

CRIMINAL ISSUES INITIATIVE

Respectfully submits the following position on:

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HB 5078

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The Criminal Issues Initiatives is comprised of members appointed by the President of the State Bar of Michigan.

The position expressed is that of the Criminal Issues Initiatives only and is not an official position of the State Bar of Michigan, nor does it necessarily reflect the views of all members of the State Bar of Michigan.

The State Bar's position on this matter is support.

The total membership of the Criminal Issues Initiatives 9.

The position was adopted after discussion at a scheduled meeting and an e-vote. The number of members in the decision-making body is 9. The number who voted in favor to this position was 9.

Report on Public Policy Position

Name of Committee:

Criminal Issues Initiative

Contact persons:

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Bill Number:

[HB 5078](#)(Haveman) Criminal procedure, sentencing guidelines. Criminal procedure; sentencing guidelines; sentencing guidelines commission; reestablish. Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding secs. 32 & 33 to ch. IX.

Date position was adopted:

November 5, 2013

Process used to take the ideological position:

Position adopted after discussion at a scheduled meeting and electronic vote

Number of members in the decision-making body:

9

Number who voted in favor and opposed to the position:

9 Voted for position

0 Voted against position

0 Abstained from vote

0 Did not vote

Position:

Support

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?2013-HB-5078>

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.

Keller-permissible explanation:

This bill would affect the functioning of the courts in the commission's collection, preparation, and analyzing of state and local sentencing practices. The commission would cooperate with the State Court Administrator's Office and the various courts in collecting data. Any modifications made to sentencing guidelines would directly affect a judge's ruling in particular cases.