

CRIMINAL JURISPRUDENCE & PRACTICE COMMITTEE
Respectfully submits the following position on:

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HB 5127

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The Criminal Jurisprudence & Practice Committee is comprised of members appointed by the President of the State Bar of Michigan.

The position expressed is that of the Criminal Jurisprudence & Practice Committee. The State Bar of Michigan has authorized the Criminal Jurisprudence & Practice Committee to advocate its position.

The State Bar of Michigan's position on this matter is opposition.

The total membership of the Criminal Jurisprudence & Practice Committee is 15.

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 13. The number who voted opposed to this position was 0.

Report on Public Policy Position

Name of Committee:

Criminal Jurisprudence and Practice

Contact persons:

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Bill Number:

[HB 5127](#)(Geiss) Criminal procedure, sentencing; Education, financing; State agencies (existing), education. Criminal procedure; sentencing; assessment fee for conviction of a misdemeanor or felony; create, and earmark into a safe and secure schools fund. Amends sec. 1j, ch. IX of 1927 PA 175 (MCL 769.1j).

Date position was adopted:

December 12, 2013

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:

13 Voted for position

0 Voted against position

0 Abstained from vote

2 Did not vote

Position:

Oppose

Explanation of the position, including any recommended amendments:

The committee voted unanimously to oppose the bill. First, it would be extremely time-consuming to determine to exact school district in which a crime was committed. Second, the administrative work involved in this collection is not cost-effective with the collection of one dollar.

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-5127>

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:

The bill is Keller permissible in its effect of the functioning of the court, in the use of the court's administration for the collection of fees.