

**VAN BUREN COUNTY – ALL COURT POLICY**

<b>SUBJECT:</b> Weekend & Holiday Arraignments	<b>SECTION:</b> GENERAL	<b>DATE:</b> 4/12/2022
<b>REVISIONS PREPARED BY:</b> Jim Becker, Ryan Smith, Rachel Lindley, and Ann Stamm	<b>NUMBER:</b> Policy 2.001	<b>SUPERSEDES:</b> 1/8/2021

**REFERENCES**

- MCL 780.581; MCL 780.582a
- MCR 6.101; 6.102; 6.104
- Riverside v McLaughlin, 500 U.S. 44 (1991)
- Gerstein v Pugh, 420 U.S. 103 (1975)
- Local Administrative Order – Plan for Judicial Availability

**BACKGROUND**

The purpose of this policy is to provide procedures for weekend arraignments (including holidays).

**POLICY STATEMENT**

- A. Pursuant to MCR 6.104 and the court’s Judicial Availability Plan, the court will be available to set bail for persons who have been arrested without a warrant and lodged in the county jail on felony charges.
- B. Judicial officers will review Domestic Violence commitments pursuant to MCL 780.582a.
- C. For Misdemeanors, interim bonds (state form MC 232) set by a police officer pursuant to a warrantless arrest will convert to personal recognizance (PR) Bonds after 48 hours of incarceration.
- D. The court will establish a consistent communication process for the weekend and on call judicial officers to use. Specifically, a designated email address and phone number will be established and communicated with stakeholders as needed.

**PROCEDURES**

- A. Judicial Availability and Process
  - 1. On each weekend day and holiday, the court will receive Prosecutor’s Office approved Detention Complaints (VBC-0735) by 9:00 a.m. to review.
  - 2. On each weekend day and holiday, the court will be available to review detention complaints, domestic violence cases, and other matters by request between the hours of 9:00 a.m. and 11:00 a.m.
  - 3. The court completes the detention complaint form, signs and sends a copy of the form to the Jail/Corrections. The original copy of the form will be filed and placed into the court file.
  - 4. If a “No Contact” conditional bond is ordered on a Domestic Violence case, that condition will expire in LEIN 12 months after it is ordered. Clerical staff at both court locations will be monitoring the cases/complaints and will contact the Prosecutors Office monthly for updates as to whether charges have been authorized or denied.

B. Judicial Availability Exceptions

1. Judicial availability timeframes may need to be modified due to unforeseen circumstances (i.e. arresting officer availability, emergency situations, etc.). Judicial officers will work with the involved stakeholders as needed.

FORMS:

VBC-0735, Detention Complaint  
MC 232, Interim Bail Bond

APPROVAL:

Effective Date: 4/12/2022

Date: 4/11/2022

  
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Kathleen M. Brickley – Chief Judge