

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.

June 21, 2022

Time: 9:00 am

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

Commission Members Participating

The following members participated in person:

- Joshua Blanchard
- Tracy Brame
- Kimberly Buddin
- Paul Bullock
- Hakim Crampton
- Andrew DeLeeuw
- Judge James Fisher
- David Jones
- James Krizan
- Debra Kubitskey
- Margaret McAvoy
- John Shea
- William Swor
- Rob VerHeulen

The following member requested an accommodation under the Americans with Disabilities Act to participate via Zoom:

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

The following Commissioners were absent:

- Chair Christine Green
- Tom McMillin
- Cami Pendell
- Judge Robinson Garrett

In Chair Green's absence, Presiding Officer Tracy Brame called the Michigan Indigent Defense Commission ("MIDC" or "the Commission") meeting to order at 9:05 am. Guests were invited to introduce themselves.

Additions to the agenda

Commissioner McAvoy moved that the agenda be amended to include "1. Call to Order" and that the remaining items be renumbered. Judge Fisher seconded. The motion carried.

Public Comment

The following individuals provided public comment:

- Matthew Knecht
- Kristine Longstreet
- Jill Tines
- Angela Peterson
- Robin Dillard-Russaw
- Alexi Shalom
- Brandon Mancilla
- Michael Davisson
- Andrew Sullivan

Approval of the Agenda

Judge Fisher moved that the agenda be adopted as previously amended. Commissioner DeLeeuw seconded. The motion carried.

Consent Agenda

Commissioner Blanchard moved that the consent agenda containing the minutes from April 19, 2022 be approved. Commissioner Kubitskey seconded. The motion carried.

Chair Report

Presiding Officer Brame provided an update on the mediation with the City of Hazel Park. Mediation took place in June. Kristen Staley and Marla McCowan provided details about the mediation settlement.

Commissioner VerHeulen moved that the FY22 compliance plan and cost analysis for the City of Hazel Park be adopted as amended during mediation. Judge Fisher seconded. The motion carried.

Judge Fisher moved that the proposed mediation settlement agreement between the MIDC and the City of Hazel Park be approved. Commissioner Blanchard seconded. The motion carried.

Presiding Officer Brame announced assignments made by Chair Green to the committee on Court Rules and Legislative Changes. The committee will consist of the following members: Commissioners Shea (Chair), Blanchard, Brame, Buddin, Krizan, McAvoy, VerHeulen, and Pendell.

Executive Director Report

Ms. Staley introduced new Grant Analyst Bradley Sheaffer who began employment with the MIDC on June 13. Research Associate Christopher Sadler left the MIDC in May to become the Research Director for the North Carolina Indigent Defense Services. Ms. Staley provided an update on staff's activities and on the FY23 appropriations process.

Commission Business

Standing Committee Reports

Ms. Staley provided an update amount the Memorandum of Understanding between the MIDC and the Department of Licensing and Regulatory Affairs (LARA). She also provided an update about the standards pending before LARA for the Director's approval.

Regional Update

Susan Prentice-Sao, Regional Manager for the MIDC's Western Michigan region, presented an overview of the activities in her region.

Additional Public Comment

Russell Church provided public comment.

Compliance Planning and MIDC Standards Implementation

FY22 Compliance Planning

Ms. McCowan provided an update on FY22 compliance. Regional Managers are working to assess compliance with Standard 5, which is required 180 days after funding is distributed.

Grants Director Rebecca Mack and Ms. Prentice-Sao continued to work with Muskegon County to bring the county into compliance. Staff extended the time for full compliance and will continue to support the county.

FY23 Compliance Planning

Ms. McCowan provided an overview of the FY23 plans and cost analyses submitted by the systems.

The Increase to Direct Costs in Compliance Plans Committee met. Commissioner Swor and Ms. McCowan provided an update about the meeting.

The General Increases in Compliance Plans Committee met. Ms. McCowan provided an update about the meeting in Chair Green's absence.

MIDC staff recommends that the plan and cost analyses for Oakland County be disapproved. Commissioner Bullock moved that the staff recommendation be adopted and that the plan and cost analysis for Oakland County be disapproved. Commissioner Walker seconded. The motion carried.

