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Ferndale Municipal Court

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TRIAL BY JURY, PRETRIAL HEARING, READINESS HEARING

In every criminal case in which the defendant pleads not guilty, the clerk shall set a date for a pretrial hearing. The purpose of said hearing is for presentation of motions, completion of plea bargaining, or to set a trial date and readiness hearing. Unless the pretrial hearing is continued to another date or the case is resolved at the hearing, the clerk will set a jury trial and readiness hearing. If the right to jury trial is waived, the clerk shall set a bench trial date.

If the defendant fails to appear at the pretrial hearing without good cause, forfeiture of bail will be ordered and the court will order a bench warrant for the arrest of the defendant.

Within fifteen (15) days prior to an assigned jury trial date, a readiness hearing shall be held. At such hearing, it shall be mandatory that the prosecuting authority, the defense counsel, and the defendant be present. At such hearing, the following matters will be concluded:

- . All plea bargaining,
- . Exchange of witness lists,
- . Providing of any discovery not previously exchanged at the pretrial hearing, and,
- . Motions on legal issues arising subsequent to the pretrial hearing or on issues arising due to new evidence.

At the readiness hearing, the parties will notify the court that they are ready or not for trial. If both parties state that they are ready for trial, the case will subsequently be tried by jury, unless waived by the defendant, or concluded by a guilty plea or a dismissal of the charge(s).

If, after the readiness hearing the defendant decides to plead guilty, the plaintiff moves to dismiss, or if either party seeks a continuance of the trial date, the parties shall notify the other party and the clerk of the court or designee immediately. The clerk shall then set the matter for a plea hearing or a motion hearing on the next available court calendar.

Failure of the defendant to be present at the readiness hearing will result in the issuance of a bench warrant for failure to appear, forfeiture of bail, and the striking of the jury trial date.

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