## Wayne County Third Circuit Court 2 Woodward Avenue Detroit, Mi 48226 And

## **Wayne County Out County District Courts**

### **Circuit Court**

### **District Courts**

## **MULTIPLE-DISTRICT PLAN FOR MAGISTRATES**

This Joint Local Administrative Order rescinds the following Joint Local Administrative Orders regarding the Wayne County Weekend and Hollday Arraignment Plan: Third Circuit Court 2009-07J, 16<sup>th</sup> District 2009-02J, 17<sup>th</sup> District 2009-03J, 18<sup>th</sup> District 2009-01J, 19<sup>th</sup> District 2009-01J, 21<sup>st</sup> District 2009-02J, 22<sup>nd</sup> District 2009-01J, 23<sup>rd</sup> District 2009-02J, 24<sup>th</sup> District 2009-02J, 26<sup>th</sup> District 2009-01J, 27<sup>th</sup> District 2009-01J, 27<sup>th</sup> District 2009-01J, 31<sup>st</sup> District 2009-01J, 32A District 2009-02J, 33<sup>rd</sup> District 2009-02J, 34<sup>th</sup> District 2009-01J, and 35<sup>th</sup> District 2009-02J.

#### IT IS ORDERED:

This Joint Local Administrative Order is issued in accordance with MCL 600.8251 and 600.8320, effective February 24, 1994, and Administrative Order 2012-7, effective January 1, 2013. The purpose of this Order is to allow two or more district courts within Wayne County to establish a multiple-district plan, and to allow magistrates to preside by videoconference in certain types of court proceedings.

The 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32A, 33, 34, 35, and 36
District Courts within the County of Wayne establish a multiple-district area for the
purpose of conducting weekend and holiday arraignments under the direction of the
Third Circuit Court.

- All district court magistrates within the multiple-district area are authorized to conduct arraignments, set bail or recognizance, provide for the appointment of counsel, and make determinations of probable cause and issue warrants for all of the participating districts within the multiple-district area.
- When in a courthouse located within the multiple-district area, magistrates may preside by videoconference in any court proceedings within the multiple-district area that may be conducted by videoconference without the consent of the parties under the Michigan Court Rules and statutes.
- 4. All district court magistrates under this Multiple-District Plan have been appointed under MCL 600.8501 and nothing in this Plan shall grant powers or duties to the district court magistrate that are not authorized by statute or that exceed the authorization of the chief judge of the district in which the district court magistrate is acting.
- 5. All district court magistrates acting under this Plan are subject to the superintending control of the Chief Judge of the Third Circuit Court.
- 6. The Third Circuit Court shall compensate the magistrates presiding over weekend and hollday session using the district court payments made to the Third Circuit Court's WHAP Magistrate Fund. Magistrates under this plan shall be compensated at the rate of \$200.00 per day of service.
- The cost for the district court magistrates under this Plan is funded from each participating district court's advance payment of the annual expense as defined in the following Section.
- 8. Payments shall be directed to the Third Circuit Court and made payable to the "WHAP Magistrate Fund" no later than November 1<sup>st</sup> for the following calendar year of WHAP service. The 16<sup>th</sup> through 35<sup>th</sup> District Courts will pay for half of the annual magistrate expense, and the 36<sup>th</sup> District Court will pay for half of the annual magistrate expense as follows:
  - For the 16<sup>th</sup> through 35<sup>th</sup> District Courts: 121 (weekend/holidays to be covered yearly) x \$100 = \$12,100 ÷ 19 district courts = \$636.84.
  - For the 36<sup>th</sup> District Court: 121 (weekend/holidays to be covered yearly) x \$100 = \$12,100.

District courts shall be notified in advance of the November 1<sup>st</sup> due date of any amendments or changes to the factors determining the annual expense.

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# SIGNATURES OF THE WAYNE COUNTY CHIEF JUDGES MULTIPLE-DISTRICT PLAN FOR WEEKEND/HOLIDAY ARRAIGNMENTS

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Hon. Sandre A. Clofrelli, 18th District Court	Hon-Sam A. Salamey, 10 <sup>th</sup> District Court
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Hon. David Turfo, 20th District Court	Hon, Richard J. Hammer, Jr. 21 <sup>st</sup> District Court
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Hon, Sahtha I Johnson, 22rd District Court	Hon, Geno Salomone, 231ª District Court
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Hon, Michael K, McNally, 33 District Court	Hop. Tina Brooks Green, 34th District Court
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Hon. Ronald W. Lowe, 35 Platrict Court	Hon. Nancy M. Bibunt, 36th District Court
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V and frush	Effective: Upon Approval by the State
Hon. Virgil C. Smith, 3 <sup>rd</sup> Circuit Court	Court Administrative Office

Dated: November 22, 2013