



MICHIGAN INDIGENT DEFENSE COMMISSION

Date: Tuesday, June 21, 2022, Time: 9:00 a.m.
Michigan Bankers Association
507 S. Grand Ave, Lansing, MI 48933

MEETING AGENDA

1. Roll call and opening remarks
2. Introduction of Commission members and guests
3. Public comment
4. Additions to agenda
5. Consent agenda (**action item**)
 - a. April 19, 2022 Meeting Minutes
6. Chair Report
 - a. Mediation update – D 43-1 Hazel Park (**action item**)
 - b. Committee Assignments: Court Rules and Legislative changes
7. Executive Director Report
8. Commission Business
 - a. Standing Committee Reports
 - i. Executive Committee – *Christine Green, Chair*
 - o Memorandum of Understanding – MIDC/LARA
 - o Standards pending approval by LARA
 - b. Regional Update: Western Michigan – *Susan Prentice-Sao, Regional Manager*
 - c. MIDC Standards Implementation
 - i. FY22 Compliance Planning
 - o Status updates and funding distributed to date
 - o System assessment process
 - Update on system compliance – Muskegon County
 - o Budget adjustments (information items)

- d. FY23 Compliance Planning
 - i. Overview of FY23 submissions received
 - ii. Ad Hoc Committee Reports
 - o Increase to Direct Costs in Compliance Plans – William Swor, Committee Chair
 - o General Increases in Compliance Plans – Christine Green, Chair
 - iii. Senior Staff Recommendations (action items)
 - o Disapprove plan/disapprove cost analysis (no submission)
 1. Oakland County
 - o Disapprove plan/disapprove cost analysis
 2. Alger County
 3. Cheboygan County
 4. Chippewa County
 5. Delta County
 6. D 47 City of Farmington
 7. Emmet County
 8. Iron County
 9. Muskegon County
 10. Otsego County
 11. Wexford/Missaukee Counties
 - o Approve plan, disapprove cost analysis:
 12. Charlevoix County
 13. Crawford County
 14. D 22 Inkster
 15. D 30 Highland Park
 16. D 40 City of St Clair Shores
 17. Newaygo County
 18. Oceana County
 19. Saginaw County
 - o Approve plan and approve cost analysis
 20. Antrim County
 21. Clinton County
 22. D 16 Livonia
 23. D 17 Township of Redford

24. D 19 Dearborn
25. D 20 Dearborn Heights
26. D 21 Garden City
27. D 23 Taylor
28. D 24 Allen Park
29. D 27 Wyandotte
30. D 28 City of Southgate
31. D 29 City of Wayne
32. D 31 Hamtramck
33. D 32a City of Harper Woods
34. D 33 Woodhaven
35. D 34 Romulus
36. D 35 Canton
37. Grosse Pointe Farms/Shores
38. Grosse Pointe Municipal
39. Grosse Pointe Park
40. D 18 City of Westland
41. D 25 City of Lincoln Park
42. D 36 City of Detroit
43. D 39 Roseville and Fraser
44. D 41-a-2 Shelby Twp
45. D 41b Clinton Township
46. D 43-1 City of Hazel Park
47. D 43-2 City of Ferndale
48. D 44 City of Royal Oak
49. D 45 City of Oak Park
50. D 48 Birmingham
51. D 50 Pontiac
52. D 51 Waterford
53. D62A Wyoming (covers 59-1, 59-2, 62A, 62B)
54. Gratiot County
55. Grosse Pointe Woods
56. Leelanau County
57. Luce County
58. Mecosta County

59. Ontonagon County
60. Presque Isle County
61. Schoolcraft County
62. Tuscola County
63. D 37 Cities of Warren/Centerline
64. D 38 City of Eastpointe
65. D 43-3 City of Madison Heights
66. D 46 Southfield
67. Dickinson County
68. Eaton County
69. Grand Traverse County
70. Huron County
71. Isabella County
72. Jackson County
73. Lapeer County
74. Mackinac County
75. Manistee/Benzie Counties
76. St. Joseph County
77. Alcona County
78. Alpena County
79. Barry County
80. Berrien County
81. Branch County
82. Clare/Gladwin Counties
83. Gogebic County
84. Hillsdale County
85. Houghton County (also covers Baraga, Keweenaw)
86. Ingham County
87. Ionia County
88. Lake County
89. Lenawee County
90. Livingston County
91. Midland County
92. Monroe County
93. Montmorency County

94. Ogemaw County
95. Osceola County
96. Ottawa County
97. Shiawassee County
98. St. Clair County
99. Washtenaw County
100. Wayne County
101. Calhoun County
102. Cass County
103. Marquette County
104. Mason County
105. Menominee County
106. Roscommon County
107. Allegan/Van Buren Counties
108. Arenac County
109. Bay County
110. Iosco County
111. Montcalm County
112. Sanilac County
113. D 41a1 Sterling Heights
114. D 61 Grand Rapids
115. Genesee County
116. Kalkaska County
117. Oscoda County
118. Kalamazoo County
119. Kent County
120. Macomb County

iv. Increase to costs for State Bar of Michigan Dues (action item)

9. Adjourn

Next meeting: August 23, 2022, beginning at 11:00 a.m. in Lansing

Online Access: For members of the public who wish to join the meeting online, please email Marcela Westrate at WestrateM1@michigan.gov or call (517) 648-3143 to request a Zoom link. This link will be provided in the morning before the meeting begins.

Michigan Indigent Defense Commission Meeting Minutes

The meeting was held in person at the Michigan Bankers Association building in Lansing, Michigan. Remote access via Zoom was available for Commissioners and, upon request, for members of the public. The MIDC website and meeting notice included information for members of the public on how to contact the MIDC to obtain the Zoom link for participation. Commissioners were able to participate remotely if they qualified for an exemption under the Open Meetings Act or if they requested an accommodation under the Americans with Disabilities Act, 42 USC 12131 *et. seq.*, and Rehabilitation Act, MCL 395.81 *et. seq.*, pursuant to Attorney General Opinion No. 7318.

April 19, 2022

Time: 11:00 am

Michigan Bankers Association
507 S. Grand Ave, Lansing, MI 48933

Commission Members Participating

The following members participated in person in Lansing:

- Chair Christine Green
- Joshua Blanchard
- Tracy Brame
- Kimberly Buddin
- Paul Bullock
- Hakim Crampton
- Andrew DeLeeuw
- Judge James Fisher
- David Jones
- James Krizan
- Debra Kubitskey
- Tom McMillin
- John Shea
- Rob VerHeulen

The following member qualified to participate with an accommodation under the Americans with Disabilities Act:

- Gary Walker (Chocolay Township, Marquette County, Michigan)

The following non-voting member was not counted as part of the quorum and participated remotely:

- Cami Pendell

The following Commissioners were absent:

- Margaret McAvoy
- Judge Robinson Garrett
- William Swor

Chair Green called the Michigan Indigent Defense Commission (“MIDC” or “the Commission”) meeting to order at 11:00 am. Guests were invited to introduce themselves.

Public Comment

The following individuals provided public comment:

- Chante Parker
- Jill Tines
- Angela Peterson
- Robin Dillard-Russaw
- Kim Dorsey
- Michael Naughton

Additions to the agenda

Commissioner Shea moved that the agenda be adopted as presented. Commissioner Kubitskey seconded. The motion carried.

Consent Agenda

Commissioner McMillin moved that the minutes be removed from the consent agenda. Judge Fisher seconded. The motion carried.

Commissioner McMillin moved to add language on page three of the minutes indicating that had he been present he would have voted no. After discussion, Commissioner McMillin withdrew the motion.

Commissioner Shea moved that his name be added to the list of absent members. Judge Fisher seconded. The motion carried.

Commissioner VerHeulen moved that the minutes be approved as adopted. Commissioner Bullock seconded. The motion carried, Commissioner McMillin voting nay.

Chair Report

Chair Green provided an update on the mediation with the 43-1 District Court in Hazel Park. She announced the creation of the Committee on Local System Communication, a new ad hoc committee. Commissioner Bullock will serve as chair and the members include Commissioners Kubitsky, Shea, and Jones.

The Michigan District Judges Association provided the names of three judges that the association has recommended to the Governor’s office to fill Judge Robinson Garrett’s position. Those names are Judges Bitzer, Mathis and Nance.

Executive Director Report

Kristen Staley provided an update on the appropriations process for the 2023 fiscal year that will begin October 1, 2022. The House Appropriations Subcommittee on Licensing and Regulatory Affairs (LARA) reported its version of the budget. The amount appropriated to the MIDC mirrors Governor Whitmer's recommendation.

MIDC staff is currently working with systems on compliance plans and cost analyses for FY23. These are due April 26. Ms. Staley provided an update on staff's activities.

Commission Business

2021 Annual Report

Ms. Staley presented the report for the Commission's review. She thanked Marla McCowan for her work on the document.

Commissioner Shea asked that the language on page 6 in the second and third paragraphs be modified to clarify the difference between the two types of unspent funding.

Judge Fisher moved that the annual report be approved as amended. Commissioner Kubitskey seconded. The motion carried.

Standing Committee Reports

Chair Green provided an update on the Executive Committee's activities. The committee continues to work on a Memorandum of Understanding between LARA and the MIDC. She updated the Commission on the standards that have been submitted to Director Hawks at LARA for her approval. The Executive Committee decided to prioritize the approval of Standard 8 and will send a letter to Director Hawks reflecting this.

Ad Hoc Committee Reports

Commissioner Crampton provided an update on the Diversity, Equity, and Inclusion Committee. The committee submitted a written report that was distributed to Commissioners.

Commissioner DeLeeuw provided an overview of the Unexpended Balance Committee's work and presented a draft report and recommendations for the Commission's consideration. Commissioner Walker moved that the Unexpended Balances Report and Recommendations be approved. Commissioner Shea seconded. The motion carried.

The Commission took a 20-minute recess.

Regional Update

Kelly McDoniel, Regional Manager for Wayne County, provided a regional update.

Compliance Planning and MIDC Standards Implementation

FY21 Compliance Planning

Notices of noncompliance were sent to the Cities of Hazel Park and Inkster. MIDC staff worked with both systems to resolve issues related to FY21 compliance.

FY22 Compliance Planning

A notice of noncompliance was sent to Muskegon County. Ms. McCowan provided an update about the issues. Staff will continue to work with the county on compliance.

Plan Changes

Berrien County would like to create an Emerging Adult Task Force. This plan change will expand the county's compliance plan with respect to standards 1, 2 and 4.

Commissioner Krizan moved that Berrien County's plan change be approved. Judge Fisher seconded. The motion carried.

Oakland County would like to implement a mid-year increase in several of the event-based payments on its attorney fee schedule to address the impact of inflation. There is no additional funding necessary for this change.

Commissioner Kubitskey moved that Oakland County's plan change be approved. Commissioner Brame seconded. The motion carried.

St. Clair Shores would like to increase its house counsel rates and increase the rate for its attorneys so that the attorney rate is consistent with other jurisdictions in the region and with Standard 8. Additionally, St. Clair Shores would like to add staff to have a house counsel attorney for each judge.

Commissioner DeLeeuw moved that St. Clair Shores plan change be adopted. Commissioner Bullock seconded. The motion carried; Commissioner Blanchard opposed.

FY23 Compliance Planning

EGrAMS is open for submissions through April 26, 2022. All submissions will be action items at the June 21, 2022 meeting.

The Commission's next meeting will be June 21, 2022 at 9:00 AM in Lansing.

Judge Fisher moved that the meeting be adjourned. Commissioner DeLeeuw seconded. The motion carried.

The meeting adjourned at 2:06 pm.

Respectfully submitted,

Marcela Westrate

SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS

This Agreement is between the City of Hazel Park, Michigan, a body politic and Municipal Corporation and the Michigan Indigent Defense Commission (MIDC), a state agency (the Parties).

WHEREAS, Hazel Park has requested that the MIDC approve its FY22 compliance plan and approve \$872,096.65 in total system costs for this plan; and

WHEREAS, the MIDC rejected the plan and funding request at its February 15, 2022 meeting because it believed the stated indigent defense service model failed to match how work is actually being assigned and Hazel Park failed to provide documentation in support of its need for the requested ancillary personnel; and

WHEREAS, the Parties engaged in mediation of this funding dispute, pursuant to Section 15 of the MIDC Act, MCL 780.995; and

WHEREAS, the selected mediator approved the Parties' stipulated settlement award to Hazel Park of \$798,699.78 in total system costs; and

WHEREAS, the Parties recognize that many hours were spent in this dispute process by both the MIDC staff and Hazel Park's representatives and they each desire to resolve this dispute in accordance with the terms in this Agreement and to move toward a more positive relationship; and

WHEREAS, the MIDC accordingly voted to approve resolution of this dispute at its public meeting held on June 21, 2022.

NOW THEREFORE, the Parties agree to resolve this matter in accordance with the following terms:

1. Compliance Plan Resolution
 - a. The Parties agree that the MIDC will approve Hazel Park's proposed FY22 compliance plan as amended during mediation.
2. Funding Resolution
 - a. The Parties agree that the MIDC will approve Hazel Park's FY22 cost analysis in the amount of \$798,699.78 (state grant of \$780,504.70 and local share of \$18,195.08), as full and final settlement of this funding dispute. This includes the following changes:
 - Clerk time is reduced from 1560 to 1040 hours at a rate of \$24.58/hr plus fringe benefits for FY22. MIDC staff will recommend that this position and related benefits be duplicated in FY23, with the appropriate COLA or step increases for this position.
 - Clerk overtime is eliminated in FY22. MIDC staff will recommend that this request and related benefits be eliminated completely in FY23.
 - Police officer time in FY22 is funded at 50% as requested, with salary and fringe benefits adjusted to the corresponding categories. MIDC staff will recommend that this request be funded again in FY23, with the appropriate COLA or step increases for this position.

- Part time sheriff deputies are deleted completely from FY22 and FY23.
 - Contractual payments for the MAC Administration is reduced by \$1250 and MAC Assistant is reduced by \$1250 for FY22, for activity on or after July 1, 2022. In FY23, the funding will be reduced by \$5,000 for each position.
 - Contracts for construction in FY22 and FY23 will be eliminated completely in both plans as no longer necessary due to the availability of space for confidential meetings between attorneys and clients, as represented by Hazel Park during mediation.
 - Office supplies will increase from \$600 to \$1400 in FY22, to reimburse Hazel Park for the purchase of a new browser extension that enables attorney access to records of action, thereby obviating the need for clerk time printing ROAs and emailing same to attorneys.
- b. The state grant will be disbursed in accordance with the terms of the MIDC Grant Contract.
- c. In accordance with MCL 780.995(1), costs associated with mediation of the dispute will be paid equally by the parties.
3. General Release
- a. In consideration of the Settlement Payment and the other terms contained in this Agreement, Hazel Park releases and forever discharges the MIDC from all actual and potential claims, complaints, demands, causes of action, damages, costs, expenses, fees, and other liabilities of every sort and description, direct or indirect, fixed or contingent, known or unknown, suspected or unsuspected, and whether or not liquidated, including, without limitation, claims based on preexisting acts occurring at any time up to the date of this Agreement, which may result in future damages or injury (collectively, the “Claims”).
- b. Hazel Park agrees that it will not institute any suit, action, administrative proceeding, or other proceedings at law, in equity, or otherwise, against the MIDC, on account of Claims released in this Agreement. However, nothing in this Agreement will prevent Hazel Park from complying with any future court subpoena or order or bringing any action necessary to enforce specific performance of this Agreement.
4. General Provisions
- a. If this Agreement is adjudicated to be breached, the breaching party is liable for the non-breaching party’s resulting costs, including attorney fees, employee time, and all court costs. This remedy is in addition to whatever remedy is granted by a court of jurisdiction.
- b. Neither Party concedes or admits that it has violated any law, statute, ordinance, or contract and/or has failed in any duty or obligation whatsoever and/or has committed

any tort or engaged in any kind of wrongful conduct. The Parties acknowledge that this Agreement represents a full and complete settlement of the claims described herein.

