

State of Michigan

37th DISTRICT COURT

JOHN M. CHMURA
CHIEF JUDGE

MICHAEL C. CHUPA
CHIEF JUDGE PRO TEM

MATTHEW P. SABAUGH
DISTRICT JUDGE

SUZANNE L. FAUNCE
DISTRICT JUDGE



ROBERT J. CURTIS
COURT ADMINISTRATOR

Warren Division
8300 Common Road
Warren, Michigan 48093-2380
Phone: (586) 574-4900

Center Line Division
7070 East Ten Mile Road
Center Line, Michigan, 48015-1100
Phone: (586) 757-8333

Jonathan Sacks
Executive Director
Michigan Indigent Defense Commission
200 N. Washington St.
Lansing, MI 48933

December 7, 2015

Dear Mr. Sacks,

We, the judges of the 37th District Court, submit the following after careful review and consideration of the proposed minimum standards as promulgated by the Michigan Indigent Defense Commission. We are strongly supportive of the efforts to improve the services provided to indigent criminal defendants throughout Michigan.

We support the adoption of Standard 1. We feel that continuing education can only improve the service provided to all litigants.

We are generally supportive of the concepts involved with Standard 2. We do feel that the time limits and obligation to perform jail visits should not apply to misdemeanor charges. Most typically the issues involved are not that complicated and discovery materials are not available that quickly thus limiting the benefit to the requirement for an initial interview within 72 hours which will not provide much benefit to the accused. We are also concerned that attorneys will refuse to accept court-appointed assignments for misdemeanors which would come with the obligation to perform short notice jail visits. We have a court building that is approximately 40 years old and is not equipped with private meeting rooms. It would be impossible for us to retrofit our building with rooms that could accommodate privacy and security.

We are supportive of the adoption of Standard 3 and agree that experts and investigators can benefit defense attorneys and the accused.

We strongly agree with the concept of securing the assignment of counsel as soon as possible. We endeavor to do so already. The recommendation that we review and appoint indigent counsel prior to arraignment is impractical. It would be impossible to assign counsel and have the attorney present for arraignment. We do not receive the request for counsel available until the point the arraignment occurs and do not have the chance to review and determine whether the person is indigent and subject to risk of incarceration until after the arraignment has occurred. We, and our staff, work very hard to make sure that as many people as possible receive the benefit of legal advice as early as possible in the legal process.

We thank you for the opportunity to provide our input, knowledge and experience into the decision making process and welcome the opportunity to shape the change we all agree is important and needed.

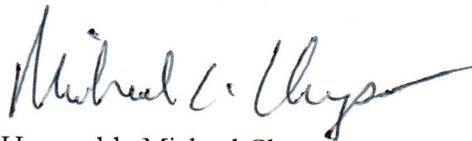
Very Truly Yours,



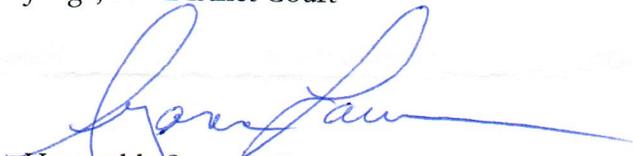
Honorable John Chmura
Chief Judge, 37th District Court



Honorable Matthew Sabaugh
Chief Judge Pro Tem, 37th District Court



Honorable Michael Chupa
Judge, 37th District Court



Honorable Suzanne Faunce
Judge, 37th District Court

RJC/kmz