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August 7, 2015

RE: MIDC  
200 N. Washington Square  
Lansing, MI 48933

VIA EMAIL AND US MAIL

**RE: MIDC Proposed Minimum standards**

Standard 1

- A. A practicing criminal attorney should have a solid understanding of federal and state laws. However, it is unreasonable to require an attorney to know each and every federal and state law. Typically, when an unfamiliar issue arises, the attorney will research the matter.
- B. An expert is required. If this were the standard no attorney would be qualified to handle a file. Attorneys and juries for that matter require the assistance of an expert. This matter is more related to funding available. It is unlikely that the district court will appoint an expert prior to the preliminary examination.

Standard 2

- A. It is not reasonable to require that an attorney meet with their client within 72 hours. Most times the appointment paperwork does not immediately follow appointment. What is reasonable is that Attorney has an opportunity to review the discovery once received with the client in advance of the preliminary examination.
- B. Not all facilities have the space contemplated for the requirement. The onus would have to be directed at the facilities not the attorney. The attorney wishes to discuss the case with the client but must do so under the rules and regulations of the facility. It is easier in some facilities than others.

Standard 3

- A. Attorney should ask questions and attempt to interview potential witnesses. However, Attorney requires the assistance of an investigator, as attorney cannot call himself at trial for purposes of impeachment. It is unlikely the district court will appoint an

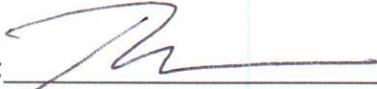
investigator in advance of the preliminary examination. This request is most likely to be granted in circuit court. However, unless we are given unlimited funds, it may prove difficult to obtain same without proper funding. Moreover, if these are requirements of the Act, attorney should not have to file a motion requesting same, they should simply be available. Any motion filed would be ex parte.

#### Standard 4

- A. Typically issues of bond can be revisited at Attorney's first appearance. Appointment of counsel does not generally occur until arraignment and only if Defendant makes a request for an appointment.

Note: The northern courts have generally been reasonable in their payment of fees to attorneys for legal work and for the most part have exhausted their financial resources to provide same. If additional training and work is required the state should consider shouldering the cost.

Dated: August 7, 2015

Signed:   
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Thomas J. Seger  
Attorney at Law