- c. With respect to the matters discussed in this Agreement, the terms and conditions of this Agreement embody the entire understanding of the Parties.
- d. All executed copies of this Agreement are duplicate originals, equally admissible as evidence.
- e. Failure by any party to enforce any of the remedies provided to it in this Agreement will not be deemed a waiver of those rights.
- f. The party representatives executing this Agreement warrant that they are the duly authorized representatives of the respective entities designated below and are fully empowered to execute this Agreement on behalf of their Party.
- g. This Agreement must be construed in accordance with the laws of the State of Michigan. If any provision of this Agreement is for any reason held to be invalid or unenforceable, that provision will not affect any other provision of this Agreement. Instead this Agreement will be construed as if the invalid and/or unenforceable provision had never been contained in the Agreement.
- h. The Parties agree to cooperate fully and execute any and all supplementary documents and to take all additional actions that may be necessary or appropriate to give full force and effect to the basic terms and intent of this Agreement.

5. Good Faith

The parties to this Agreement enter into it in good faith.

6. Effective Date

The effective date of this Agreement is the date on which the last party signs this Agreement. The Parties agree that this Agreement may be executed in counterparts, each of which will be deemed to constitute an executed original, even though not all signatures may appear on the same counterpart.

The Parties agree to the terms herein as evidenced by the signatures below:

Hazel Park, Michigan

Michigan Indigent Defense Commission

Signature of Hazel Park
By: Edward Klobucher or his representative
Its: City Manager
Dated:

Signature of MIDC
By: Kristen Staley
Its: Executive Director
Dated:

Facesheet for Compliance Plan and Cost Analysis Renewal - FY 2022
 Agency: City of Hazel Park
 Application: Compliance Plan and Cost Analysis Renewal - FY 2022

6/9/2022

1. Applicant Information

- a. Applicant Name City of Hazel Park
- b. Organizational Unit Hazel Park District Court 43rd-1
- c. Address 111 East Nine Mile Rd.
- d. Address 2
- e. City Hazel Park State MI Zip 48303
- f. Federal ID Number 24-8546406 Reference No. Unique Entity Id.
- g. Agency's fiscal year (beginning month and day) July-01
- h. Agency Type
- City Township County
- Village

2. Project Information

- a. Project Name Compliance Plan and Cost Analysis Renewal - FY 2022
- b. Is implementing agency same as Applicant Yes No
- c. Implementing Agency Name
- d. Project Start Date Oct-01-2021 End Date Sep-30-2022
- e. Amount of Funds Requested \$780,504.70 Project Cost \$798,699.78
- f. Agency Local Share: 18,195.08

Facesheet for Compliance Plan and Cost Analysis Renewal - FY 2022
 Agency: City of Hazel Park
 Application: Compliance Plan and Cost Analysis Renewal - FY 2022

6/9/2022

3. Contacts

a. Project Director / Primary Contact

Name Eric Wilson
 Title MAC Administrator
 Mailing Address 23509 John R Road
 City Hazel Park State MI Zip 48030
 Telephone (248) 546-6164 Fax (248) 546-4992
 E-mail Address hazelparkmidc@gmail.com

b. Financial Officer

Name Laci Christiansen
 Title Financial Director
 Mailing Address 111 East Nine Mile Rd.
 City Hazel Park State MI Zip 48303
 Telephone (248) 546-4060 Fax (248) 546-4992
 E-mail Address fiance@hazelpark.org

c. Authorized Official

Name Edward Klobucher
 Title City Manager
 Mailing Address 111 East Nine Mile Rd.
 City Hazel Park State MI Zip 48303
 Telephone (248) 546-4060 Fax
 E-mail Address eklobucher@hazelpark.org

Additional Information for Compliance Plan and Cost Analysis Renewal - FY 2022 6/9/2022
 Agency: City of Hazel Park
 Application: Compliance Plan and Cost Analysis Renewal - FY 2022

Submitter Information

Funding Unit/System Name: D 43-1 Hazel Park

- I hereby certify that I am authorized to submit the application and the information and representations contained in the application is true and correct.

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

Name: Eric Wilson
 Title: MAC Administrator
 Email Address: hazelparkmidc@gmail.com
 Phone Number: (248) 546-6164

Date: 04/12/2021

 Signature: Eric Wilson

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#:) [Eric Wilson P24708]
 - 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.

2. Are you proposing to change your type of indigent defense delivery system for next year? Please respond Yes or No. Yes No
3. If you are changing your indigent defense delivery system, what model do you plan to use next year? We will have a roster of attorneys overseen by our MACC, Eric Wilson. We will also have a contract with Wilson & Wilson to provide one third of the necessary attorney services.

Standard 1 - Training and Education for Compliance Plan and Cost Analysis Renewal - FY 2022

Agency: City of Hazel Park

Application: Compliance Plan and Cost Analysis Renewal - FY 2022

Standard 1 (Page 1)

All experienced attorneys are required to complete their 12 hours of CLEs. Additionally, attorneys with less than two years are required to complete the new attorney program for 16 hours of skills training given by the Oakland County Bar Association.

Training of Attorneys

- | | | |
|----|--|----|
| 4. | Number of attorneys who accept adult criminal defense assignments as of October 1, 2021 | 27 |
| 5. | Number of attorneys with less than 2 years of Michigan criminal defense experience as of October 1, 2021 | 0 |

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.

6. What is your plan for training attorneys with less than 2 years of Michigan criminal defense experience?

All experienced attorneys are required to complete their 12 hours of CLEs. Additionally, attorneys with less than two years are required to complete the new attorney program for 16 hours of skills training given by the Oakland County Bar Association.

Standard 1 (Page 2)

The MAC receives quarterly updates from the Oakland County Bar Association regarding the status of CLE credit hours for attorneys. Attorneys also send their CLE credit hours earned outside of Oakland County.

7. Please describe your system's training plan, including how compliance will be tracked for reporting requirements:

The MAC receives quarterly updates from the Oakland County Bar Association regarding the status of CLE credit hours for attorneys. Attorneys also send their CLE credit hours earned outside of Oakland County.

Standard 1 (Page 3)

The MAC will notify the attorney to attain the necessary CLE credits, and attorney(s) will be removed from the attorney roster until the attorney completes the necessary CLE credits, and it is confirmed by the MAC.

8. If an attorney does not complete the required training, how will the system address the noncompliance?

The MAC will notify the attorney to attain the necessary CLE credits, and attorney(s) will be removed from the attorney roster until the attorney completes the necessary CLE credits, and it is confirmed by the MAC.

9. Any changes in your funding needs from the prior year for Standard 1? Please respond Yes or No. Yes No

If yes, please describe in the cost analysis.

Standard 2 - Initial Interview for Compliance Plan and Cost Analysis Renewal - FY 2022 6/9/2022
Agency: City of Hazel Park
Application: Compliance Plan and Cost Analysis Renewal - FY 2022

Standard 2 (Page 1)

Upon receipt of request for an Appointed Attorney from the Court, the MAC or administrator sends out the court appointment and client information to the appointed attorney via email.

Initial Client Interviews

10. 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?

Upon receipt of request for an Appointed Attorney from the Court, the MAC or administrator sends out the court appointment and client information to the appointed attorney via email.

Standard 2 (Page 2)

On the attorney invoice, there are line-items that are required to be filled out by the appointed attorney. The appointed attorney is required to fill out the date appointed and dates of interviews. The attorneys are required for incarcerated defendants to supply a record of interview as supplied by the jail.

11. How are you verifying that in-custody attorney client interviews occur within three business days?

On the attorney invoice, there are line-items that are required to be filled out by the appointed attorney. The appointed attorney is required to fill out the date appointed and dates of interviews. The attorneys are required for incarcerated defendants to supply a record of interview as supplied by the jail.

Standard 2 (Page 3)

On the Individual Client Billing Invoice, there is a requirement that attorneys provide the following information:

Bailer/Jailer, Date Appointed, Date of Initial Interview, letter to defendant, Location & hours. The MAC reviews these details and notes whether there is compliance or not, and approves the amount to be billed.

12. How are you verifying attorneys' introductory communications with out-of-custody clients?

On the Individual Client Billing Invoice, there is a requirement that attorneys provide the following information:

Bailer/Jailer, Date Appointed, Date of Initial Interview, letter to defendant, Location & hours. The MAC reviews these details and notes whether there is compliance or not, and approves the amount to be billed.

Standard 2 (Page 4)

Each introductory correspondence by mailed letter is \$25/per client. All other one-to-one communication is compensated at \$100 per hour.

13. 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.

Each introductory correspondence by mailed letter is \$25/per client. All other one-to-one communication is compensated at \$100 per hour.

Standard 2 - Initial Interview for Compliance Plan and Cost Analysis Renewal - FY 2022 6/9/2022
 Agency: City of Hazel Park
 Application: Compliance Plan and Cost Analysis Renewal - FY 2022

14. Any changes in your funding needs from the prior year for Initial Interviews? Please Yes No
 respond Yes or No.

If yes, please describe in the cost analysis.

Standard 2 (Page 5)

There are currently two confidential meeting spaces at the Courthouse.

Confidential Meeting Spaces

- | | | |
|-----|--|---|
| 15. | How many confidential meeting spaces are in the jail? | 1 |
| 16. | What is the TOTAL amount of confidential meeting spaces in the courthouse? | 3 |
| 17. | How many confidential meeting spaces in the courthouse are for in-custody clients? | 1 |

Please describe these spaces.

There are currently two confidential meeting spaces at the Courthouse.

Standard 2 (Page 6)

See #17.

- | | | |
|-----|--|---|
| 18. | How many confidential meeting spaces in the courthouse are for out-of-custody clients? | 2 |
|-----|--|---|

Please describe these spaces.

See #17.

Standard 2 (Page 7)

19. Any changes from the prior year's compliance plan for your confidential meeting spaces? Please respond Yes or No. Yes No

If Yes, please describe the proposed changes.

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

If yes, please describe in the cost analysis.

Standard 3 - Investigation and Experts for Compliance Plan and Cost Analysis Renewal - FY 2022

Agency: City of Hazel Park

Application: Compliance Plan and Cost Analysis Renewal - FY 2022

Standard 3 (Page 1)

If any case requires the use of investigators or expert witness services, funds are available to pay for such services. In order to gain payment for use of such services, the attorney must apply to the MAC, Eric Wilson, with an estimated cost for investigations and experts and reasons for the request.

Experts and Investigators

21. 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:

If any case requires the use of investigators or expert witness services, funds are available to pay for such services. In order to gain payment for use of such services, the attorney must apply to the MAC, Eric Wilson, with an estimated cost for investigations and experts and reasons for the request.

Standard 3 (Page 2)

22. Any change from the prior year's process to request expert witness assistance? Yes No
Please respond Yes or No.

If yes, please explain the change:

Standard 3 (Page 3)

Attorneys put their request in writing, stating the reasons and the amount to the MAC for approval.

23. Describe the process of how attorneys request investigative assistance:

Attorneys put their request in writing, stating the reasons and the amount to the MAC for approval.

Standard 3 (Page 4)

24. Any change from the prior year's process to request investigative assistance? Yes No
Please respond Yes or No.

If yes, please explain the change:

Standard 3 (Page 5)

A record is kept with the MAC office. Actual expenditures for experts and investigators are also reflected in the quarterly FSRs.

25. How are attorney requests (whether approved or denied) for experts and investigators tracked by the system? Please include approved and denied requests.

A record is kept with the MAC office. Actual expenditures for experts and investigators are also reflected in the quarterly FSRs.

26. Any change from the prior year's funding needs for Standard 3? Please respond Yes No
Yes or No.

If yes, please describe in the cost analysis.

Standard 4 - Counsel at First Appearance for Compliance Plan and Cost Analysis Renewal - FY 2022

Agency: City of Hazel Park

Application: Compliance Plan and Cost Analysis Renewal - FY 2022

Standard 4 (Page 1)

Defendants are represented by the arraigning attorney assigned by the MAC for that day. Attorneys are scheduled in advance according to the times and dates that the Court schedules arraignment dockets. As part of the Wilson & Wilson contract for attorney services, sometimes a firm attorney will conduct arraignments.

Counsel at First Appearance and Other Critical Stages

27. 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.

Defendants are represented by the arraigning attorney assigned by the MAC for that day. Attorneys are scheduled in advance according to the times and dates that the Court schedules arraignment dockets. As part of the Wilson & Wilson contract for attorney services, sometimes a firm attorney will conduct arraignments.

Standard 4 (Page 2)

All other stages (i.e. pretrials, VOPs, SCHs, sentencings, and all other critical stages), attorneys are scheduled well in advance for these specified events. The Court sends the necessary information (i.e. dockets, client information sheets, conditional bond orders, and other requests and documents) to the MAC. The MAC reviews the information and sends it onto the assigned attorneys assigned for those dates, times, and clients. As part of the Wilson & Wilson contract for attorney services, sometimes a firm attorney will conduct arraignments.

28. How are you providing counsel at all other critical stages? Please provide details:

All other stages (i.e. pretrials, VOPs, SCHs, sentencings, and all other critical stages), attorneys are scheduled well in advance for these specified events. The Court sends the necessary information (i.e. dockets, client information sheets, conditional bond orders, and other requests and documents) to the MAC. The MAC reviews the information and sends it onto the assigned attorneys assigned for those dates, times, and clients. As part of the Wilson & Wilson contract for attorney services, sometimes a firm attorney will conduct arraignments.

Standard 4 (Page 3)**HOURLY**

INITIAL INTERVIEW / JAIL: \$100/HOUR

IN-PERSON ARRAIGNMENTS: \$100/HOUR

TRIAL: \$100/HOUR

ARRAIGNMENT DOCKET: \$100/HOUR (Actual time, rounded up to the quarter-hour, with 4 hours maximum.)

SHOW CAUSE DOCKET: \$100/HOUR (Actual time, rounded up to the quarter-hour, with 4 hours maximum.)

