

Officer requests formal...

6 messages

Liz Stankewitz <liz@cheboygancounty.net>
Reply-To: madcm@googlegroups.com
To: "madcm@googlegroups.com" <madcm@googlegroups.com>

Wed, May 31, 2017 at 2:51 PM

Can an officer request a formal hearing? MCR 4.101(F) governs contested actions. (a) reads...." A party expressly requests a formal hearing, or..." In other places of the rule it refers to plaintiff or defendant. Here it talks about a party- would any of you interpret that to mean that an officer can request a hearing?

Craig A. Hess <hessc@vbco.org>
Reply-To: madcm@googlegroups.com
To: "madcm@googlegroups.com" <madcm@googlegroups.com>

Wed, May 31, 2017 at 2:54 PM

I was always told an officer could not request a formal hearing. This maybe a question for Bobbi Morrow. I know there are two schools of thought on it.

Tanya Todd <tanya.todd@grcourt.org>
Reply-To: madcm@googlegroups.com
To: "madcm@googlegroups.com" <madcm@googlegroups.com>

Wed, May 31, 2017 at 2:55 PM

I would interpret it as the officer/plaintiff can request a hearing as they are a party to the case.

Thank you,

Tanya Todd

61st District Court Clerk of the Court

616.632.5580

180 Ottawa Ave NW, Suite 1400

Grand Rapids, MI 49503

Tanya.Todd@grcourt.org

Skorich, Dan <SkorichD@clinton-county.org>
Reply-To: madcm@googlegroups.com
To: "madcm@googlegroups.com" <madcm@googlegroups.com>

Wed, May 31, 2017 at 3:24 PM

As a matter of policy, our prosecutor's office will not prosecute at a formal hearing on an appeal by the officer from a decision of the Magistrate at an informal hearing. Therefor the police are blocked from requesting a formal hearing from an informal. They feel that undercuts the magistrate and the police have to learn to live with the informal hearing decision of the magistrate. In this county officers do not make original requests for a formal hearing on the ticket they write.

Dan Skorich

Magistrate/Court Administrator

65A District Court

100 E State St, Ste 3400

St. Johns, Mi 48879

Phone: (989) 224-5150, Facsimile: (989) 224-5154

Email: SkorichD@clinton-county.org

From: madcm@googlegroups.com [mailto:madcm@googlegroups.com] **On Behalf Of** Liz Stankewitz

Sent: Wednesday, May 31, 2017 2:52 PM

To: madcm@googlegroups.com

Subject: Officer requests formal...

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Sharon Downing <sdowning@shiawassee.net>

Wed, May 31, 2017 at 3:27 PM

Reply-To: madcm@googlegroups.com

To: "madcm@googlegroups.com" <madcm@googlegroups.com>

Did the defendant deny responsibility and ask for a hearing?

From: madcm@googlegroups.com [mailto:madcm@googlegroups.com] **On Behalf Of** Liz Stankewitz

Sent: Wednesday, May 31, 2017 2:52 PM

To: madcm@googlegroups.com

Subject: Officer requests formal...

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Chris Rockafellow <chrisc@casco.org>
Reply-To: madcm@googlegroups.com
To: madcm@googlegroups.com

Thu, Jun 1, 2017 at 9:01 AM

If a defendant requests an informal hearing, then the officer could request a formal hearing. Have only seen it done once in 20 years.....

----- Original Message -----

From: "Sharon Downing" <sdowning@Shiawassee.net>
To: madcm@googlegroups.com
Sent: Wednesday, May 31, 2017 3:27:26 PM
Subject: RE: Officer requests formal...

Did the defendant deny responsibility and ask for a hearing?

From: madcm@googlegroups.com [mailto:madcm@googlegroups.com] On Behalf Of Liz Stankewitz
Sent: Wednesday, May 31, 2017 2:52 PM
To: madcm@googlegroups.com
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