

CRIMINAL LAW SECTION

Respectfully submits the following position on:

*

SB 435 – SB 438

*

The Criminal Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Criminal Law Section only and is not the position of the State Bar of Michigan.

The State Bar position on this matter is to support the legislation.

The total membership of the Criminal Law Section is 2,460.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 15. The number who voted in favor to this position was 8. The number who voted opposed to this position was 5. The number who abstaining from voting was 1.

Report on Public Policy Position

Name of section:

Criminal Law Section

Contact person:

Josh Blanchard

E-Mail:

josh@blanchard.law

Bill Numbers:

[SB 0435](#) (Schuitmaker) Courts; drug court; certification of drug treatment courts by the state court administrative office; require. Amends secs. 1062 & 1084 of [1961 PA 236](#) (MCL [600.1062](#) & [600.1084](#)).

[SB 0436](#) (Schuitmaker) Courts; drug court; certification of DWI/sobriety court by the state court administrative office; amend the vehicle code to reflect. Amends sec. 304 of [1949 PA 300](#) (MCL [257.304](#)).

[SB 0437](#) (Schuitmaker) Courts; other; certification of mental health courts by the state court administrative office; require. Amends sec. 1091 of [1961 PA 236](#) (MCL [600.1091](#)).

[SB 0438](#) (Schuitmaker) Courts; other; certification of veterans courts by the state court administrative office; require. Amends sec. 1201 of [1961 PA 236](#) (MCL [600.1201](#)) & amends heading of ch. 12.

Date position was adopted:

June 20, 2017

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

15

Number who voted in favor and opposed to the position:

8 Voted for position

5 Voted against position

1 Abstained from vote

1 Did not vote (absent)

Position:

Support

Explanation of the position, including any recommended amendments:

The majority of the council believed that the proposed bills would increase access to specialty courts by citizens and increase efficiency of the courts.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2017-SB-0435>

<http://legislature.mi.gov/doc.aspx?2017-SB-0436>

<http://legislature.mi.gov/doc.aspx?2017-SB-0437>

<http://legislature.mi.gov/doc.aspx?2017-SB-0438>

FOR LEGISLATIVE ISSUES ONLY:

This position falls within the following Keller-permissible category:

- The regulation and discipline of attorneys
- ✓ The improvement of the functioning of the courts
- ✓ The availability of legal services to society
- The regulation of attorney trust accounts
- The regulation of the legal profession, including the education, the ethics, the competency, and the integrity of the profession.