PER EVENT

INITIAL LETTER TO CLIENT: \$25 / CLIENT

PER EVENT*

PRETRIAL PLEA / SENTENCING (Same day): \$200

PRETRIAL: \$125

SUBSEQUENT SENTENCING: \$125

Standard 4 - Counsel at First Appearance for Compliance Plan and Cost Analysis Renewal - FY 2022
 Agency: City of Hazel Park
 Application: Compliance Plan and Cost Analysis Renewal - FY 2022

29. 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.

HOURLY

INITIAL INTERVIEW / JAIL: \$100/HOUR

IN-PERSON ARRAIGNMENTS: \$100/HOUR

TRIAL: \$100/HOUR

ARRAIGNMENT DOCKET: \$100/HOUR (Actual time, rounded up to the quarter-hour, with 4 hours maximum.)

SHOW CAUSE DOCKET: \$100/HOUR (Actual time, rounded up to the quarter-hour, with 4 hours maximum.)

PER EVENT

INITIAL LETTER TO CLIENT: \$25 / CLIENT

PER EVENT*

PRETRIAL PLEA / SENTENCING (Same day): \$200

PRETRIAL: \$125

SUBSEQUENT SENTENCING: \$125

Standard 4 (Page 4)

30. Do you have a prison in your County? Yes No

If Yes, 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? Yes No

Standard 4 (Page 5)

Attorneys are provided to defendants for every arraignment. However, a plea by mail is only offered to a defendant if they express a strong need to not appear for court or if the defendant is already incarcerated for charges in another jurisdiction. If a plea by mail is received and the Judge or Magistrate believes the defendant needs representation, the case is set for a hearing with an appointed attorney being assigned. The Court uses the SCAO form which advises defendants of their right to counsel.

31. 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. Yes No

32. Describe how counsel is offered to a defendant making a plea who does not appear before a magistrate or judge:

Attorneys are provided to defendants for every arraignment. However, a plea by mail is only offered to a defendant if they express a strong need to not appear for court or if the defendant is already incarcerated for charges in another jurisdiction. If a plea by mail is received and the Judge or Magistrate believes the defendant needs representation, the case is set for a hearing with an appointed attorney being assigned. The Court uses the SCAO form which advises defendants of their right to counsel.

Standard 4 - Counsel at First Appearance for Compliance Plan and Cost Analysis Renewal - FY 2022

Agency: City of Hazel Park

Application: Compliance Plan and Cost Analysis Renewal - FY 2022

Standard 4 (Page 6)

33. Any change from the prior year's attorney compensation for Standard 4? Please respond Yes or No. Yes No

If yes, please describe in the cost analysis.

34. Any change from the prior year's funding needs for Standard 4? Please respond Yes or No. Yes No

If yes, please describe in the cost analysis.

Standard 5 - Attorney Assignment for Compliance Plan and Cost Analysis Renewal - FY 2022

Agency: City of Hazel Park

Application: Compliance Plan and Cost Analysis Renewal - FY 2022

Standard 5 (Page 1)

Attorneys seeking to get on the list are selected by the MACC. In making his determination as to whether to add an attorney to the list, the MACC considers the attorney's CLE completion, experience, and reputation. Appointments are made from a list of attorneys approved by the MACC, and in accordance with the contract with Wilson & Wilson.

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.

35. 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:

Attorneys seeking to get on the list are selected by the MACC. In making his determination as to whether to add an attorney to the list, the MACC considers the attorney's CLE completion, experience, and reputation. Appointments are made from a list of attorneys approved by the MACC, and in accordance with the contract with Wilson & Wilson.

Standard 5 (Page 2)

36. Will the selection process be facilitated by a committee of stakeholders? Yes No

If so, please list the titles of participating officials, agencies, or departments as appropriate.

Standard 5 (Page 3)

37. Who will approve an attorney's eligibility to receive assigned cases? The MAC
38. Who will assign work to the attorneys in the indigent defense system? Please include the person's name, title, employer and/or supervisor.

Person's Name: Eric S. Wilson

Title: Managed Assigned Counsel

Employer and/or Supervisor: Wilson & Wilson

39. Who will review and approve attorney billing? The MAC
40. Who will approve requests for expert and investigative assistance? The MAC
41. Who will review and approve expert and investigative billing? The MAC

Standard 5 (Page 4)

If a roster attorney disagrees with a decision of the MACC concerning assignments, the attorney may seek review of the decision by emailing a copy of the 43-1 MACC's decision and an explanation as to why the decision should be reviewed or modified to the MACC for the 38th District Court. The MACC for the 38th District Court will email a copy of her decision to the aggrieved attorney and to the MACC of the 43-1 District Court within seven days of receiving the request for review. The MACC for the 38th District Court is currently Tanya Grillo. If another person becomes the MACC for the 38th District Court, all roster attorneys will be notified of the change.

42. What is your appeal process to resolve any potential conflicts between the assigned attorney and the person(s) assigning casework?

If a roster attorney disagrees with a decision of the MACC concerning assignments, the attorney

Standard 5 - Attorney Assignment for Compliance Plan and Cost Analysis Renewal - FY 2022

Agency: City of Hazel Park

Application: Compliance Plan and Cost Analysis Renewal - FY 2022

may seek review of the decision by emailing a copy of the 43-1 MACC's decision and an explanation as to why the decision should be reviewed or modified to the MACC for the 38th District Court. The MACC for the 38th District Court will email a copy of her decision to the aggrieved attorney and to the MACC of the 43-1 District Court within seven days of receiving the request for review. The MACC for the 38th District Court is currently Tanya Grillo. If another person becomes the MACC for the 38th District Court, all roster attorneys will be notified of the change.

Standard 5 (Page 5)

If a roster attorney disagrees with a decision of the MACC concerning compensation, the attorney may seek review of the decision by emailing a copy of the 43-1 MACC's decision and an explanation as to why the decision should be reviewed or modified to the MACC for the 38th District Court. The MACC for the 38th District Court will email a copy of her decision to the aggrieved attorney and to the MACC of the 43-1 District Court within seven days of receiving the request for review. The MACC for the 38th District Court is currently Tanya Grillo. If another person becomes the MACC for the 38th District Court, all roster attorneys will be notified of the change.

43. What is your appeal process to resolve any potential conflicts between the assigned attorney and the person(s) or reviewing/approving billing?

If a roster attorney disagrees with a decision of the MACC concerning compensation, the attorney may seek review of the decision by emailing a copy of the 43-1 MACC's decision and an explanation as to why the decision should be reviewed or modified to the MACC for the 38th District Court. The MACC for the 38th District Court will email a copy of her decision to the aggrieved attorney and to the MACC of the 43-1 District Court within seven days of receiving the request for review. The MACC for the 38th District Court is currently Tanya Grillo. If another person becomes the MACC for the 38th District Court, all roster attorneys will be notified of the change.

Standard 5 (Page 6)

If a roster attorney disagrees with a decision of the MACC concerning an expert or investigator request, the attorney may seek review of the decision by emailing a copy of the 43-1 MACC's decision and an explanation as to why the decision should be reviewed or modified to the MACC for the 38th District Court. The MACC for the 38th District Court will email a copy of her decision to the aggrieved attorney and to the MACC of the 43-1 District Court within seven days of receiving the request for review. The MACC for the 38th District Court is currently Tanya Grillo. If another person becomes the MACC for the 38th District Court, all roster attorneys will be notified of the change.

44. What is your appeal process to resolve denied or partially denied requests for expert or investigative assistance?

If a roster attorney disagrees with a decision of the MACC concerning an expert or investigator request, the attorney may seek review of the decision by emailing a copy of the 43-1 MACC's decision and an explanation as to why the decision should be reviewed or modified to the MACC for the 38th District Court. The MACC for the 38th District Court will email a copy of her decision to the aggrieved attorney and to the MACC of the 43-1 District Court within seven days of receiving the request for review. The MACC for the 38th District Court is currently Tanya Grillo. If another person becomes the MACC for the 38th District Court, all roster attorneys will be notified of the change.

Miscellaneous for Compliance Plan and Cost Analysis Renewal - FY 2022
 Agency: City of Hazel Park
 Application: Compliance Plan and Cost Analysis Renewal - FY 2022

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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

45. 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.

46. Do you have any ancillary staff? Please answer Yes or No. Yes No

If yes, what standard(s) or reporting needs do they meet? Standards 2 & 4

If yes, how are you tracking time for ancillary staff? Through clerk will track time they spend on indigent defense projects every day.

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

If yes, please explain in the cost analysis.

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

List of the attorneys providing services

Attorneys Accepting Assignments

Name of Attorney	Bar Number	Title	Type of Office	Years Practicing Criminal

Miscellaneous for Compliance Plan and Cost Analysis Renewal - FY 2022
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				Defense in Michigan
Blakney, Edith	75965		Private Attorneys	
Cole, Susan	48846		Private Attorneys	
Costello, Brittany	76360		Private Attorneys	
Gracey, Judith	39766		Private Attorneys	
Hatchett, Khari	81218		Private Attorneys	
Johnson, Pamela	59236		Private Attorneys	
Kozak, Scott	60099		Private Attorneys	
Krauskopf, Melissa	68248		Private Attorneys	
Lashier, Jessica	75937		Private Attorneys	
Lemelin, Whitney	58914		Private Attorneys	
Lynch, Steven	47008		Private Attorneys	
Nachawati, Leen	81308		Private Attorneys	
Oliver, Douglas	35810		Private Attorneys	
Quas, Jeffrey	42248		Private Attorneys	
Rucker, Tyron	61867		Private Attorneys	
Steinberg, Michael	43481		Private Attorneys	
Steinhardt, Stephen	49083		Private Attorneys	
Strenger, Richard	55057		Private Attorneys	
Taylor, John	52473		Private Attorneys	
Walton, Dawn	48974		Private Attorneys	
West, Joshua	60694		Private Attorneys	
Westmoreland, Cory	82621		Private Attorneys	
Wilson, Dana	23899		Private Attorneys	
Wilson, Eric	24708		Private Attorneys	
Wilson, Patrick	71035		Private Attorneys	
Wilson, Kimberly	42002		Private Attorneys	
Scally, Paul	64366		Private Attorneys	
Gonzalez, Juan	73537			
Urich, William	43273			
West, Joshua	60694			

Cost Analysis for Compliance Plan and Cost Analysis Renewal - FY 2022
Agency: City of Hazel Park
Application: Compliance Plan and Cost Analysis Renewal - FY 2022

6/9/2022

Instructions for Completion of the Fiscal Year 2022 Cost Analysis

Please complete all sections of the spreadsheet and narrative relevant to your request for grant funds. The cost analysis request is for the total adult criminal indigent defense system cost funded by the state grant, local share, and other funding sources. As noted in the narrative for each budget category, please highlight or make note of a new or changed budget request for FY22. Justification of expenses should include a clear statement as to how the position, contract, or item is a direct expense of the local indigent defense system. The request must include calculations for rates, hours and pricing of requested items. Please refer to the MIDC's GRANT MANUAL for guidance as to allowable costs. Click on 'Show Documents' to view the Grant Manual.

Does or will your system use a vendor/nonprofit model public defender office to provide indigent defense services? Yes No

Cost Analysis Detail for Compliance Plan and Cost Analysis Renewal - FY 2022
 Agency: City of Hazel Park
 Application: Compliance Plan and Cost Analysis Renewal - FY 2022

6/9/2022

	Line Item	Qty	Rate	Units	UOM	Total	State Grant
Program Expenses							
1	Personnel						
	Clerk Notes : Three-quarter time MIDC Clerk. \$24.58/hr x 30 Hrs, 52 wks/yr = 1,560 hours annually. Clerk rate is 75% per time study previously completed.	1.0000	24.580	1040.000	HRS	25,563.20	25,563.20
	Police Officer - 50% time Notes : Costs have been reduced to 50% and a time study will be performed when Court operations are back to normal status and an adequate study can be completed. Salary and benefits 5 yr. patrol (\$67,447 + \$25,921 = \$93,368) at 50%.	1.0000	33723.500	1.000	FTE	33,723.50	33,723.50
Total for Personnel						59,286.70	59,286.70
2	Fringe Benefits						
	Employer FICA Notes : For Clerks & Deputies Attachment : ZZZ_1_Fringe Benefits Hazel Park 43r.PNG	0.0000	7.650	25563.200		1,955.58	1,955.58
	DB Pension	0.0000	100.000	1554.000		1,554.00	1,554.00
	BCBS	0.0000	100.000	8058.000		8,058.00	8,058.00
	Dental Insurance	0.0000	100.000	281.000		281.00	281.00
	Vision Insurance	0.0000	100.000	41.000		41.00	41.00
	Life Insurance	0.0000	100.000	53.500		53.50	53.50
	Retirement Health Care	0.0000	100.000	240.000		240.00	240.00
	Rx	0.0000	100.000	369.500		369.50	369.50

Cost Analysis Detail for Compliance Plan and Cost Analysis Renewal - FY 2022
 Agency: City of Hazel Park
 Application: Compliance Plan and Cost Analysis Renewal - FY 2022

6/9/2022

	Line Item	Qty	Rate	Units	UOM	Total	State Grant
	police officer benefits	0.0000	50.000	25921.000		12,960.50	12,960.50
Total for Fringe Benefits						25,513.08	25,513.08
Total Program Expenses						84,799.78	84,799.78
Contractual							
1	Contracts for Attorneys						
	Managed Assigned Counsel Administration Notes : original request reduced by \$5,000; prorated through Q3	1.0000	100.000	437.500	HRS	43,750.00	43,750.00
	Attorneys - Initial Interviews Notes : Reduced by \$5,000 from '21 request.	1.0000	100.000	350.000	HRS	35,000.00	35,000.00
	Attorneys - Arraignments (VOPS & SCHs)	1.0000	100.000	3500.000	HRS	350,000.00	350,000.00
	Other Critical Stages Per Fee Schedule	1.0000	200.000	1000.000	VAR	200,000.00	200,000.00
	Trials	1.0000	100.000	100.000		10,000.00	10,000.00
Total for Contracts for Attorneys						638,750.00	638,750.00
2	Contracts for Experts and Investigators						
	Experts	1.0000	5500.000	1.000	MIDC	5,500.00	5,500.00
	Investigators	1.0000	4500.000	1.000	MIDC	4,500.00	4,500.00
Total for Contracts for Experts and Investigators						10,000.00	10,000.00
3	Contracts for Construction						
4	Contracts Other						
	MAC Asst. - Steve Morton	1.0000	63750.000	1.000	FTE	63,750.00	63,750.00

Cost Analysis Detail for Compliance Plan and Cost Analysis Renewal - FY 2022
 Agency: City of Hazel Park
 Application: Compliance Plan and Cost Analysis Renewal - FY 2022

