

arraignment bond, except written authorization shall not be required for a vehicle law or ordinance violation within the jurisdiction of the magistrate if a police officer issued a traffic citation pursuant to section 728 of the Michigan Vehicle Code, Act No. 300 of the Public Acts of 1949, as amended, being section 257.728 of the Michigan Compiled Laws, and the defendant failed to appear.

- g. Fix bail and accept bond in all criminal cases. [MCL 600.8511] Set bond and order the defendant to appear before the circuit court in the county for a hearing when the person has been arrested for violation of a personal protection order and the circuit court judge may not be present or available within 24 hours after arrest. [MCL 764.15b]
- h. Hear and preside over civil infraction admissions and admissions with explanation and conduct informal hearings in civil infraction actions, including imposition of civil sanction. Informal hearings involving a traffic or parking violation shall not be conducted until the magistrate has completed a special training course in traffic law adjudication and sanctions provided by the State Court Administrative Office.
- i. Hear and preside over municipal civil infraction admissions and admissions with explanation and conduct informal hearings in municipal civil infraction actions, including imposition of all sanctions allowed by statute, under the authority of MCL 600.8512, MCL 600.8719, and other applicable sections of this Act.
- j. Hear and preside over state civil infraction admissions and admissions with explanation and conduct informal hearings in state civil infraction actions, including imposition of all sanctions allowed by statute, under the authority of MCL 600.8512, MCL 600.8819, and other applicable sections of this Act.
- k. Conduct the first appearance of a defendant before the court in all criminal and ordinance violation cases, including acceptance of any written demand or waiver of preliminary examination and acceptance of any written demand or waiver of jury trial, except that she/he may not accept a plea of guilty or nolo contendere not expressly authorized pursuant to MCL 600.8511 or MCL 600.8512a.
- l. Approve and grant petitions for the appointment of an attorney to represent an indigent defendant accused of any misdemeanor offense punishable by imprisonment for not more than one year or ordinance violation punishable by imprisonment.
- m. Suspend payment of court fees by an indigent party of any civil, small claims, or summary proceedings action, until after judgment has been entered.

- n. Upon written authorization of the prosecuting or city attorney, sign a nolle prosequi, dismissing any criminal or ordinance violation case over which the district has jurisdiction and release any bail bond or bail bond deposit to the persons entitled thereto. However, if the preliminary examination or trial has commenced or a plea of guilty or nolo contendere has been accepted by a district court judge, the dismissal order may be entered only by that judge or his or her alternate.
- o. Issue search warrants under general authorization.
- p. Execute and issue process to carry into effect authority expressly granted by law to district court magistrates.
- q. Perform marriages and charge a fee of \$10 which shall be deposited with the court for transmission to the funding unit at the end of each month. [MCL 600.8316]
- r. Issue a summons and other orders, conduct a hearing, and make necessary orders regarding an animal alleged to be dangerous and to have caused serious injury or death to a person or dog to appear and show cause why the animal should not be destroyed. [MCL 287.322]
- s. Hear cases in the small claims division of the district court. [MCL 600.8401, MCL 600.8427, MCL 600.8514, MCR 4.301]

Effective Date: April 5, 2005

Date: *23 August 05* Chief Judge Signature:

Rosemarie E. Aquilina

Rosemarie E. Aquilina
Chief Judge

James B. Pahl
Magistrate



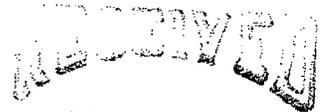
Thomas P. Boyd
Judge

Anethia O. Brewer
Court Administrator

55th Judicial District Court of the State of Michigan

700 Bahl Avenue, Mason, Michigan 48854 • Phone: 517.676.8400

Administrative Order 2005-10-06



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CASE ASSIGNMENT AND REASSIGNMENT OF SYSTEMS

IT IS ORDERED:

JAMES P. HUGHES
REGIONAL ADMINISTRATOR
REGION 2

This administrative order is issued under the authority of MCR 8.111 in accordance with MCR 8.110 and MCR 8.111(B) which allows trial courts the provision to assign and reassign cases randomly and equally among the judges of the court in a method determined by the chief judge.

Through an audit of the case management system case assignment process, the 55th Judicial District Court found an unequal distribution of cases assigned between the two district court judges. The audit proved this has been a problem since the beginning of the 2005 fiscal year. Maximus, vendor of the case management system has verified the unequal distribution of cases with several crystal reports created to validate the data. Since the beginning of the 2005 fiscal year, District Court Judge, Rosemarie E. Aquilina, has been assigned approximately 68% of new cases filed. The report of new cases filed for January through September 2005 indicates the following data: (note: a breakdown is available by case type)

2005:	Judge Aquilina	Judge McCabe
January	1189	852
February	1039	735
March	1552	1061
April	1592	1009
May	1226	496
June	1439	907 - Visiting Judges
July	1133	356 - Judge Boyd
August	1608	327
September	<u>2311</u>	<u>1179</u>
TOTAL:	13089	6922

Since the newly appointed district court judge began his tenure with 55th Judicial District Court on July 1, 2005, this order directs the court to reassign all new cases with no previous action from August 1st (first day on bench) through September 30th from the Honorable Rosemarie E. Aquilina to the Honorable Thomas Boyd. This reassignment