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**Date:** 12/23/2014 4:05 PM  
**Subject:** Proposed Amendment 2014-42

MCR 6.108(A) states that the State and the Defendant are entitled to a probable cause conference unless waived by both parties. There is no mention of the court having authority to mandate the conference despite the waiver by the parties. Is the intent that the court has no input into whether the conference is actually held?

MCR 6.110(A) initially states "If the court permits, the defendant may waive the preliminary examination." Later the rule states that "The defendant may waive preliminary examination with the consent of the prosecuting attorney." This appears to be ambiguous. Is the intent that the court can refuse a waiver of preliminary examination despite the agreement of the parties?

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