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	Line Item	Qty	Rate	Units	UOM	Total	State Grant
	Notes : reduced by \$5,000; prorated through Q3						
Total Contractual						712,500.00	712,500.00
Other Expenses							
1	Equipment						
2	Training/Travel						
3	Supplies/Services						
	Office Supplies Notes : No Change from FY '21.	1.0000	600.000	0.000	VAR	600.00	600.00
	browser extension reimbursement	1.0000	800.000	0.000		800.00	800.00
Total for Supplies/Services						1,400.00	1,400.00
Total Other Expenses						1,400.00	1,400.00
TOTAL EXPENDITURES						798,699.78	798,699.78

Cost Analysis Summary for Compliance Plan and Cost Analysis Renewal - FY 2022
 Agency: City of Hazel Park
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	Category	Total	State Grant	Narrative
Program Expenses				
1	Personnel	59,286.70	59,286.70	A full-time clerk has been working specifically on MIDC cases. The increase in costs is directly related to the hourly rates for related employees. When in-person Court proceedings resume, there will be a substantial increase in the workload and time required to meet the MIDC Standards.
2	Fringe Benefits	25,513.08	25,513.08	Fringe benefits of 75% MIDC clerk that works specifically on indigent cases. The increase in fringe benefits relates to an increase in rates passed to the funding unit from the service providers.
Total Program Expenses		84,799.78	84,799.78	
Contractual				
1	Contracts for Attorneys	638,750.00	638,750.00	After review, the Initial Interviews has been reduced by \$5,000 from FY 2021.
2	Contracts for Experts and Investigators	10,000.00	10,000.00	Same as FY 2021.
3	Contracts for Construction	0.00	0.00	
4	Contracts Other	63,750.00	63,750.00	MAC Asst- 3rd year. Amount remains unchanged from all prior years.
Total Contractual		712,500.00	712,500.00	
Other Expenses				
1	Equipment	0.00	0.00	
2	Training/Travel	0.00	0.00	
3	Supplies/Services	1,400.00	1,400.00	Amount requested is recommended by the Regional Manager.
Total Other Expenses		1,400.00	1,400.00	
TOTAL EXPENDITURES		798,699.78	798,699.78	

Source of Funds for Compliance Plan and Cost Analysis Renewal - FY 2022
 Agency: City of Hazel Park
 Application: Compliance Plan and Cost Analysis Renewal - FY 2022

6/9/2022

Source of Funds

	Category	Total	State Grant	Local Share	Other Funding Sources	Narrative
1	Source of Funds					
	State Grant Contribution	780,504.70	780,504.70	0.00	0.00	
	Local Share Contribution	18,195.08	0.00	18,195.08	0.00	
	Program Revenue	0.00	0.00	0.00	0.00	
	Previous Year Unspent Funds	0.00	0.00	0.00	0.00	
	Total Source of Funds	798,699.78	780,504.70	18,195.08	0.00	
	Totals	798,699.78	780,504.70	18,195.08	0.00	

Vendor / Non-Profit Office for Compliance Plan and Cost Analysis Renewal - FY 2022 6/9/2022
 Agency: City of Hazel Park
 Application: Compliance Plan and Cost Analysis Renewal - FY 2022

Document your policy, plan and/or contract language

As part of your process for monitoring the compliance of the contract with your vendor for providing indigent defense services, please document here your policy, plan and/or contract language that identifies how payments are made to the vendor (frequency, by allotments, by invoice billing, for example) and how funds if advanced by you and unexpended by the vendor at the close of the grant year are reported to you and accounted for.

Please upload a copy of your policy

Personnel

Enter information in this section only if you selected 'Yes' for 'Does or will your system use a vendor/nonprofit model public defender office to provide indigent defense services?'

List all positions to be funded by the grant budget (state grant/local share). Please * highlight all positions that are new personnel requests for FY2022 and provide justification for need.

Description	New	Qty	Hours	Rate	State Grant	Notes
TOTAL						

Fringe Benefits and Other Employment Perks

List all positions within the nonprofit. Please highlight all positions that are new personnel requests for FY22 and provide justification for need. Please note if there is an increase/decrease in cost from last fiscal year for each employee.

Description	Percent.	Units	State Grant	Notes
TOTAL				

Contract/Conflict for Attorneys

List all possible rate scenarios for attorney contracts that apply (i.e., hourly, event based, annual contract paid monthly). Please highlight rates or attorney line requests that are a change from the FY20 approved contract and contract rates

Description	New	Hours	Rate	State Grant	Notes
TOTAL					

Construction/Office Space Improvement Projects

Provide as much detail as possible for each requested project identifying the need for the project, the component costs, and if possible, the estimate or project quote. Attach a separate document if needed and submit a copy of all estimates and quotes.

Description	Qty	Rate	State Grant	Notes	Attachment
TOTAL					

Contracts Other

Vendor / Non-Profit Office for Compliance Plan and Cost Analysis Renewal - FY 2022 6/9/2022
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Provide justification for all other contract costs. Please highlight a new request for FY22.

Description	New	Qty	Rate	State Grant	Notes
TOTAL					

Equipment

Provide justification for new equipment requests for FY21. Please note if equipment is being replaced and state when the original item was acquired.

Description	Vendor	New	Qty	Rate	State Grant	Notes
TOTAL						

Training/Travel

Provide travel and training justification and *highlight new or changed requests for FY22.

Suggested rates for training registration would be \$30/hour; SADO membership is \$50/year; NAPD membership is \$30/year. Please note any out of state training/travel.

Description	Vendor	New	Qty	Rate	State Grant	Notes
TOTAL						

Supplies/Services

Provide justification for supplies requests. Please note if there is an increase/decrease in these costs.

Description	Vendor	Increase	Qty	Rate	State Grant	Notes
TOTAL						

Additional Services/Funding Not Provided Under The MIDC Act

If the nonprofit PD office provides additional services out of the scope of the MIDC Grant, please demonstrate that those services are not paid for with MIDC funding.

Additional Services/Funding Not Provided Under The MIDC Act	Service	Total Dollars From Other Source
TOTAL		

Vendor / Non-Profit Office Summary

Expense Category	State Grant
Personnel	

Vendor / Non-Profit Office for Compliance Plan and Cost Analysis Renewal - FY 2022 6/9/2022
 Agency: City of Hazel Park
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Fringe Benefits and Other Employment Perks	
Contractual Contract/Conflict for Attorneys	
Construction/Office Space Improvement Projects	
Contracts Other	
Equipment	
Training/Travel	
Supplies/Services	
TOTAL	

Additional Services/Funding Not Provided
 Under The MIDC Act

To: Michigan Indigent Defense Commission

**From: Marla R. McCowan
Deputy Director/Director of Training**

**Re: Compliance Planning and Costs:
FY22 status; FY23 review and action**

Date: June 14, 2022

I. Funding Awards by Fiscal Year

	MIDC Funding	Local Share	Total System Costs
FY 2019	\$86,722,179.85	\$37,963,396.67 ¹	\$124,685,576.52
FY 2020	\$117,424,880.47	\$38,523,883.90	\$157,698,982.46
FY 2021	\$ 129,127,391.54	\$38,486,171.32	\$167,613,562.86
FY 2022 ²	\$137,567,901.57	\$38,128,725.01	\$175,696,653.58

The total system cost, local share, and state grant funds are listed for each system for each fiscal year and can be found on our grants page, <https://michiganidc.gov/grants/>.

We are currently in the process of distributing funding for systems to implement the plans and costs in FY2022. The distributions are offset by any unexpended balances on deposit with the local system as of September 30, 2021. The MIDC annually collects information about the balance in a form completed by the local funding units due no later than October 31, 2021. See the MIDC Act, MCL 780.993(15).

¹ The annual inflationary increase described in MCL 780.983(i) is calculated from the FY2019 local share.

² These totals do not include any award for the City of Hazel Park (funding unit D43-1), pending resolution of the mediation process described in MCL 780.993(4) and MCL 780.995.

II. FY22 Compliance Planning Update

A. Overview

As of the April 2022 meeting, 119 of 120 systems have had their plans and cost analyses approved. Contracts have been distributed to those systems. As of this writing, 119 contracts have been returned, signed, and finalized by LARA for distribution of initial funding.

In accordance with the contract, most systems received their initial payment in early November 2021 and their second distribution in January 2022, a third disbursement in April 2022, and the final distribution will issue next month. The date of expected compliance with MIDC Standard 5, independence from the judiciary, is on or after May 1, 2022 for all of these systems.

1. Implementation of Plans and Compliance

The date of first payment received and the date of expected compliance is closely tracked for every system pursuant to MCL 780.993(11). The rubric used for system assessments has been updated to reflect the new requirement of independence from the judiciary. The rubric is included in the MIDC's grant manual and is available for systems to review.

a. System Reporting - Progress Towards Compliance

Staff received the second quarter of reporting from systems for FY22 (covering January 1, 2022 through March 31, 2022) at the end of April 2022. This is the fiscal year that funding units will enter the following reporting in EGrAMS:

- Attorney List
- Financial Status Report
- Quarterly Program Report

MIDC Staff offered online training sessions in mid-January and posted a recording of the training on the MIDC's YouTube page for anyone to

review. Staff also conducted multiple “office hours” or drop-in online support sessions for technical assistance through the end of January.

As of this writing, over 90% of the reporting has been successfully submitted by funding units and approved by staff. All requests for corrections are processed through EGrAMS; local system project directors are able to review the status of reporting, payments, adjustments, and contract terms at any time.

b. Notice of Noncompliance Issued – Muskegon County

On April 11, 2022, notice advising that the Compliance Resolution Process was being initiated was sent to the funding unit via U.S. Mail and electronic mail for the following reasons:

- Failure to provide verification and documentation of compliance with Standard 2 – initial interviews of in-custody clients and initial contact with out-of-custody clients;
- Failure to provide verification and documentation of compliance with Standard 4 – walk-in arraignments taken into custody without the opportunity to consult with an attorney; and
- Failure to comply with the approved cost analysis.

Muskegon stakeholders have made significant efforts toward compliance, with the assistance of Regional Manager Susan Prentice-Sao and Grants Director Rebecca Mack. I have received several written reports from the system detailing these efforts. Staff has extended the time for full compliance and will continue to provide support to the funding unit during this process.

2. Resolution of D 43-1 Hazel Park (action item)

Mediation with the City of Hazel Park (funding unit for the 43-1 District Court in Oakland County) was resolved with a [proposed settlement agreement](#) on June 9, 2022.

3. [Budget Adjustments](#) (information items)

The Grant Director processed and approved the following budget adjustment requests (line item transfer requests) pursuant to the process set forth in the MIDC's Grant Manual at p. 29 (February 2022):

- Allegan County
- Bay County
- Berrien County
- City of Livonia
- Clare County
- Emmet County
- Gogebic County
- Isabella County
- Jackson County
- Kalkaska County
- Muskegon County
- Otsego County
- Sanilac County
- St. Joseph County
- Washtenaw County
- Wayne County (2 requests approved)

III. FY23 Compliance Planning

A. Overview of process and submissions received

All funding units were required to submit a plan for compliance with all approved MIDC Standards no later than April 26, 2022, pursuant MCL §780.993. Funding units are using the MIDC's Grant Management System (EGrAMS) to do so. Training on submission was conducted by MIDC Staff at the end of March 2022, and a [recording](#) is linked on our website along with resources and materials for planning, including:

- An [application](#) for systems to address how they will comply with the MIDC's Standards. [This Word document is offered for convenience in planning; the application must be submitted through the MIDC's grant management system (EGrAMS)].
- A [cost analysis template](#) identifying funding required to comply with the Standards [This Excel document is for convenience in planning; the cost analysis must be submitted through the MIDC's grant management system (EGrAMS)].
 - If a system contracts with a vendor operating as a public defender office, use [this template](#) for planning purposes [Excel document].
- [Answers to Frequently Asked Questions about the Indigency Screening Standard](#) to assist with compliance planning, along with decision trees for [indigency screening](#), [contribution](#), and [reimbursement](#).
- Systems are welcome to incorporate language from sample plans for compliance with the indigency screening standard, using a [public defender model \(non-attorney employee\)](#), [MAC system](#), or if the [court will continue screening](#).
- [Tips from Staff](#) [.pdf document] about FY23 planning.

B. Ad Hoc Committee Reports

1. [Increase to Direct Costs in Compliance Plans](#) – William Swor, Committee Chair
2. [General Increases in Compliance Plans](#) – Christine Green, Chair

C. Senior Staff Recommendations (action items)

Disapprove plan/disapprove cost analysis - No plan submitted

1. Oakland County

FY22 approved total system cost: \$7,650,353.49

Disapprove plan/disapprove cost analysis

2. [Alger County](#)

FY22 approved total system cost: \$458,825.90

FY23 requested total system cost: \$497,023.26

County-based public defender office with a roster of attorneys for overflow and conflicts. Clarification is required regarding verification of initial interviews and any changes to counsel at first appearance/other critical stages. Cost analysis requires updated narrative sections, rates and units, description for social worker, and detail for cost allocation.

3. [Cheboygan County](#)

FY22 approved total system cost: \$446,422.04

FY23 requested total system cost: \$477,106.24

Managed assigned counsel system requires clarification in the following areas: how clients are screened, how attorneys are assigned and a description of courthouse meeting space; multiple revisions are required for cost analysis including detailed reasoning for increased ancillary spending, hourly rates, missing line for conflict attorneys, and cost allocation, and possibly duplicative supplies, services, equipment must be removed.

4. **Chippewa County**

FY22 approved total system cost: \$579,021.64

FY23 requested total system cost: \$650,947.75

Public defender office (county employees) with a roster for conflicts and overflow. Clarification is required for training assigned counsel, indigency screening, and contribution; cost analysis must be updated to include funding for conflict counsel and the social worker position “startup” costs; and clarification needed for interpreters and mileage.

5. **Delta County**

FY22 approved total system cost: \$729,874.75

FY23 requested total system cost: \$725,057.69

Contract Defender Model w/Lead Attorney position. Compliance plan seeks to exceed proposed Standard 8 rates for initial interviews and counsel at first appearance and should be reduced; clarification is required for contribution after indigency screening; supplies for independent contractors should be removed/reduced.

6. **D 47 City of Farmington**

FY22 approved total system cost: \$356,483.14

FY23 requested total system cost: \$497,019.86

Managed Assigned Counsel Administration; request for funding clerk time for weekend arraignments is not necessitated by the MIDC Standards; increased hours for MAC is not consistent with projected needs and rates for docket coverage exceeds proposed Standard 8 rates.

7. **Emmet County**

FY22 approved total system cost: \$493,799.60

FY23 requested total system cost: \$586,308.00

Managed assigned counsel system (co-MACs), additional information is required for meeting space in courthouse, funding for counsel at first appearance, attorney selection and indigency screening; cost analysis is missing conflict case coverage; math errors require correction.

8. Iron County

FY22 approved total system cost: \$605,763.09

FY23 requested total system cost: \$540,986.41

Nonprofit public defender office; clarification required for reviewing conflict attorney request for experts/investigators, continued need for ancillary spending; vendor cost analysis requires revision or clarification for salaries, supplies, and rent.

