



County of Saginaw  
70th Judicial District State Court

COURTHOUSE  
SAGINAW, MICHIGAN  
48602

DISTRICT JUDGES

DANIEL R. WEBBER, CHIEF JUDGE  
KYLE HIGGS TARRANT, ALTERNATE CHIEF JUDGE  
CHRISTOPHER S. BOYD  
JOSEPH G. DeFRANCESCO  
BRUCE J. SCORSONE  
HARRY M. TITUS

COURT ADMINISTRATOR  
BARBARA J. MEYER

SAGINAW COUNTY  
JUDICIAL AVAILABILITY PLAN

Pursuant to MCR 6.104(G), the 70th District Court in Saginaw County hereby adopts the following schedule to make a judicial officer available 365 days per year:

1. A judicial officer shall be available each day of the year for setting bail for every person arrested for commission of a felony.
2. The existing Duty Judge Schedule of the 70th District Court shall be utilized for purposes of assignment of judges.
3. On days that the Court does not regularly conduct business, the Duty Judge shall be available to set bail, issue warrants, and search warrants.
4. The setting of bail shall be conditional upon:
  - A. The judicial officer having been presented a proper complaint and finding probable cause pursuant to MCR 6.102(A) and (B), and,
  - B. The judicial officer having information available to set bail. The Saginaw County Sheriff's Department and/or arresting police agency shall be responsible for providing information to the Duty Judge sufficient for setting bail on days that the Court does not regularly conduct business. The Duty Judge shall be provided available information on:
    - a) the length of defendant's residence in the community;
    - b) employment status and history, and financial condition;
    - c) family ties and relationships;
    - d) reputation, character, and mental condition;
    - e) prior criminal record, including any record of prior release on recognizance or on bail;

- f) record of appearance or non-appearance at court proceedings or flight to avoid prosecution;
- g) the identity of responsible members of the community who would vouch for the defendant's reliability;
- h) the nature of the offense presently charged and the apparent probability of conviction, and the likely sentence, insofar as these factors are relevant to the risk of non-appearance; and,
- i) any other factors indicating the defendant's ties to the community or bearing on the risk of willful failure to appear.

5. The setting of bail may be accomplished by voice communication equipment or facsimile communication equipment, or at such locations as designated by the 70th District Court.

6. Any police officer requesting the issuance of a complaint and warrant against an in-custody defendant shall notify the Saginaw County Sheriff's Department no later than 11:00 a.m. that authorization has been obtained from the Saginaw County Prosecutor's Office, and that issuance will be requested of the Court.

7. The Saginaw County Sheriff's Department shall notify the Duty Judge at 11:00 a.m. whether there are any defendants in custody for which the requirements of paragraphs 4 and 6 above have been met, either because of an outstanding warrant or a request from a law enforcement agency for issuance of a warrant.

8. A verbatim record of any proceedings pursuant to MCR 6.102(A) and (B) shall be made, in compliance with MCR 8.108(G)(1)(b).

9. The Saginaw County Sheriff's Department and/or the arresting agency shall be responsible for providing information the judicial officer sufficient for setting bail, including the factors as set forth in MCR 6.106(E).

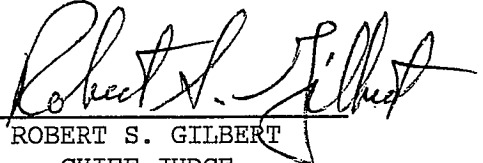
10. In the event bail is not set, or the accused is unable to post bail as set, the Court shall order the arresting agency to arrange prompt transportation of any accused to the 70th District Court for arraignment not later than the next regular business day.

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11. The use of interim bail pursuant to MCR 6.102(F) shall be utilized whenever practicable, provided the accused is arrested prior to the expiration date of the bail provision.

12. These procedures shall apply to all felony cases pursuant to MCR 6.001.

Dated 6/11/90

  
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ROBERT S. GILBERT  
CHIEF JUDGE  
10TH JUDICIAL CIRCUIT COURT