Submitter Information

Funding Unit(s)/System Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Submitted By (include name, title, email address and phone number): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Date:**

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Please identify the following points of contact (include name, title, email address and phone number):**

Authorizing official who will sign the contract:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mailing address for authorizing signatory:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Primary point of contact for implementation and reporting:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Financial point of contact:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Please identify any other person in the system who should receive communications from MIDC about compliance planning and reporting, including name, title, and email address:

Delivery System Model

1. What type of indigent defense delivery system do you have currently? (indicate all that apply):

* Public Defender Office (county employees)
* Public Defender Office (non-profit/vendor model)
* Managed Assigned Counsel System

Name of MAC Attorney Manager and P#:

* Assigned Counsel System
* Contract Defender System
* Regionalized system or coordination with other trial court funding units

If you are unsure about your type of indigent defense delivery system, more information can be found in MIDC’s report entitled *Delivery System Reform Models* (2016), posted here: <https://michiganidc.gov/resources>. Questions can also be directed to your MIDC Regional Manager.

1. Are you proposing to change your type of indigent defense delivery system for next year? Please respond Yes or No.
2. If you are changing your indigent defense delivery system, what model do you plan to use next year?

Standard 1

# Training of Attorneys

1. Number of attorneys who accept adult criminal defense assignments as of October 1, 2021 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Number of attorneys with less than 2 years of Michigan criminal defense experience as of October 1, 2021 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**In the cost analysis**, please include a list of names and P#s of all the attorneys who accept adult criminal defense case assignments in your system, including conflict counsel and counsel for youths charged as adults.

1. What is your plan for training attorneys with less than 2 years of Michigan criminal defense experience?
2. Please describe your system’s training plan, including how compliance will be tracked for reporting requirements:
3. If an attorney does not complete the required training, how will the system address the noncompliance?
4. Any changes in your *funding needs* from the prior year for Standard 1? Please respond Yes or No.

**If yes, please describe in the cost analysis.**

Standard 2

# Initial Client Interviews

1. The MIDC Standards now require the selection and assignments of attorneys to be done independently from the judiciary. How and when are defense attorneys notified of new assignments?
2. How are you verifying that in-custody attorney client interviews occur within three business days?
3. How are you verifying attorneys’ introductory communications with out-of-custody clients?
4. How are you compensating attorneys for conducting initial interviews? Please include whether you intend to compensate attorneys differently for in-custody and out-of-custody interviews.
5. Any changes in your *funding needs* from the prior year for Initial Interviews? Please respond Yes or No.

**If yes, please describe in the cost analysis.**

# Confidential Meeting Spaces

1. How many confidential meeting spaces are in the jail?
2. What is the TOTAL amount of confidential meeting spaces in the courthouse?

1. How many confidential meeting spaces in the courthouse are for *in-custody**clients?*Please describe these spaces.
2. How many confidential meeting spaces in the courthouse are for *out-of-custody clients?*Please describe these spaces.
3. Any changes from the prior year’s *compliance plan* for your confidential meeting spaces? Please respond Yes or No.

If Yes, please describe the proposed changes.

1. Any changes from the prior year’s *funding needs* for confidential meeting spaces? Please respond Yes or No.

**If yes, please describe in the cost analysis.**

Standard 3

# Experts and Investigators

1. The MIDC Standards now require approval of expert and investigative assistance to be independent from the judiciary. Describe the process of how attorneys request expert witness assistance for their indigent clients:
2. Any change from the prior year’s process to request expert witness assistance? Please respond Yes or No.

If yes, please explain the change:

1. Describe the process of how attorneys request investigative assistance:
2. Any change from the prior year’s process to request investigative assistance? Please respond Yes or No.

If yes, please explain the change:

1. How are attorney requests (whether approved or denied) for experts and investigators tracked by the system? Please include approved and denied requests.
2. Any change from the prior year’s *funding needs* for Standard 3? Please respond Yes or No.

