

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 30, 2024

Time: 9:30 am

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

Commission Members Participating

The following members participated in person:

- Chair Christine Green
- Thomas Adams
- Joshua Blanchard
- Paul Bullock
- Andrew DeLeeuw
- Judge James Fisher
- David Jones
- James Krizan
- Debra Kubitskey
- Judge Paula Mathes
- Margaret McAvoy
- Tom McMillin
- John Shea
- William Swor

The following Commissioners were absent:

- Tracey Brame
- Kimberly Buddin
- Alicia Moon
- 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)

Chair Green called the meeting to order at 9:30 am.

Introduction of Commission members and guests

Chair Green invited guests to introduce themselves to the Commission.

Public Comment

The following people provided public comment:

- Jill Recker
- Karen Moore
- Craig Paull
- Robin Dillard - Russaw

Approval of Agenda

Commissioner McAvoy moved to adopt the agenda as presented. Commissioner Kubitskey seconded. The motion carried.

Consent Agenda

Commissioner Swor moved that the Consent Agenda containing the minutes from the February 20, 2024, meeting be adopted. Commissioner McMillin seconded. The motion carried.

Chair Report

Chair Green told Commissioners that committees would start to meet to review FY 2025 compliance plan submissions.

Commissioner McMillin was added to the Data Committee to serve with Commissioner Buddin, Judge Fisher, Commissioner DeLeeuw, Judge Mathes and Commissioner Moon.

Executive Director Report

Executive Director Staley gave an overview of the appropriations actions in the House and Senate. She introduced the MIDC's new Regional Manager for the Lapeer, Oakland, Macomb, and St. Clair Region – Tracey Martin. Executive Director Staley also introduced the MIDC's new Administrative Assistant Jacklyn Downer.

Executive Director Staley informed the Commission that the Department of Licensing and Regulatory Affairs is changing the process the MIDC uses to contract with the Byrne JAG grant's project manager. The process will be an RFP going forward. Commissioner Adams moved that the Executive Director be allowed to participate in the RFP process in the event of funding availability for the grant in FY 2025. Commissioner Bullock seconded. Commissioner Blanchard abstained from the vote.

Commission Business

Standing committee reports

Chair Green provided an update on the Executive Committee's activities.

Commissioner Jones updated Commissioners on the Diversity, Equity, and Inclusion Committee's work.

Commissioner Shea updated the Commission on the ABA 10 Principles Committee's work. The committee has divided the updated principles among committee members to compare the differences and determine what changes need to be made.

Commissioner McAvoy informed the Commission that the Bylaws Committee will be meeting.

MIDC Standards Implementation

Tuscola County has requested an increase of \$835,355.46 to its FY24 compliance plan and cost analysis. Commissioner Shea moved that the total system cost revision in Tuscola County be increased. Judge Fisher seconded. The motion carried.

Regional Update

Lauren Calef provided an update on the activities in the MIDC's Northern Michigan region.

FY25 Compliance Planning Resources

Ms. McCowan provided an overview of the proposed rubric to use to assess FY25 compliance. Commissioner McAvoy moved that the rubric be adopted. Commissioner Adams seconded. The motion carried.

Executive Director Staley and Ms. McCowan provided information to the commission indicating that funding is used for line-ups and show-ups. Commissioner Blanchard moved that the Commission adopt a policy that MIDC funding cannot be used for attorney participation in pre-charge line-ups and show-ups or similar identification investigations. Commissioner Jones seconded. The Commission discussed the motion **and spoke approvingly of Wayne County's policy of providing pre-charge representation at line-ups and show-ups but felt constrained by the MIDC Act, which does not permit funding of services not mandated by the Sixth Amendment.**

Commissioner Swor called the question, the call of the question was approved by the Commission. Chair Green asked for a vote on Commissioner Blanchard's motion, the motion carried.

Chair Green adjourned the meeting at 12:08 pm.

The next meeting will be June 25, 2024, at 9:30 am.

Respectfully submitted,

Marcela Westrate

