

**THIRTY SEVENTH JUDICIAL CIRCUIT COURT
TENTH JUDICIAL DISTRICT COURT
STATE OF MICHIGAN, COUNTY OF CALHOUN**

AMENDED

**CIRCUIT ADMINISTRATIVE ORDER) HONORABLE ALLEN L.
2008-01J) GARBRECHT, Chief Circuit Judge**

AMENDED

**DISTRICT ADMINISTRATIVE ORDER) HONORABLE JOHN R.
2008-01J) HOLMES, Chief District Judge**

IN RE: PRELIMINARY EXAMINATION TRANSCRIPTS

Supreme Court Administrative Order 2003-07 establishes caseflow management guidelines. The guidelines indicate that 90% of felony cases should be adjudicated in the Circuit Court within 91 days of entry of the bind over order by the District Court.

In order to achieve compliance with the guidelines, the Circuit Court has implemented various measures to reduce the time between bind over and adjudication. One of the measures was elimination of the Circuit Court Arraignment. Elimination of the arraignment in Circuit Court reduced case processing time by 3 to 4 weeks with the first Circuit Court event for criminal cases now being the status conference which is generally held within 4 weeks of bind over. Counsel has indicated that transcripts of a preliminary examination are required for an effective initial status conference.

Michigan Court Rule 6.113 (D) provides generally for filing of the transcript of the preliminary examination IF DEMANDED OR ORDERED per MCL 766.15. MCL 766.15 indicates a demand is timely if filed within 2 weeks of the arraignment on the information. Due to the elimination of the arraignment on the information for represented parties as permitted by MCR, an alternative process for ordering and providing transcripts of preliminary examinations is required. The following process is based upon the experience that rarely is the transcript of the preliminary examination not required:

IT IS ORDERED:

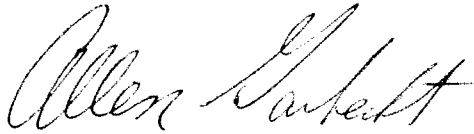
1. When a status conference is scheduled, if a transcript of the preliminary examination is required to be filed, the assigned Circuit Judge's staff will notify the District Court Recorder who recorded the preliminary exam of the date and time of the status conference and the Circuit Judge to whom the case is assigned.
2. Every effort will be made by the Recorder to file and provide the completed transcript prior to the scheduled status conference. If the transcript can not be filed by the status conference

date, the Recorder will notify the Circuit Court Judge prior to the status conference date. In any event, the preliminary examination transcript will be filed by the Recorder with the Circuit Court Clerk and provided to the appropriate parties within 42 days of conclusion of the examination.

3. In the event, for good cause shown, the Recorder determines additional time is necessary to produce and file the transcript beyond the 42 days, the Recorder shall file a motion to extend time for filing imposed in provision 2 above with the trial court setting forth the specific reasons demonstrating good cause. The Recorder shall promptly provide a copy of the motion to the Prosecutor and defense counsel or unrepresented defendant.

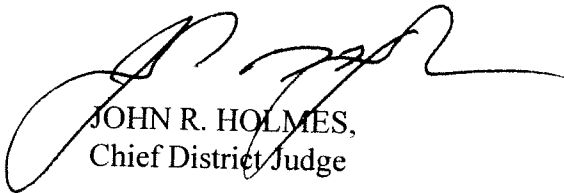
4. In the event there are irregularities encountered by the Recorder in the production of a transcript of a preliminary examination, the recorder shall promptly report the nature of the same in writing to the assigned trial judge with copies to the Prosecutor and defense counsel or unrepresented defendant.

This order shall become effective April 1, 2008.



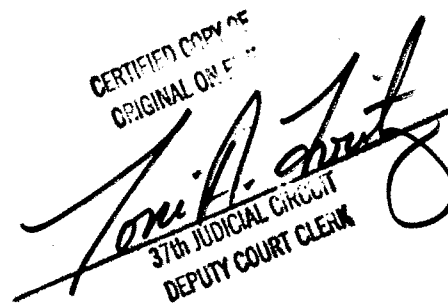
ALLEN L. GARBRECHT,
Chief Circuit Judge

Dated: March 31, 2008



JOHN R. HOLMES,
Chief District Judge

Dated: March 31, 2008

CERTIFIED COPY OF
ORIGINAL ON FILE

37th JUDICIAL CIRCUIT
DEPUTY COURT CLERK