9. Muskegon County

FY22 approved total system cost: \$3,031,740.11

FY23 requested total system cost: \$3,491,179.81

County based public defender office seeking increased rates for contract attorneys. Further detail required regarding Standard 1 (skills training) and Standard 5 as to process and review; cost analysis requires clarification regarding need for corrections staff (two years of funding but never filled), training increase, and equipment (20 webcams).

10. Otsego County

FY22 approved total system cost: \$356,794.22

FY23 requested total system cost: \$363,815.83

Managed Assigned Counsel System/Contract Defender, significant additional detail is required for Standards 2,3,4,5, and indigency screening; cost analysis requires several revisions to contracts for attorneys, contract defender and conflict attorneys.

11. Wexford/Missaukee Counties

FY22 approved total system cost: \$1,136,165.90

FY23 requested total system cost: \$1,260,498.20

Regional public defender office with Managed Assigned Counsel Administrator for conflicts/overflow; clarification required on process for appealing denied request for assignments, billing, and experts/investigators, investigator work on conflict cases; indigency screening and contribution; cost analysis revisions include salary to include COLA/Steps or increase from prior year; request for reimbursement for the cost of planning, which needs detail.

Approve plan, disapprove cost analysis:

12. Charlevoix County

FY22 approved total system cost: \$601,064.41

FY23 requested total system cost: \$695,344.02

Single-attorney MAC office (county employee) overseeing 3 attorneys with fixed contracts. Cost analysis requires clarification for corrections staff, MAC duties and increased payments, and detail is needed for attorney hourly rates, conflict counsel, and equipment.

13. Crawford County

FY22 approved total system cost: \$708,294.31

FY23 requested total system cost: \$648,664.00

Managed assigned counsel system; cost analysis has missing/incomplete information or errors including fringe benefits, ancillary spending for non-MIDC related activity, overhead for contract employees, and indirect costs.

14. D 22 Inkster

FY22 approved total system cost: \$89,216.07

FY23 requested total system cost: \$89,216.08

Part of district court regional managed assigned counsel system; clarification needed to support court officer time and potential increase needed for attorney hours for counsel at first appearance.

15. D 30 Highland Park

FY22 approved total system cost: \$134,606.03

FY23 requested total system cost: \$100,406.03

Part of district court regional managed assigned counsel system; transitioned from event based pay to Standard 8 rates for attorneys while reducing time spent by attorneys; clarification needed to support part time court officer and clerk; IT request may be duplicative of prior year request.

16. [D 40 City of St Clair Shores](#)

FY22 approved total system cost: \$480,886.01

FY23 requested total system cost: \$429,486.01

Managed Assigned Counsel System; reductions to contract attorney payments consistent with projected spending; clarification is needed regarding ancillary staff time and increase to expert/investigator funding request.

17. [Newaygo County](#)

FY22 approved total system cost: \$883,304.05

FY23 requested total system cost: \$966,356.42

Part of an 8-county group that shares a MAC manager and roster with hourly pay for attorneys. Increase to contractual attorneys, including increasing rates from \$90 to \$100 for arraignments, (\$4,800); increase for felonies and capital cases due to increased caseload and COVID backlog (\$75,360); increase in MAC fees (\$3,750), increase in experts/investigators (\$5,000) and minor increase to supplies. Clarification is needed for ancillary spending/cost allocation included in personnel category.

18. [Oceana County](#)

FY22 approved total system cost: \$550,230.54

FY23 requested total system cost: \$604,973.94

Part of an 8-county group that shares a MAC manager with an hourly paid panel of attorneys. Increase for corrections staff (\$10,538.43 + fringes); arraignment attorney rate increase from \$90 to \$100 (+\$43,503) including conflict defense and minor increase in MAC fees, increase in experts and investigators; addition of trial supplies and interpreters. Clarification is needed for ancillary spending/cost allocation included in personnel category.

19. [Saginaw County](#)

FY22 approved total system cost: \$5,535,030.51

FY23 requested total system cost: \$7,848,284.75

Non-profit public defender office (50%) and Managed Assigned Counsel Administrator with a roster assigned counsel (hourly)

accepting (50%) assignments. Significant backlogs from COVID, trials scheduled, and increased charging by prosecutor requires additional funding for both the PD office (+\$762,702.94) and MAC roster (\$1,043,700). PD increase includes 2 attorneys; part-time social worker for MAC (\$32,000); 5% COLA increases for PD staff; fringes for PD increased by \$240,397.66; rent increase and new equipment and supplies are needed for office expansion. System is seeking \$1,000,000.00 for reimbursement for projected overspending this fiscal year, which requires additional information to be obtained through quarterly reporting.

Approve plan and approve cost analysis

Reduced or no change in total system costs requested from prior year's award:

20. Antrim County

FY22 approved total system cost: \$262,158.40

FY23 requested total system cost: \$262,158.40

Managed Assigned Counsel Administrator (also covers Grand Traverse and Leelanau Counties). Overall no change to total system costs; adjustments within category for contracts for attorneys covering MAC payments, caseloads, arraignments and initial interviews. Includes costs for interpreters and some supplies/services.

21. Clinton County

FY22 approved total system cost: \$1,301,469.57

FY23 requested total system cost: \$1,284,700.53

Managed Assigned Counsel Administrator (also covers Gratiot County). COLA increase for MAC; minor increase for transcripts and supplies, reduced funding request for experts from prior year, and minor reduction to travel costs.

Wayne County District Court Regional Systems

	FY22 Approved Total	FY23 Requested Total
D 16 Livonia	\$592,374.53	\$456,199.00
D 17 Township of Redford	\$406,469.40	\$240,000.00
D 19 Dearborn	\$1,152,586.55	\$932,822.58
D 20 Dearborn Heights	\$200,186.25	\$192,989.00
D 21 Garden City	\$131,171.09	\$132,394.77
D 22 Inkster	\$89,216.07	\$89,216.08
D 23 Taylor	\$400,976.19	\$277,908.21
D 24 Allen Park	\$170,765.00	\$210,765.00
D 27 Wyandotte	\$232,665.80	\$182,851.12
D 28 City of Southgate	\$210,585.60	\$172,500.00
D 29 City of Wayne	\$148,225.11	\$138,329.32
D 30 Highland Park	\$134,606.03	\$100,406.03
D 31 Hamtramck	\$122,935.25	\$106,320.00
D 32a City of Harper Woods	\$193,492.74	\$187,366.38
D 33 Woodhaven	\$284,600.00	\$264,600.00
D 34 Romulus	\$318,337.04	\$220,751.12
D 35 Canton	\$374,220.00	\$350,003.12
Grosse Pointe Farms/Shores	\$69,500.00	\$69,500.00
Grosse Pointe Municipal	\$15,300.00	\$15,300.00
Grosse Pointe Park	\$36,250.00	\$36,250.00
Totals	\$5,284,462.65	\$4,376,471.73
\$ difference in FY23		-\$907,990.92
% difference in FY23		-17%

22. **[D 16 Livonia](#) – part of regional MAC**
 Changed attorney billing for appointments from flat fee to hourly rate of \$100/hr., reduced attorney contracts by \$133,800.00; reduced supplies by \$2,375.53.
23. **[D 17 Township of Redford](#)– part of regional MAC**
 Reduced \$31,955.00 to contract attorneys to reflect need, eliminated clerk position. In FY21 Funding unit was reimbursed \$105,000 for direct services.
24. **[D 19 Dearborn](#) – part of regional MAC**
Regional Office: added administrative support, reduced training for contract attorneys due to reduction in roster, reduced other one-time expenses for starting office (net reduction of approximately \$16,000).
Funding unit services: Reduced court officer hours by 423 hours and clerk by 215 hours (-\$22,373.06). Reduced attorney hours by \$108,001 due to change in contract. In FY21 funding unit was reimbursed \$75,000 for direct services pursuant to MCL 780.993(16).
25. **[D 20 Dearborn Heights](#) – part of regional MAC**
 Changed attorney billing to \$100/hr; removed zoom licenses (-\$200); reduced court officer hours by 260 hours (-\$6,997.25).
26. **[D 21 Garden City](#) – part of regional MAC**
 Increase to ancillary spending for COLA, (+\$1,223.68).
27. **[D 23 Taylor](#) – part of regional MAC**
 Eliminated full-time Police Officer position, reduced clerk by 260 hours, and reduced court officer by 988 hours (-\$123,080.41); minimal increase in service fee for supplies (+\$12.43).

28. **[D 24 Allen Park](#) – part of regional MAC**
Increase in attorney fees (+\$40,000) due to increase in requests for appointed counsel and the number of in-custody defendants.
29. **[D 27 Wyandotte](#) – part of regional MAC**
Reduced court officer 954 hours; clerk reduced by 1,260 hours (-\$28,781.30). Eliminated supplies (-\$633.38) and reduced attorney hours based on actual need/projected spending (-\$20,400).
30. **[D 28 City of Southgate](#) – part of regional MAC**
Eliminated all ancillary personnel (-\$57,535.60) and supplies (-\$550); switched from per case billing to an hourly billing, \$100/hr. (+\$20,000).
31. **[D 29 City of Wayne](#) – part of regional MAC**
Minor increase (COLA) for court officer (+604.30); reduced contractual attorneys based on projected spending (-\$10,500).
32. **[D 31 Hamtramck](#) – part of regional MAC**
Reduced court officer hours due to lack of in-custody proceedings (-\$1,990.25), reduced attorney fees based on projected spending (-\$414,625.00).
33. **[D 32a City of Harper Woods](#) – part of regional MAC**
Same funding request as FY22 (approved 2/22) but removed partial months for MIDC Coordinator position (-\$6,126.36) this position was eliminated in 12/21).
34. **[D 33 Woodhaven](#) – part of regional MAC**
Reduced contractual attorney payments (-\$20,000) based on projected spending.

35. **D 34 Romulus – part of regional MAC**
Removed jail corrections officer (-\$12,685.83), supplies (-\$4,100), and reduced contractual attorney payments (-\$80,800) based on projected spending.
36. **D 35 Canton – part of regional MAC**
Switched from contract attorneys to assigned counsel list using proposed Standard 8 rates (-\$24,216.88), but reduced attorney fees based on projected spending.
37. **Grosse Pointe Farms/Shores – part of regional MAC**
No changes.
38. **Grosse Pointe Municipal – part of regional MAC**
No change to plan or funding request, changing from House Counsel flat fee to an hourly rate of \$100/hour.
39. **Grosse Pointe Park – part of regional MAC**
No changes.
40. **D 18 City of Westland**
FY22 approved total system cost: \$614,435.00
FY23 requested total system cost: \$536,435.00
Managed Assigned Counsel system with a part-time MAC manager. Funding unit will coordinate with regional office for experts and investigative needs (reduced previous funding for Standard 3 by \$10,000). In FY 21 Funding unit was reimbursed \$68,000 for direct services pursuant to MCL 780.993(16).
41. **D 25 City of Lincoln Park**
FY22 approved total system cost: \$349,772.62
FY23 requested total system cost: \$305,435.08
Managed Assigned Counsel system (part time MAC). Slight reduction in ancillary spending (-\$3,313.29), COLA increases and minor travel increases; reduced contractual attorney payments (-\$45,000) based on projected spending.

42. [D 36 City of Detroit](#)

FY22 approved total system cost: \$3,574,693.23

FY23 requested total system cost: \$3,537,809.90

MAC Office with assigned counsel and contracts. Reduced funding for experts and investigators based on projected needs (-\$49,875); increased both MAC positions (+\$11,810.45) and indirect costs (+\$1,181.22).

43. [D 39 Roseville and Fraser](#)

FY22 approved total system cost: \$796,032.20

FY23 requested total system cost: \$757,353.48

Managed Assigned Counsel system with MIDC Coordinator; minor increase to COLA for coordinator; \$30,000 reduction to contract attorneys reflecting caseload projections.

44. [D 41-a-2 Shelby Twp](#)

FY22 approved total system cost: \$322,175.00

FY23 requested total system cost: \$285,050.00

Managed Assigned Counsel System where Macomb PD serves as MAC to make assignments to the roster of attorneys; an assistant PD is assigned to the system; some innovation in payments for initial interviews to encourage house counsel to contact clients prior to hearings; minor increase to supplies for JIS subscription, overall reduction in attorney fees to roster based on projected spending.

45. [D 41b Clinton Township](#)

FY22 approved total system cost: \$523,375.00

FY23 requested total system cost: \$523,375.00

Managed Assigned Counsel System where judiciary will continue to screen for indigency. No changes from prior approved plan.

46. [D 43-1 City of Hazel Park](#)

FY22 approved total system cost: \$798,699.78 (mediation)

FY23 requested total system cost: \$795,484.54

Submission revised during mediation. Managed Assigned Counsel administration and support reduced slightly, continuing contracted services also being provided by the MAC's firm. Reduced and/or deleted overtime ancillary spending, removed construction request.

47. [D 43-2 City of Ferndale](#)

FY22 approved total system cost: \$557,541.25

FY23 requested total system cost: \$555,777.00

Managed Assigned Counsel System, minor adjustment to personnel, in past years there was a grant funding for a court clerk who assisted with reporting and attorney invoices. This clerk has become a city employee for the time she spends on these functions. She is supervised by the MACC to comply with the independence standard.

48. [D 44 City of Royal Oak](#)

FY22 approved total system cost: \$620,700.00

FY23 requested total system cost: \$612,900.00

Managed Assigned Counsel system; slight reduction to contract attorneys reflecting caseload projections.

49. [D 45 City of Oak Park](#)

FY22 approved total system cost: \$449,850.00

FY23 requested total system cost: \$449,650.00

Managed Assigned Counsel system (co-MACs), no change from prior year's request except for a minor reduction in supplies.

50. [D 48 Birmingham](#)

FY22 approved total system cost: \$532,550.04

FY23 requested total system cost: \$514,700.00

Managed Assigned Counsel System. Reduction to contractual attorneys based on projected spending; minor reduction to supplies and training.

51. [D 50 Pontiac](#)

FY22 approved total system cost: \$620,980.26

FY23 requested total system cost: \$612,793.81

Managed Assigned Counsel system with MIDC Coordinator; COLA increase for coordinator, PT court officer has been eliminated due to remote operations continuing.

52. [D 51 Waterford](#)

FY22 approved total system cost: \$281,926.82

FY23 requested total system cost: \$273,051.94

Managed Assigned Counsel system with MIDC Coordinator; COLA increase for coordinator, slight reduction to contract attorneys reflecting caseload projections.

53. [D62A Wyoming \(covers 59-1, 59-2, 62A, 62B\)](#)

FY22 approved total system cost: \$765,005.11

FY23 requested total system cost: \$631,375.65

Regional Managed Assigned Counsel System that also contracts with nonprofit public defender office for services; significant reduction to contractual attorneys based on revised mathematical projections; minor increases for COLA to MAC personnel and for one-time office purchases.

54. [Gratiot County](#)

FY22 approved total system cost: \$761,551.36

FY23 requested total system cost: \$656,968.43

Managed Assigned Counsel system (MAC also covers Clinton County); COLA increases for personnel (direct service and ancillary spending); funding for contract attorneys decreased (-\$96,000) consistent with projected spending and includes

coverage for short-term MAC absences; minor decrease overall to travel reflecting actual usage.