**If yes, please describe in the cost analysis.**

Standard 4

# Counsel at First Appearance and Other Critical Stages

1. The MIDC Standards now require the selection and assignments of attorneys to be done independently from the judiciary. How are you providing counsel at first appearance and all arraignments? Please provide detail for circuit and district court coverage.
2. How are you providing counsel at all other critical stages? Please provide details:
3. How are you compensating attorneys for Standard 4? Please provide detail for compensating counsel at first appearance and compensating counsel at all other critical stages.
4. Do you have a prison in your County? How is counsel provided to people charged with crimes while incarcerated in the prison? Do you seek reimbursement for the cost of counsel from the Michigan Department of Corrections?
5. Are there or will there be any misdemeanor cases where your court accepts pleas without the defendant appearing before a magistrate or a judge? For example, pleas by mail, over the counter pleas, pleas online, etc. Please answer Yes or No.
6. Describe how counsel is offered to a defendant making a plea who does not appear before a magistrate or judge:
7. Any change from the prior year’s *attorney compensation* for Standard 4? Please respond Yes or No.

**If yes, please describe in the cost analysis.**

1. Any change from the prior year’s *funding needs* for Standard 4? Please respond Yes or No. **If yes, please describe in the cost analysis.**

Standard 5

The MIDC Standards now require independence from the court including the selection and assignment of attorneys, attorney compensation and approval of requests for expert and investigative assistance.

1. How will attorneys be selected to provide adult indigent criminal defense services in your indigent defense system? Please describe any eligibility requirements needed by the attorneys as well as the selection process:
2. Will the selection process be facilitated by a committee of stakeholders? If so, please list the titles of participating officials, agencies, or departments as appropriate.
3. Who will approve an attorney’s eligibility to receive assigned cases?
4. Who will assign work to the attorneys in the indigent defense system? Please include the person’s name, title, employer and/or supervisor.
5. Who will review and approve attorney billing?
6. Who will approve requests for expert and investigative assistance?
7. Who will review and approve expert and investigative billing?

1. What is your appeal process to resolve any potential conflicts between the assigned attorney and the person(s) assigning casework?
2. What is your appeal process to resolve any potential conflicts between the assigned attorney and the person(s) or reviewing/approving billing?
3. What is your appeal process to resolve denied or partially denied requests for expert or investigative assistance?

Personnel

**In the cost analysis,** please provide detail about all personnel employed by the funding unit. This should include DIRECT SERVICE PROVIDERS (Public Defender Chief, Deputy Chief, Assistant Defenders, and staff of the defender office employed by the system) as well as ANCILLARY STAFF (court clerks, sheriff employees, etc.)

**Ancillary Staff**

1. In limited circumstances, the MIDC can fund some other system staffing needs if required to implement one of the MIDC standards. These requests are evaluated each year.
2. Do you have any ancillary staff? Please answer Yes or No.

If yes, what standard(s) or reporting needs do they meet?

If yes, how are you tracking time for ancillary staff?

1. For existing ancillary staff, are there any personnel positions/hours eliminated, reduced or increased from the prior year? Please answer Yes or No.

**If yes, please explain in the cost analysis.**

1. Are any additional ancillary staff positions or hours requested from the prior year? Please answer Yes or No.

**If yes, please explain in the cost analysis.**

Reimbursement Costs for Creating Plan

An indigent criminal defense system may submit to the MIDC an estimate of the cost of developing a plan and cost analysis for implementing the plan under MCL 780.993(2). Please attach documentation of planning time for FY22, if seeking reimbursement under this provision.

## Are you requesting reimbursement of planning costs? 🞎 Yes | 🞎 No

If yes, do you have receipts showing that non-funding unit employees have been paid? 🞎 Yes | 🞎 No

What is the amount you are seeking in reimbursement? $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Reminders

## You must also complete a cost analysis.

## In order to complete your application, you must submit a list of the attorneys providing services with P numbers.

* If applicable, you must submit documentation supporting your request under MCL 780.993(2) for reimbursement for the cost of compliance planning.