THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

766.1 Right of state and defendant to prompt examination and determination; authority of district court magistrate.

Sec. 1.

The state and the defendant are entitled to a prompt examination and determination by the examining magistrate in all criminal causes and it is the duty of all courts and public officers having duties to perform in connection with an examination, to bring it to a final determination without delay except as necessary to secure to the defendant a fair and impartial examination. A district court magistrate appointed under chapter 85 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8501 to 600.8551, shall not preside at a preliminary examination or accept a plea of guilty or nolo contendere to an offense or impose a sentence except as otherwise authorized by section 8511(a), (b), or (c) of the revised judicature act of 1961, 1961 PA 236, MCL 600.8511.

History: 1927, Act 175, Eff. Sept. 5, 1927 ;-- CL 1929, 17193 ;-- CL 1948, 766.1 ;-- Am. 2014, Act 123, Imd. Eff. May 20, 2014
Constitutionality: There is no federal constitutional right to a preliminary examination or hearing in a criminal prosecution. The procedure is left to the states. In Michigan, the right is statutory. People v Johnson, 427 Mich 98; 398 NW2d 219 (1986).
Compiler's Notes: Enacting section 1 of Act 123 of 2014 provides:"Enacting section 1. This amendatory act applies to cases in which the defendant is arraigned in district court or municipal court on or after January 1, 2015."