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October 7, 2005

The Honorable Michael G. Sak
State Representative
State Capitol
P.O. Box 30014
Lansing, MI 48909-7514

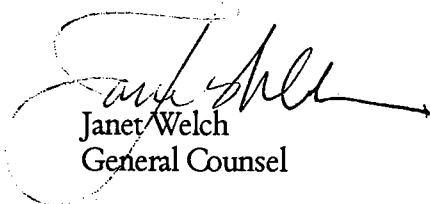
Re: HB 4629 Cost of Prosecution

Dear Representative Sak:

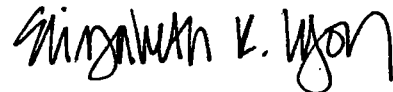
At its September 21, 2005, the State Bar of Michigan's Board of Commissioners unanimously voted to **oppose in principle**¹ HB 4629. Opposition to this proposal was primarily based on the inability of criminal defendants, most of whom are indigent, to pay the costs associated with trial. The Board was concerned that enacting this measure may consume court time for imposing the fees, with the costs of collection far exceeding recovery. The Bar also received comments from members who were concerned that the threat of incurring trial costs may deter an individual from seeking his/her constitutional right to trial.

If you would like to discuss this position in further detail or have questions, please contact Janet Welch directly at (517) 346-6375, jwelch@mail.michbar.org; or Elizabeth Lyon directly at (517) 346-6325, elyon@mail.michbar.org.

Sincerely,



Janet Welch
General Counsel



Elizabeth K. Lyon
Public Policy Program Analyst

CC. Thomas W. Cranmer, President
John T. Berry, Executive Director
Nell Kuhnmuensch, Governmental Consultant Services, Inc.

¹ Definition of oppose in principle: Pending legislation that the State Bar opposes but is not the subject of active lobbying effort. The State Bar is on record on this position and will explain it upon request.