55. Grosse Pointe Woods

FY22 approved total system cost: \$55,920.00

FY23 requested total system cost: \$55,920.00

Part time Managed Assigned Counsel Coordinator; changed initial interviews from a flat fee to \$100/hour, no other changes.

56. Leelanau County

FY22 approved total system cost: \$259,052.32

FY23 requested total system cost: \$236,539.38

Managed Assigned Counsel system (MAC also covers Grand Traverse and Antrim Counties). Decrease in Personnel & Fringes due to elimination of County Employee MIDC Coordinator (-\$2,162.30); net reduction in funding for contract attorneys (-\$24,325 decrease overall, including \$15,600.00 decrease to DC arraignments, \$8,925.00 decrease to Initial Interviews and \$200.00 increase to CC arraignments); decrease to training (-\$1,360 skills training as no longer needed; minor increase to supplies and services to include funding for interpreters and transcripts.

57. Luce County

FY22 approved total system cost: \$292,076.24

FY23 requested total system cost: \$292,076.24

Managed Assigned Counsel System, administrator screens for indigency. No changes from prior approved plan and cost analysis.

58. Mecosta County

FY22 approved total system cost: \$539,312.00

FY23 requested total system cost: \$537,451.28

This system is part of an 8-county group that shares a MAC manager with event based payments to a roster of attorneys. FY22 compliance plan included \$58,000 for funding a pilot project to make recommendations about attorney shortage in Northern Michigan, that funding is not repeated in FY23. Increase in event

payment schedule (+\$44,290) and district court fees (+\$3,155.28); minor increase in MAC administration; increase in experts and investigators (+\$10,000).

59. [Ontonagon County](#)

FY22 approved total system cost: \$196,837.31

FY23 requested total system cost: \$195,372.31

Managed Assigned Counsel system (MAC also covers Gogebic County); minor decrease in fringe benefit rate for clerk position.

60. [Presque Isle County](#)

FY22 approved total system cost: \$236,868.59

FY23 requested total system cost: \$227,364.79

Contract defender system with attorney administrator. Increase to Personnel & Fringes for part time County Clerk employee (+\$1,109.20); for contractual attorneys, \$10,400 overall decrease, including \$400.00 decrease to Misdemeanor coverage (\$160 flat fee per case in FY22 to \$100/hr in FY23) and \$10,000 decrease to Counsel at First Appearance; minor decrease to travel expenses; funding for transcripts is increased (+\$1,000).

61. [Schoolcraft County](#)

FY22 approved total system cost: \$238,858.60

FY23 requested total system cost: \$230,112.80

Managed Assigned Counsel System. \$8,660.00 increase to Assigned Counsel to account for cost of living for both primary assigned counsel and her office assistant (+\$8,660), decrease to Conflict Case Defense (-\$15,000) based on projected spending; decrease to Travel & Training (reduced by 1 attorney; also no planning for trial skills this year, -\$2,405.80).

62. [Tuscola County](#)

FY22 approved total system cost: \$1,501,036.04

FY23 requested total system cost: \$1,390,220.50

Managed Assigned Counsel System with a roster of attorneys paid hourly. Seeking to add deputy MAC (\$74,057.10 salary + fringes), reduction of \$20,000 in misdemeanors because of adding staff

attorney. \$15,000 reduction in capital offenses; \$4,950 increase in felonies, minor increase to supplies (+\$2,500). In FY 21 Funding unit was reimbursed \$177,000 for direct services pursuant to MCL 780.993(16).

Requesting less than 5% increase in total system costs from prior year's award:

63. D 37 Cities of Warren/Centerline

FY22 approved total system cost: \$945,125.76

FY23 requested total system cost: \$964,145.63

Managed Assigned Counsel system with MIDC Coordinator; increase (+\$19,000) reflects salary/promotion for MIDC coordinator.

64. D 38 City of Eastpointe

FY22 approved total system cost: \$554,946.15

FY23 requested total system cost: \$562,612.76

Managed Assigned Counsel system with MIDC Coordinator; COLA + MIDC coordinator's hours are being increased from 780 to 1040 so that the MACC can start implementing the proposed standard for qualification and review of counsel.

65. D 43-3 City of Madison Heights

FY22 approved total system cost: \$486,880.17

FY23 requested total system cost: \$495,197.33

Managed Assigned Counsel system; increases to ancillary spending for COLA per union contract.

66. D 46 Southfield

FY22 approved total system cost: \$573,700.00

FY23 requested total system cost: \$591,900.00

Managed Assigned Counsel system; increases to contractual attorney payments for introductory communications, initial interviews, and district to circuit and interlocutory appeals at proposed Standard 8 rates (+\$18,200).

67. Dickinson County

FY22 approved total system cost: \$573,081.63

FY23 requested total system cost: \$574,081.63

Managed Assigned Counsel system (co-MACs); no change from prior year; funding unit is seeking \$1,000 for the cost of planning pursuant to MCL 780.993(2).

68. Eaton County

FY22 approved total system cost: \$2,114,708.83

FY23 requested total system cost: \$2,175,378.80

Public Defender Office with Managed Assigned Counsel administration; increase for staff salaries for COLA/steps (+\$14,300); Increase to contract attorneys (+\$15,000) to account for increase in co-defendant conflict cases; deleted construction request from prior year; adjusted supplies and services; added request (+\$18,000) for upgraded communications systems in both the PD office and the jail.

69. Grand Traverse County

FY22 approved total system cost: \$1,271,524.31

FY23 requested total system cost: \$1,279,246.59

Managed Assigned Counsel system (MAC also covers Leelanau and Antrim Counties). Adjustments to contracts for attorneys includes \$41,000.00 decrease to District Court matters, \$195,000.00 increase to Circuit Court matters due to increase in felony case filings, \$4,250.00 increase to initial interviews, \$3,000.00 increase for MAC administration; minor increase to Supplies & Services, including \$7,500.00 for interpreters and \$1,500.00 for transcripts. System was reimbursed in FY22 (+\$161,288.22) for overspending on direct services.

70. Huron County

FY22 approved total system cost: \$655,826.26

FY23 requested total system cost: \$666,945.78

Managed Assigned Counsel system manages panel of attorneys; increase to payments to attorneys (+\$8,000) based on projected

need; minor increase for expert witnesses; adjustments to supplies/services.

71. [Isabella County](#)

FY22 approved total system cost: \$1,587,916.66

FY23 requested total system cost: \$ \$1,599,632.76

County-based public defender office with a Managed Assigned Counsel System for conflict and overflow cases. Added an attorney to PD staff, (+\$55,606 net personnel increase, \$17,227.22 fringe decrease) reduced MAC expenses, minor increase in conflict/roster attorney fees (increase in estimated hours for misdemeanors and capital cases, +\$11,100), minor increases for Westlaw, Zoom and adjusted other supplies/services. Funding unit will supply actual cost for parking lot resurfacing project (est. \$25,000).

72. [Jackson County](#)

FY22 approved total system cost: \$4,175,035.50

FY23 requested total system cost: \$4,228,799.59

Public Defender Office with Managed Assigned Counsel administration; increase for staff for COLAs and step increases and a new social worker (+\$164,307.79) and rate change for ancillary staff (+\$12,188.80); decreased funding for contractual attorneys based on projected needs; deleted construction as project is completed; added some furniture, supplies, and equipment consistent with office expansion in prior year; minor increases to training/travel.

73. [Lapeer County](#)

FY22 approved total system cost: \$735,700.00

FY23 requested total system cost: \$742,595.00

Managed Assigned Counsel system increasing event based pay and hourly rates for contract attorneys (from \$75/hr to \$100/hr, +\$5,300); minor increase to training (+\$1,600) for local programming.

74. Mackinac County

FY22 approved total system cost: \$204,717.59

FY23 requested total system cost: \$213,188.97

Contract Defender System w/ Lead Attorney & MIDC Plan Administrator (also an attorney); increase to Lead Public Defender contract, as he will be assuming more of the overall caseload (+\$10,970); decrease to the Assistant Public Defender due to reduction in cases assigned to him (-\$9,000); increase to Conflict Attorneys (+\$6500) for district to circuit and interlocutory appellate issues.

75. Manistee/Benzie Counties

FY22 approved total system cost: \$985,053.25

FY23 requested total system cost: \$993,052.52

Regional public defender office, COLA for employees; increase in conflict attorney hours (+\$23,400); decrease to conflict attorney administrator (-\$3,400); decrease to travel & training (-\$1,050); increase in equipment, laptop replacements (+\$8,300.00). Funding unit was reimbursed in FY22 (+\$45,000) for estimated overspending on direct services.

76. St. Joseph County

FY22 approved total system cost: \$883,522.96

FY23 requested total system cost: \$885,652.20

Managed Assigned Counsel system with COLA increase to MAC salary and minor increase for contractual attorney payments.

Requesting 5-20% increase in total system costs from prior year's award:

77. Alcona County

FY22 approved total system cost: \$157,675.00

FY23 requested total system cost: \$163,075.00

Contract defender system of 3 attorneys with attorney administrator; flat rate contract for arraignments; separate flat

rate for other cases; hourly pay for capital cases; increase in monthly contract from \$2,850 to \$3,000/month.

78. Alpena County

FY22 approved total system cost: \$675,423.47

FY23 requested total system cost: \$774,867.98

Nonprofit public defender office (regional system, with Montmorency County); MAC roster for conflicts and overflow in both counties. PD office operates in both counties, with primary office in Alpena and small satellite office in Montmorency. PD office is adding a social worker (+\$39,011.70); COLA/step for staff salaries (+\$12,672.60) and fringes (+\$17,245.21); Increase to conflict/overflow attorneys due to pending cases and COVID backlog (+\$36,000); increase in expert and investigators based on need; minor increase to supplies for soundproofing for jail (+\$4,500) decrease in training (-\$835) due to reduction of one attorney.

79. Barry County

FY22 approved total system cost: \$824,445.68

FY23 requested total system cost: \$901,188.10

Public defender office with contract attorneys for conflicts and overflow; COLA increases for staff and contracts; increased funding for experts and investigators based on demonstrated need (+\$5,000).

80. Berrien County

FY22 approved total system cost: \$4,077,848.90

FY23 requested total system cost: \$4,595,552.00

Public defender office with a roster of attorneys for conflicts and overflow; COLA increases for PD office employees; overall increase to PD office (+\$340,000) consistent with plan change adjustment from FY22 for emerging adult task force; reduction to contract attorneys based on projections. In FY 21 Funding unit was reimbursed \$170,000 for direct services pursuant to MCL 780.993(16) and surplus funding was used to facilitate budget adjustment for task force.

81. Branch County

FY22 approved total system cost: \$1,112,640.35

FY23 requested total system cost: \$1,304,335.10

Public defender office adding social worker and administrative assistant to staff, along with COLA for existing staff (+\$155,120) and increase to contract attorney funding (+\$55,500) based on projected spending.

82. Clare/Gladwin Counties

FY22 approved total system cost: \$1,514,331.96

FY23 requested total system cost: \$1,670,441.96

Managed Assigned Counsel systems, part of an 8-county group that shares a MAC manager. Increase to payments to contracts for attorneys (\$134,110) due to adoption of proposed standard 8 rates, minor increase for MAC administration; increase to experts/investigators (+\$20,000) based on projected needs.

83. Gogebic County

FY22 approved total system cost: \$566,768.88

FY23 requested total system cost: \$605,666.41

Managed Assigned Counsel system (also covers Ontonagon County); Increased court clerk hours to assist MAC with screening and assignment process and reporting (+\$7,200). In FY22, these hours were reduced, but reduced too far; adding independent contractor social worker (+\$31,200), minor increases to travel, training, and supplies.

84. Hillsdale County

FY22 approved total system cost: \$386,408.25

FY23 requested total system cost: \$429,707.30

Managed Assigned Counsel system; salary hourly rate increase for ancillary staff (+\$1,912); overall increase to contracts for attorneys with adjustments to MAC contract (-\$70,000) and administrative support, \$5k increase in 1 felony contract. \$5k increase in 1 misdemeanor contract and new contract added for felony contract (+\$80,000); increase to experts and investigators

based on projected need (+\$10,000); minor adjustments to travel and training.

85. Houghton County (also covers Baraga, Keweenaw)

FY22 approved total system cost: \$789,480.20

FY23 requested total system cost: \$857,228.43

Nonprofit regional public defender office; steps/raises/COLA for existing staff for additional workload; adding part time legal secretary and part time clerk to public defender office staff (+\$59,776), as well as related travel, equipment, supplies and services.

86. Ingham County

FY22 approved total system cost: \$6,479,621.17

FY23 requested total system cost: \$7,036,057.78

Public Defender office with roster for conflict cases; increases to funding for staff due to reorganization/promotions, COLAs and steps, and 1 new clerk and 1 MAC position (overall increase +\$600,00) and related increases for supplies, services; rates for conflict counsel will increase to proposed standard 8 rates (+\$20,000); increase for experts and investigators (+\$27,125); some decreases to contracts/other, and indirect costs (-\$93,000).

87. Ionia County

FY22 approved total system cost: \$566,839.14

FY23 requested total system cost: \$613,671.10

Public defender office, COLA and step increases for staff, deleted part time court officer, increased social worker from part time to full time position (net +\$46,751); minor reduction to contract attorneys based on projected spending; funding for modification in PD office (+\$21,000) to create confidential meeting space.

88. Lake County

FY22 approved total system cost: \$312,679.59

FY23 requested total system cost: \$333,474.87

Part of an 8-county group that shares a MAC manager. Minor COLA increase (\$1,052.60) for data collection clerk (+\$1250); increase

to contractual attorneys due to rate increase from \$90 to \$100 for arraignment attorneys (+\$10,400); minor increase in attorney flat fee contract rates (+\$4,740); minor increase in MAC fees (+\$2,100); addition of \$1,000 for trial expenses.

89. [Lenawee County](#)

FY22 approved total system cost: \$1,953,024.34

FY23 requested total system cost: \$2,213,288.56

Public Defender Office and managed assigned counsel administrator for conflicts and overflow; adding one new full-time assistant public defender to handle arraignments, district to circuit and interlocutory appeals, research/writing) (+\$80,000), significant increase in fringe benefits (+\$130,000 related to health insurance); minor increases to travel/training, and ancillary staff position; increase to conflict counsel for co-defendant conflict cases (+\$11,000); increase to expert and investigator budget (+\$26,000) based on anticipated use and backlog of 32 open CSC cases (trial backlogs).

90. [Livingston County](#)

FY22 approved total system cost: \$2,320,369.87

FY23 requested total system cost: \$2,467,025.37

Public Defender Office and managed assigned counsel system, COLA and step increases for staff (+\$100,000 approx); increase to contracts for attorneys for problem solving courts (+\$36,000); minor adjustments to travel, training, office equipment; significant change to cost allocation (+\$38,000) based on actual assessment.

