

**STATE OF MICHIGAN
57th JUDICIAL DISTRICT**

FELONY ADVICE OF RIGHTS

CASE NO.

Court address
113 Chestnut Street, Allegan, Michigan 49010

Court telephone no.
(269) 673-0400

You are accused of having committed a felony, and because it is a felony, our purposes here today are to advise you as to what your rights are, schedule a **PROBABLE CAUSE CONFERENCE** and a **PRELIMINARY EXAMINATION** for you, and determine what bond, if any, will be required to ensure your appearance here for further proceedings.

YOU HAVE THE FOLLOWING RIGHTS:

1. You have the right to remain silent.
2. Anything you say orally or in writing can be used against you in court.
3. You have the right to have a lawyer present during any questioning consented to.
4. If you do not have the money to hire a lawyer, the Court will appoint a lawyer for you.

You have the right to have a lawyer present at all subsequent court proceedings, and you have the right to have a **PROBABLE CAUSE CONFERENCE** held within 14 days, and a **PRELIMINARY EXAMINATION** held within 21 days.

If your case cannot be resolved at the **PROBABLE CAUSE CONFERENCE**, then the **PRELIMINARY EXAMINATION** will be held, at which time the District Court Judge will determine whether or not there is enough evidence against you to bind you over for trial in Circuit Court. At a trial in Circuit Court you are presumed to be innocent unless and until the Prosecutor proves your guilty beyond a reasonable doubt. However, for purposes of the **PRELIMINARY EXAMINATION** here in District Court, the Prosecutor's burden of proof is less - only probable cause.

At the **PRELIMINARY EXAMINATION** the Prosecutor must show that (1) probable cause exists to believe that a felony has been committed **AND** (2) probable cause exists to believe that you are the person who committed it.

At the **PRELIMINARY EXAMINATION** you will have the right to question and cross-examine any witnesses against you. You will also have the right to have witnesses testify on your behalf, and you have the right to have the Court issue subpoenas mandating their presence in court. You will also have the right to testify on your own behalf, but you do not have to, and if you choose not to testify it would not be held against you.

If you require special accommodations to use the court because of a disability, or if you require a foreign language interpreter to help you to fully participate in court proceedings, please contact the court immediately to make arrangements.

Date: _____

Signature: _____

Printed Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____