Ms. McCowan provided an overview of the following systems' submissions; MIDC staff recommends that the plans and cost analyses submitted by these systems be disapproved:

Alger County
Cheboygan County
Chippewa County
Delta County
47th District Court - City of Farmington

Emmet County
Iron County
Muskegon County
Otsego County
Wexford/Missaukee Counties

Commissioner McAvoy moved that the plans and cost analyses for the 10 systems listed above be disapproved. Commissioner Buddin seconded. The motion carried.

Ms. McCowan provided an overview of the following systems' submissions; MIDC staff recommends that the plans for these systems be approved and that the cost analyses be disapproved:

Charlevoix County
Crawford County
22nd District Court - Inkster
30th District Court - Highland Park

40th District Court - City of St Clair Shores
Newaygo County
Oceana County
Saginaw County

Commissioner Swor moved that the compliance plans for the eight systems listed above be approved and that the cost analyses be disapproved. Judge Fisher seconded. The motion carried.

Ms. McCowan provided an overview of the submissions by the 101 systems listed below; MIDC staff recommends that the compliance plans and cost analyses for these systems be approved:

Antrim County
Clinton County
16th District Court - Livonia
17th District Court - Township of Redford
19th District Court - Dearborn
20th District Court - Dearborn Heights
21st District Court - Garden City
23rd District Court - Taylor
24th District Court - Allen Park
27th District Court - Wyandotte
28th District Court - City of Southgate
29th District Court - City of Wayne
31st District Court - Hamtramck
32a District Court - City of Harper Woods
33rd District Court - Woodhaven
34th District Court - Romulus
35th District Court - Canton
Grosse Pointe Farms/Shores
Grosse Pointe Municipal
Grosse Pointe Park
18th District Court - City of Westland
25th District Court City of Lincoln Park

36th District Court - City of Detroit
39th District Court - Roseville and Fraser
41-a-2 District Court - Shelby Twp
41b District Court - Clinton Township
43-1 District Court - City of Hazel Park
43-2 District Court City of Ferndale
44th District Court - City of Royal Oak
45th District Court - City of Oak Park
48th District Court - Birmingham
50th District Court - Pontiac
51st District Court - Waterford
62A District Court Wyoming (covers 59-1,
59-2, 62A, 62B)
Griiot County
Grosse Pointe Woods
Leelanau County
Luce County
Mecosta County
Ontonagon County
Presque Isle County
Schoolcraft County
Tuscola County

37 th District Court - Cities of Warren/Centerline	Midland County
38 th District Court - City of Eastpointe	Monroe County
43-3 District Court - City of Madison Heights	Montmorency County
46 th District Court - Southfield	Ogemaw County
Dickinson County	Osceola County
Eaton County	Ottawa County
Grand Traverse County	Shiawassee County
Huron County	St. Clair County
Isabella County	Washtenaw County
Jackson County	Wayne County
Lapeer County	Calhoun County
Mackinac County	Cass County
Manistee/Benzie Counties	Marquette County
St. Joseph County	Mason County
Alcona County	Menominee County
Alpena County	Roscommon County
Barry County	Allegan/Van Buren Counties
Berrien County	Arenac County
Branch County	Bay County
Clare/Gladwin Counties	Iosco County
Gogebic County	Montcalm County
Hillsdale County	Sanilac County
Houghton County (also covers Baraga, Keweenaw)	41a1 District Court - Sterling Heights
Ingham County	61 st District Court - Grand Rapids
Ionia County	Genesee County
Lake County	Kalkaska County
Lenawee County	Oscoda County
Livingston County	Kalamazoo County
	Kent County
	Macomb County

Commissioner VerHeulen moved that the compliance plans and cost analyses for the 101 systems listed above be approved. Commissioner Swor seconded. The motion carried. Commissioner Bullock abstained from the vote with respect to Mecosta County. Commissioner DeLeeuw abstained from the vote with respect to Washtenaw County. Commissioner Kubitskey abstained from the vote with respect to Jackson County. Commissioner Brame abstained from the vote with respect to Kent County.

Increase to State Bar of Michigan Dues

Judge Fisher moved to adjust the total system costs and increase the award for attorney licenses in approved compliance plans. Commissioner Swor seconded. The motion carried.

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

The meeting adjourned at 1:05 pm.

The next meeting will be August 23, 2022 at 11:00 am in Lansing.

Respectfully submitted,

Marcela Westrate