91. [Midland County](#)

FY22 approved total system cost: \$561,348.60

FY23 requested total system cost: \$653,257.59

Managed Assigned Counsel system with COLA increase for MAC manager (employee, +\$10,000); increases to contracts for attorneys (+\$81,000) based on projected need; minor increases to training, travel, supplies.

92. Monroe County

FY22 approved total system cost: \$1,180,257.77

FY23 requested total system cost: \$1,294,111.35

Managed Assigned Counsel system. Rate change and COLA for MAC and admin staff (+\$15,200); significant increase to payments to roster of contract attorneys (+\$85,700) based on projected need and rate change to \$90/hour in FY23; adjustments and increases to equipment, travel and training, supplies and services.

93. Montmorency County

FY22 approved total system cost: \$256,742.41

FY23 requested total system cost: \$282,206.91

Nonprofit public defender office (regional system, with Alpena County); MAC roster for conflicts and overflow in both counties. PD office operates in both counties, with primary office in Alpena and small satellite office in Montmorency. Added social worker (+\$13,003.90); salary increases to achieve equivalence with prosecutors, COLA (+\$7,224.20); increase in conflict/overflow attorneys (\$2,640) due to COVID backlog; Minor increase due to rate change for training (\$230).

94. Ogemaw County

FY22 approved total system cost: \$761,006.90

FY23 requested total system cost: \$850,047.40

Hybrid contract system with MAC supervision minimum monthly payment and hourly pay after average monthly hours exceeded; Increase in contractual attorney fees (mostly due to COVID backlog, some increase in caseload) – also added on-call fee for CAFA attorneys – total increase in attorney cost is \$86,650.50; minor training/travel increase (\$500).

95. Osceola County

FY22 approved total system cost: \$431,363.68

FY23 requested total system cost: \$518,663.58

Part of an 8-county group that shares a MAC manager, MAC supervises panel of event-based/hourly attorneys; increase in event payment schedule; doubling 2nd chair funding (pooled funds

for 8 counties); minor increase in MAC administration; addition of \$10,000 for conflict case defense – total attorney contract increase is +\$86,300; minor increase (+\$1,000) for trial supplies.

96. [Ottawa County](#)

FY22 approved total system cost: \$3,849,421.50

FY23 requested total system cost: \$4,626,983.17

Public defender office undergoing reorganization of staffing under new chief defender; promotions, COLA, steps, 1 additional investigator (for a total of 2) and 2 additional social workers (for a total of 3) (+\$390,372); increase to expert and investigative funding based on high profile case (\$+50,000); increase to supplies and services includes furniture for staff, equipment, and technology upgrades (+\$215,777); increase to training budget (+\$14,000) to create a regional investigator programming and conferences.

97. [Shiawassee County](#)

FY22 approved total system cost: \$1,261,437.29

FY23 requested total system cost: \$1,420,253.21

Public Defender office, salary adjustments and increases (+\$150,000) includes one new paralegal position; increases to training (+\$8,000) to allow for additional opportunities for staff.

98. [St. Clair County](#)

FY22 approved total system cost: \$3,093,513.32

FY23 requested total system cost: \$3,304,235.09

Public Defender office with roster of attorneys for conflicts; step/COLA increases for PD office staff (+\$82,000); increase to payments to conflict attorneys (+\$175,000) due to system raising rates from \$70/hr to \$100 and \$110/hr.; system is adding a third contract attorney to handle arraignments and PPO violations; some decreases and adjustments to supplies, and experts and investigators.

99. Washtenaw County

FY22 approved total system cost: \$6,681,041.32

FY23 requested total system cost: \$7,692,345.80

Public Defender office and Managed Assigned Counsel system for conflicts/overflow. Increases to PD staff includes COLA and step increases, as well as new positions (overall increase +\$905,000 plus increase to cost allocation +\$68,000) including 3 new paralegals, 1 new office manager, 1 new investigator, and 4 new assistant public defenders; increases to investigators (+\$21,000) and training (+\$8,000) as well as adjustments to supplies, services.

100. Wayne County

FY22 approved total system cost: \$33,583,501.86

FY23 requested total system cost: \$38,715,422.37

Hybrid Managed Assigned Counsel System (65%) and non-profit defender office (35%). Increase to MAC office (+\$1,489,602.57) includes additional personnel (fiscal grant coordinator and 3 social workers for roster attorneys) and increased fringe benefit rates; increases to contractual attorneys includes 2nd chair/mentoring program and increased rates for Tier IV cases; minor increases to training, equipment, supplies and services. Increase to non-profit defender office (+\$3,642,317.94) adds 23 employees including: 8 staff attorneys, 1 supervising attorney, 2 client advocates, 4 investigators, 1 receptionist, 2 social workers, 4 paralegals, added additional NY staffer w/shared cost; made other staffing adjustments, reduced rent; minor increases for training, equipment, supplies and services.

Requesting more than 20% increase in total system costs from prior year:

101. Calhoun County

FY22 approved total system cost: \$3,767,489.57

FY23 requested total system cost: \$4,558,536.15

Public Defender office will be increasing office staff in addition to steps and COLAs, adding 4 full time assistant defenders and 1

additional social worker (+\$538,000); related increases to supplies, services, training; changing payments to proposed Standard 8 rates for conflict counsel.

102. Cass County

FY22 approved total system cost: \$496,769.00

FY23 requested total system cost: \$610,617.00

Managed Assigned Counsel system; removed administrative assistant position (-\$5,720); added a contract attorney (+\$117,428) based on caseload needs; minor increase to experts and investigators.

103. Marquette County

FY22 approved total system cost: \$1,239,490.71

FY23 requested total system cost: \$1,592,254.97

Public defender office, COLA for staff and two additional public defenders for the office (+\$231,160) and related increases for office equipment, supplies and services; increase for contractual attorneys to \$110/hr (+\$52,100); increases for experts and investigators (\$15,595), increase to training, including social worker (+\$7,700).

104. Mason County

FY22 approved total system cost: \$770,885.37

FY23 requested total system cost: \$952,961.27

Part of an 8-county group that shares a MAC manager overseeing roster of contract attorneys paid hourly. COLA increase for ancillary staff (admin assistants); increase in contracts for attorney including arraignment attorney rates increased to \$100/hour; increase in funds requested for attorney fees based on caseload, COVID backlog, serious new cases – request increase of +\$175,575.90 for attorney fees; minor increase to training.

105. Menominee County

FY22 approved total system cost: \$515,000.36

FY23 requested total system cost: \$625,868.78

Contract defender system with lead contract attorney; reduced clerk time; increases to contracts for attorneys (+\$119,780.70) \$500/month increase in contractual amount and addition of another attorney due to increased caseloads @ \$108,000.00. Also includes \$6,380.70 increase to Lead Attorney due to increase in hours (176.2 hours in FY22 and 240 hrs in FY23). Minor adjustments to supplies and services.

106. Roscommon County

FY22 approved total system cost: \$418,205.00

FY23 requested total system cost: \$672,862.50

Managed Assigned Counsel system with roster of attorneys paid hourly. Increase in attorney hours due to large increase in cases; significant increase in MAC fees and secretarial support due to increased billing and increase in use of experts and investigators; increase in trials anticipated. On-call fee added for arraignment attorneys to ensure compliance with Standard 4. Total increase for contracts for attorneys is +\$219,635; increase in expert and investigator funding based on projected need (+\$35,000).

Funding includes request for reimbursement for overspending in prior year:

107. Allegan/Van Buren Counties

FY22 approved total system cost: \$2,662,839.98

FY23 requested total system cost: \$4,386,080.08

Regional Public Defender office. In addition to COLA/steps, funding unit is expanding office staff to address caseload by adding 2 senior attorneys, 2 entry level attorneys, 1 legal assistant, 1 social worker, and increasing investigator from part time to full time (+\$604,000) plus related office equipment, supplies, services; increasing pay for roster attorneys (+\$363,000) based on projected spending trends; increasing expert/investigator

budget (+\$30,000); system needs funding for soundproofing at both office locations; funding unit is seeking \$300,000 in reimbursement for overspending in FY22.

108. Arenac County

FY22 approved total system cost: \$256,863.83

FY23 requested total system cost: \$435,013.83

Managed Assigned Counsel system overseeing roster of panel attorneys paid hourly; increase in attorney services (+\$98,150) due to increased number of cases, increase in trials, increase in hours per case due to travel for 2 of 3 attorneys on panel; increase for experts and investigators (+\$5,000); funding unit is seeking \$75,000 estimated overspend on attorney services for FY22.

109. Bay County

FY22 approved total system cost: \$1,502,149.11

FY23 requested total system cost: \$1,995,222.77

Funding unit uses two public defender office plus conflict/overflow panel and contract for arraignment attorneys. Public Defender offices has 5% COLA increase and step increases/promotions (total personnel increase for PD staff is +\$54,142.23; conflict/overflow defense has large increase (+\$424,529.79). This is largely due to problems filling PD slots and COVID backlog, many of which will be going to trial; reduction in experts and investigators because last year's Miller resentencings were completed; funding request includes +\$175,000 estimated for overspend in FY22.

110. Iosco County

FY22 approved total system cost: \$369,214.48

FY23 requested total system cost: \$494,719.40

Managed Assigned Counsel system overseeing panel of attorneys; increase in contract attorney fees (+\$52,000) including: arraignment attorney to be paid flat weekly rate with pro rata adjustment when backup is used (increase reflects actual time spent which has significantly increased due to increased charging pattern). Multiple capital cases (CSCs, child murder); budget

request also includes projected overspend of +\$72,800 for FY 22 due to COVID-generated extra trial prep and other hours.

111. Montcalm County

FY22 approved total system cost: \$941,961.11

FY23 requested total system cost: \$1,163,042.35

Managed Assigned Counsel system. COLA for MAC employee; Funding unit overspent for attorney services (contractual payments in FY 21) and is seeking reimbursement (+\$49,000) as well as adjusting for projected overspending in FY22 (+\$150,000) and to correct payment structure in FY23.

112. Sanilac County

FY22 approved total system cost: \$409,244.59

FY23 requested total system cost: \$635,088.42

Managed Assigned Counsel system. Funding for employee MAC includes COLA and step (+\$11,300); personnel changes include new social worker (+\$41,000 plus fringes); increase to contracts for attorneys (+\$37,750); minor reduction to travel/training. Funding also includes request to be reimbursed for overspending in prior year (+\$110,665.30).

Funding includes increasing rates of pay for contractual attorneys

113. D 41a1 Sterling Heights

FY22 approved total system cost: \$360,353.00

FY23 requested total system cost: \$511,825.00

Managed Assigned Counsel system will transition appointments from a house counsel model and increase event based pay for assigned attorneys (+\$157,900). Minor reduction to supplies.

114. D 61 Grand Rapids

FY22 approved total system cost: \$1,153,976.13

FY23 requested total system cost: \$1,955,786.56

Managed Assigned Counsel System, adding hours to personnel for grant administration (+\$3,000); significant increase to payments to contract attorneys (+\$777,875) by moving from flat rate per

case to \$100/hr; minor increases and adjustments to supplies and services for personnel.

115. Genesee County

FY22 approved total system cost: \$5,191,744.02

FY23 requested total system cost: \$6,746,929.08

Public Defender Office and managed assigned counsel system; COLA and step increases for public defender staff, as well as office staff expansion (+\$504,000) including 2 full-time investigators, 1 full-time social worker 1 paralegal, 1 legal secretary, 2 senior public defenders, (for a total of 8 PDs plus Chief/Deputy), related increases for supplies, services (+\$46,000) and training (+\$13,870); slight decrease to ancillary spending due to rate changes; significant increase to funding for contract attorneys (+\$889,043) shifting in many cases from event based pay to proposed standard 8 rates; purchasing polygraph equipment for in-house investigators (+8,380).

116. Kalkaska County

FY22 approved total system cost: \$436,109.81

FY23 requested total system cost: \$837,094.72

Managed Assigned Counsel system, previous contract rotation attorneys will be paid hourly at proposed Standard 8 rates (+\$400,000) (conflict attorneys paid at Standard 8 rates). System will also contract with a Research attorney, who will assist with complex cases. Minor increase to supplies/services for transcript production.

117. Oscoda County

FY22 approved total system cost: \$208,680.00

FY23 requested total system cost: \$309,550.00

Managed assigned counsel, hourly pay for attorneys; payments to attorneys increasing (+\$100,870) due to serious COVID backlog requiring additional prep hours, court appearances and trial time; system is also transitioning to proposed Standard 8 rates in this plan (previously used lower rates).

Funding includes request for construction

118. Kalamazoo County

FY22 approved total system cost: \$4,548,596.50

FY23 requested total system cost: \$5,629,766.82

Nonprofit public defender office oversees roster of attorneys for conflict cases; ancillary spending (corrections staff) has COLA increases; public defender office (vendor) budget adds 4 attorneys plus COLA/steps and other increases to staff (+\$566,356); increase to contracts for attorneys based on spending and projected needs (+\$35,000); system is seeking approximately \$63,950.00 for space modification/construction/soundproofing; increase to experts and investigators (+\$8,000) based on need; increase to supplies and services (+\$33,000) and travel/training (+\$26,000).

119. Kent County

FY22 approved total system cost: \$8,424,799.59

FY23 requested total system cost: \$10,700,584.61

Managed Assigned Counsel system and nonprofit public defender office. Increase to MAC office includes an additional attorney and a part time clerk to assist with indigency screening, standard 5, and quarterly reporting, plus COLA increases for MAC staff and corrections staff (+\$225,137 and cost allocation +\$70,000); increases to roster attorneys for additional coverage and all payments at proposed Standard 8 rates (previously only murder cases were paid Standard 8 rates) (+\$561,100); funding request also includes +30,000 for trial supplies and investigations when needed to develop cases; additional funding for experts and investigators (+\$62,500). Increase to vendor budget includes 2 additional attorneys needed to support the increased case load, 1 additional legal secretary to support the new attorneys, 2 additional investigators, and 2 additional social workers (+\$978,955), furniture (+\$148,000), equipment, supplies for staff, construction/space modification (+\$202,050)

120. Macomb County

FY22 approved total system cost: \$7,334,630.58

FY23 requested total system cost: \$10,224,756.20

Public defender office taking portion of cases and managing a roster of attorneys, seeking to increase staff and take 25% of cases (increase from 9 attorneys/6 admin to 15 attorneys /10 admin/ 1 social worker/1 investigator); funding unit is also increasing event-based pay for contract attorneys; (+\$944,236); county-based training program includes resources for all attorneys practicing in Macomb, St. Clair, and Lapeer; significant request for construction of public defender office (\$1,432,340) with cost-sharing by system for demolition; new furniture, telephones, computers, and other office equipment are being purchased for the increased staff/new office location.

d. Increase to State Bar of Michigan Dues (action items)

Effective October 1, 2022, basic bar dues for attorneys licensed to practice law in the State of Michigan will increase from \$315/yr to \$415/yr. Staff recommends corresponding increases to requested funding for basic bar dues described in compliance plans including 289 licenses for funding unit employees (+\$28,900.00) and vendor employees (126 licenses, +\$12,600) and authorization from the MIDC to increase approved awards.

