.michigan.gov/plc/day-in-court/courtroom.htm>

An online presentation that includes an interactive courtroom, slide presentation, and glossary.

#### Middle School and High School – Courts in the Classroom

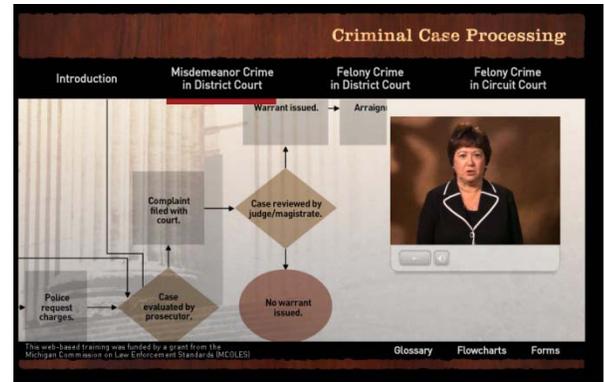
<http://www.courtsed.org/courts-in-the-classroom/>

For online activities about court procedure, click on “The Big Ideas” and select “Courts” and then “Criminal” or “Civil.”

#### For Reference – Steps in a Criminal Case, Prosecuting Attorneys Coordinating Council of Michigan

<http://www.michiganprosecutor.org/Process.htm>

A more detailed explanation of criminal procedure in Michigan.



More details are offered in a web-based training for court staff: <http://webcast.you-niversity.com/youtools/companies/mjicriminalcase/index.html>. Materials include case processing [flowcharts](#).