Order

**Michigan Supreme Court
Lansing, Michigan**

June 8, 2022

Bridget M. McCormack,
Chief Justice

ADM File No. 2021-26

ADM File No. 2021-42

Adoption of Administrative
Order No. 2022-3

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
Justices

Increase in Attorney Dues for the
State Bar of Michigan Operations
and the Attorney Discipline System

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, Administrative Order No. 2022-3 is adopted, effective October 1, 2022.

Administrative Order No. 2022-3 – Increase in Attorney Dues for State Bar of Michigan Operations and the Attorney Discipline System

Under Rule 4 of the Rules Concerning the State Bar of Michigan, dues for active members of the State Bar of Michigan are “to be set by the Supreme Court to fund: (1) the Attorney Grievance Commission and the Attorney Discipline Board, (2) the client security fund administered by the State Bar, and (3) other State Bar expenses.” The State Bar of Michigan Representative Assembly and the Attorney Discipline System (comprising the Attorney Grievance Commission and the Attorney Discipline Board) have submitted requests for dues increases for the fiscal year beginning October 1, 2022.

In light of the fact that the State Bar has not had a dues increase since 2003, and to continue the valuable services and resources the Bar provides for its members, the Court hereby establishes the State Bar portion of annual bar dues at \$260, an increase of \$80. In addition, the Court establishes the ADS portion of annual bar dues at \$140, an increase of \$20. Dues for the client protection fund remain at the level of \$15 per year.

This change will be reflected in the dues notice for the 2022-23 fiscal year that is distributed to all bar members under Rule 4 of the Rules Concerning the State Bar.

Staff Comment: This administrative order increases the State Bar’s dues for most members by \$100 for a total of \$415 per year.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

WELCH, J. (*concurring*). I write to explain my reasons for supporting the State Bar of Michigan (SBM) dues increase approved by this Court. While Justice VIVIANO's statement posits that the lack of a dues increase for 18 years supports the notion of a more gradual increase, that result would punish the SBM for being an excellent steward of its resources. I suspect it is a rarity that a membership organization has maintained the same dues level for 18 years. The SBM provides excellent resources for its members. These include free access to online research, an ethics hotline, a lawyer referral service, and the Lawyers & Judges Assistance Program. The SBM is continually exploring new offerings to benefit its membership and the public. And, like all organizations, the SBM is affected by inflationary pressure and increased overall costs to provide necessary services to its member attorneys. Although Justice VIVIANO suggests that today's dues increase will be burdensome for solo practitioners and attorneys at small firms, many solo and small-firm attorneys testified during our public hearing about the benefit the SBM provides them, making repeated reference to the online journal, ethics hotline, and the lawyer referral program. While larger firms have in-house resources to support their attorneys, solo attorneys and small firms can rely upon the SBM to assist them with ethics concerns. The SBM has historically used a long-term budgeting process. In keeping with this practice, the SBM projects that this increase will allow it to sustain current programming and plan for future programming through at least fiscal year 2030–2031. It also bears noting that this dues increase will not bring Michigan out of step with other state bar dues rates. According to data from the American Bar Association's 2021 State and Local Bar Benchmarks Survey, Michigan was ranked thirty-first among the 50 states and Washington, D.C., for licensing costs. This dues increase would bring Michigan to the twenty-first slot, still within the middle tier nationwide, with this ranking expected to fall as other states raise their own bar dues. For these reasons, I join the majority in supporting the approved increase in dues.

ZAHRA, J. (*concurring in part and dissenting in part*).

I agree with the \$20 increase in the portion of bar dues dedicated to the Attorney Discipline System, but I do not believe that the Court should increase the portion of the dues dedicated to the State Bar of Michigan by \$80 at this time. Given the current state of the economy, including the high inflation rates, I would increase the State Bar's dues for the 2022-2023 fiscal year by only \$50, which is the amount required for it to maintain its existent operational expenses. I would subsequently increase the State Bar's dues by \$10 for each of the next three years, reaching the requested \$80 dues increase by the 2025-2026 fiscal year. This more gradual increase in dues should be sufficient to adequately fund the State Bar, while partially easing the sting of the significant dues increase for its members.

VIVIANO, J. (*concurring in part and dissenting in part*).

The Court today increases the annual bar dues that Michigan attorneys must pay by \$100, a 32% increase. I agree with the \$20 increase dedicated to the Attorney Discipline

System, but I believe the \$80 increase for the portion of dues dedicated to the State Bar of Michigan (SBM) is too high. Because bar dues have not been increased for many years, I believe a modest increase in bar dues is appropriate. But I would not impose such a dramatic increase in the current economic climate, when historically high inflation rates are affecting every household and business.¹ The increase will be particularly burdensome on solo practitioners and other attorneys who pay their own bar dues—as opposed to those who are fortunate enough to have their bar dues paid by their employers.² The SBM performs many important functions, some of which are mandatory (i.e., required by statute or court rule) and some of which are discretionary. It undoubtedly needs sufficient funding to perform the tasks assigned to it. But I would require it to do more belt-tightening before increasing its dues by the full amount it has requested.

¹ See Smialek, *Consumer Prices Are Still Climbing Rapidly*, New York Times (May 11, 2022), <<https://www.nytimes.com/2022/05/11/business/economy/april-2022-cpi.html>> (accessed June 1, 2022) [<https://perma.cc/D58U-QVL6>].

² The number of solo practitioners and firms with limited resources is not insignificant. As of 2021, just over 32% of active SBM members who reside in Michigan were either solo practitioners or working in a small firm (defined as 2 to 10 attorneys). State Bar of Michigan, *State & County Demographics: 2021-2022*, p 8 <<https://www.michbar.org/file/opinions/statewidedemographics2021.pdf>> (accessed May 27, 2022).



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 8, 2022

A handwritten signature in black ink, appearing to read "Larry S. Royster", written over a horizontal line.

Clerk

Region	Funding Unit	MIDC Funding Requested	Local Share	Total System Cost	Regional Total
LMOSC	Charter Township of Shelby	\$285,050.00	\$0.00	\$285,050.00	
	Charter Township of Waterl	\$240,995.76	\$32,056.18	\$273,051.94	
	City of Birmingham	\$497,099.78	\$17,600.22	\$514,700.00	
	City of Eastpointe	\$509,189.41	\$53,423.35	\$562,612.76	
	City of Ferndale	\$540,348.63	\$15,428.37	\$555,777.00	
	City of Hazel Park	\$776,965.83	\$18,518.71	\$795,484.54	
	City of Madison Heights	\$493,402.02	\$1,795.31	\$495,197.33	
	City of Oak Park	\$407,150.14	\$42,499.86	\$449,650.00	
	City of Pontiac	\$594,629.76	\$18,164.05	\$612,793.81	
	City of Roseville	\$666,397.27	\$90,956.21	\$757,353.48	
	City of Royal Oak	\$590,029.88	\$22,870.12	\$612,900.00	
	City of Southfield	\$508,470.00	\$83,430.00	\$591,900.00	
	City of Sterling Heights	\$511,825.00	\$0.00	\$511,825.00	
	City of Warren	\$840,376.57	\$123,769.06	\$964,145.63	
	Clinton Township	\$479,414.39	\$43,960.61	\$523,375.00	
	Lapeer County	\$631,890.17	\$110,704.83	\$742,595.00	
	Macomb County	\$7,965,065.98	\$2,259,690.22	\$10,224,756.20	
	St. Clair County	\$2,548,190.37	\$756,044.72	\$3,304,235.09	
					\$22,777,402.78
Mid Michigan	Alcona County	\$121,741.84	\$41,333.16	\$163,075.00	
	Alpena County	\$610,227.97	\$164,640.01	\$774,867.98	
	Arenac County	\$319,782.87	\$115,230.96	\$435,013.83	
	Bay County	\$1,384,278.80	\$610,943.97	\$1,995,222.77	
	Clare County	\$1,432,064.61	\$238,377.35	\$1,670,441.96	
	Huron County	\$585,127.11	\$81,818.67	\$666,945.78	
	Iosco County	\$321,568.22	\$173,151.18	\$494,719.40	
	Isabella County	\$1,359,326.67	\$240,306.09	\$1,599,632.76	
	Lake County	\$254,970.74	\$78,504.13	\$333,474.87	
	Mason County	\$794,877.88	\$158,083.39	\$952,961.27	
	Mecosta County	\$369,234.77	\$168,216.51	\$537,451.28	
	Midland County	\$391,626.67	\$261,630.92	\$653,257.59	
	Montmorency County	\$265,159.38	\$17,047.53	\$282,206.91	
	Ogemaw County	\$701,040.39	\$149,007.01	\$850,047.40	
	Osceola County	\$447,805.76	\$70,857.82	\$518,663.58	
	Oscoda County	\$254,786.96	\$54,763.04	\$309,550.00	
Roscommon County	\$467,601.35	\$205,261.15	\$672,862.50		

	Sanilac County	\$568,890.36	\$66,198.06	\$635,088.42	
	Tuscola County	\$1,134,275.80	\$255,944.70	\$1,390,220.50	
					\$14,935,703.80
Northern Michigan	Antrim County	\$181,374.47	\$80,783.93	\$262,158.40	
	Dickinson County	\$504,890.35	\$69,191.28	\$574,081.63	
	Gogebic County	\$500,469.96	\$105,196.45	\$605,666.41	
	Grand Traverse County	\$1,121,059.19	\$158,187.40	\$1,279,246.59	
	Houghton County	\$697,538.87	\$159,689.56	\$857,228.43	
	Kalkaska County	\$796,929.87	\$40,164.85	\$837,094.72	
	Leelanau County	\$183,293.16	\$53,246.22	\$236,539.38	
	Luce County	\$261,664.46	\$30,411.78	\$292,076.24	
	Mackinac County	\$75,287.42	\$137,901.55	\$213,188.97	
	Manistee County	\$707,685.58	\$285,366.94	\$993,052.52	
	Marquette County	\$1,360,534.84	\$231,720.13	\$1,592,254.97	
	Menominee County	\$508,757.78	\$117,111.00	\$625,868.78	
	Ontonagon County	\$167,380.68	\$27,991.63	\$195,372.31	
	Presque Isle County	\$151,876.79	\$75,488.00	\$227,364.79	
	Schoolcraft County	\$193,514.35	\$36,598.45	\$230,112.80	
					\$9,021,306.94
South Central Michigan	Clinton County	\$1,135,701.76	\$148,998.77	\$1,284,700.53	
	Eaton County	\$1,726,564.54	\$448,814.26	\$2,175,378.80	
	Genesee County	\$5,400,875.64	\$1,346,053.44	\$6,746,929.08	
	Gratiot County	\$572,914.60	\$84,053.83	\$656,968.43	
	Hillsdale County	\$315,061.09	\$114,646.21	\$429,707.30	
	Ingham County	\$6,106,976.15	\$929,081.63	\$7,036,057.78	
	Jackson County	\$3,657,024.23	\$571,775.36	\$4,228,799.59	
	Lenawee County	\$1,996,791.57	\$216,496.99	\$2,213,288.56	
	Livingston County	\$1,522,835.70	\$944,189.67	\$2,467,025.37	
	Monroe County	\$1,076,423.94	\$217,687.41	\$1,294,111.35	
	Shiawassee County	\$1,313,341.27	\$106,911.94	\$1,420,253.21	
	Washtenaw County	\$5,023,174.55	\$2,669,171.25	\$7,692,345.80	
					\$37,645,565.80
Wayne County	Canton Township	\$318,617.41	\$31,385.71	\$350,003.12	
	City of Allen Park	\$195,817.30	\$14,947.70	\$210,765.00	
	City of Dearborn	\$853,350.18	\$79,472.40	\$932,822.58	
	City of Dearborn Heights	\$183,080.75	\$9,908.25	\$192,989.00	
	City of Detroit	\$2,442,629.57	\$1,095,180.33	\$3,537,809.90	

	City of Garden City	\$123,386.39	\$9,008.38	\$132,394.77	
	City of Grosse Pointe	\$12,042.11	\$3,257.89	\$15,300.00	
	City of Grosse Pointe Farms	\$54,367.24	\$15,132.76	\$69,500.00	
	City of Grosse Pointe Park	\$25,985.02	\$10,264.98	\$36,250.00	
	City of Grosse Pointe Wood	\$52,744.51	\$3,175.49	\$55,920.00	
	City of Hamtramck	\$91,719.75	\$14,600.25	\$106,320.00	
	City of Harper Woods	\$174,606.47	\$12,759.91	\$187,366.38	
	City of Lincoln Park	\$294,615.11	\$10,819.97	\$305,435.08	
	City of Livonia	\$438,470.78	\$17,728.22	\$456,199.00	
	City of Romulus	\$165,002.37	\$55,748.75	\$220,751.12	
	City of Southgate	\$167,776.42	\$4,723.58	\$172,500.00	
	City of Taylor	\$237,222.18	\$40,686.03	\$277,908.21	
	City of Wayne	\$114,669.81	\$23,659.51	\$138,329.32	
	City of Westland	\$472,984.94	\$63,450.06	\$536,435.00	
	City of Woodhaven	\$187,242.19	\$77,357.81	\$264,600.00	
	City of Wyandotte	\$181,377.33	\$1,473.79	\$182,851.12	
	Township of Redford	\$186,970.90	\$53,029.10	\$240,000.00	
	Wayne County	\$31,044,668.35	\$7,670,754.02	\$38,715,422.37	\$47,337,871.97
Western Michigan	Allegan County	\$3,840,942.28	\$545,137.80	\$4,386,080.08	
	Barry County	\$668,075.07	\$233,113.03	\$901,188.10	
	Berrien County	\$4,015,953.42	\$579,598.58	\$4,595,552.00	
	Branch County	\$1,148,416.79	\$155,918.31	\$1,304,335.10	
	Calhoun County	\$3,854,780.41	\$703,755.74	\$4,558,536.15	
	Cass County	\$354,283.99	\$256,333.01	\$610,617.00	
	City of Grand Rapids	\$1,777,275.20	\$178,511.36	\$1,955,786.56	
	City of Wyoming	\$575,552.80	\$55,822.85	\$631,375.65	
	Ionia County	\$388,509.33	\$225,161.77	\$613,671.10	
	Kalamazoo County	\$4,444,452.18	\$1,185,314.64	\$5,629,766.82	
	Kent County	\$8,232,316.30	\$2,468,268.31	\$10,700,584.61	
	Montcalm County	\$936,100.19	\$226,942.16	\$1,163,042.35	
	Ottawa County	\$3,676,203.56	\$950,779.61	\$4,626,983.17	
	St. Joseph County	\$459,116.47	\$426,535.73	\$885,652.20	\$42,563,170.89
	Total recommended for approval by staff		\$33,758,875.19	\$174,281,022.18	