

Online Michigan Criminal Law Resources

By Randy E. Davidson

Introduction

Michigan criminal law is constantly in a state of flux. During the pendency of a typical felony case, whether before trial or on appeal, literally hundreds of decisions will be released by the appellate courts of this state, some of which will likely have a direct bearing on the case.¹ The legislative branch of state government is equally active. In the 2006–2007 session, for example, the governor signed over 600 public acts into law, many of which directly changed criminal law and procedure.² Effectively finding the controlling Michigan authority may make the difference between prison and freedom for a client.³ This article offers practical tips for finding Michigan criminal law resources quickly and cheaply online.

Case Law

The Michigan Court of Appeals maintains a website at <http://courtofappeals.mijud.net/resources/opinions.htm> that provides Michigan Supreme Court opinions and published and unpublished Michigan Court of Appeals opinions. The site is searchable by keyword, party, and date. Docket information and orders are also available. Michigan Supreme Court briefs are also available online at http://courts.michigan.gov/supremecourt/Clerk/MSO_orals.htm.

The Institute of Continuing Legal Education provides a similar, helpful listing of Michigan Supreme Court opinions and orders, as well as Michigan Court of Appeals opinions at <http://www.icle.org/michlaw/>.

Statutes and Regulations

The Michigan legislature provides a comprehensive, searchable statutory database, including legislative history materials, at

[http://www.legislature.mi.gov/\(S\(5ex1paak2545wr55ibqekh45\)\)/mileg.aspx?page=Home](http://www.legislature.mi.gov/(S(5ex1paak2545wr55ibqekh45))/mileg.aspx?page=Home).

For the Penal Code, visit [http://www.legislature.mi.gov/\(S\(wlfcgojkwky3q452e4hii55\)\)/mileg.aspx?page=getObject&objectName=mcl-Act-328-of-1931&highlight=penal%20AND%20code](http://www.legislature.mi.gov/(S(wlfcgojkwky3q452e4hii55))/mileg.aspx?page=getObject&objectName=mcl-Act-328-of-1931&highlight=penal%20AND%20code).

The Michigan Vehicle Code, including traffic offenses, is available at [http://www.legislature.mi.gov/\(S\(5thxs3455bnr345522n4be45\)\)/mileg.aspx?page=getobject&objectname=mcl-Act-300-of-1949&queryid=14888983%highlight=motor%20AND%20vehicle](http://www.legislature.mi.gov/(S(5thxs3455bnr345522n4be45))/mileg.aspx?page=getobject&objectname=mcl-Act-300-of-1949&queryid=14888983%highlight=motor%20AND%20vehicle).

The Public Health Code, including drug offenses, is online at [http://www.legislature.mi.gov/\(S\(pmcrihih2zn3wbqoyb5m2045\)\)/mileg.aspx?page=getobject&objectname=mcl-Act-368-of-1978&queryid=14889006&highlight=public%20AND%20health](http://www.legislature.mi.gov/(S(pmcrihih2zn3wbqoyb5m2045))/mileg.aspx?page=getobject&objectname=mcl-Act-368-of-1978&queryid=14889006&highlight=public%20AND%20health).

The statutory Code of Criminal Procedure is located at [http://www.legislature.mi.gov/\(S\(yarjvmu2wjbndvol3du4055\)\)/mileg.aspx?page=getobject&objectname=mcl-Act-175-of-1927&queryid=14484151&highlight=code%20AND%20criminal%20AND%20procedure](http://www.legislature.mi.gov/(S(yarjvmu2wjbndvol3du4055))/mileg.aspx?page=getobject&objectname=mcl-Act-175-of-1927&queryid=14484151&highlight=code%20AND%20criminal%20AND%20procedure).

The Michigan Administrative Code is available online at http://www.michigan.gov/cis/0,1607,7-154-10576_35738_5698---,00.html.

Sentencing Guidelines

The statutory sentencing guidelines manual, including the sentencing grids and instructions for scoring the guidelines, is available online at <http://courts.michigan.gov/mji/resources/sentencing-guidelines/sg.htm>.

Court Rules

A free, up-to-date compilation of the Michigan Court Rules (including the Rules of Evidence, Rules of Professional Conduct, and administrative orders) is available online through the Michigan Court of Appeals website at <http://courtofappeals.mijud.net/rules/>.

Other Resources

The State Court Administrative Office provides self-help resources that introduce felony matters (<http://courts.michigan.gov/scao/selfhelp/intro/criminal/felony.htm>), misdemeanor matters (<http://courts.michigan.gov/scao/selfhelp/intro/criminal/misd.htm>), and setting aside convictions

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(http://courts.michigan.gov/scao/selfhelp/intro/criminal/setaside_help.htm).

The State Appellate Defender Office maintains a comprehensive website, including public and subscription resources, at <http://www.sado.org/>. Self-help resources are located at <http://www.sado.org/selfhelp.htm>.

The State Bar Libraries, Legal Research, and Legal Publications Committee maintains a self-help website in cooperation with the State Bar of Michigan. The direct link for criminal law resources is <http://www.michbar.org/generalinfo/libraries/criminallaw.cfm>.

State law library resources are available at http://www.michigan.gov/hal/0,1607,7-160-17449_18639---,00.html.

Conclusion

The Internet now provides many free resources that can help the busy practitioner quickly find controlling Michigan law and provide a starting point for more comprehensive research in conjunction with print materials or subscription-based online services. ■

Randy E. Davidson received a JD degree cum laude from Wayne State University Law School in 1979. He was admitted to the Bar in 1979, and has served as an assistant defender at the State Appellate Defender Office since 1992. He is an advisory member and past chair of the State Bar Committee on Libraries, Legal Research, and Legal Publications, and a member of the Criminal Defense Attorneys of Michigan.

FOOTNOTES

1. See, e.g., State Appellate Defender Office, *Laws & Decisions* <<http://www.sado.org/court.htm#searchsummaries>> [accessed November 4, 2007].
2. See Legislative Service Bureau, *2006 Michigan Public Acts Table*, available at <<http://www.legislature.mi.gov/documents/2005-2006/publicacttable/pdf/2006-PAT.pdf>> [accessed November 4, 2007].
3. See, e.g., *People v Carrick*, 220 Mich App 17, 22; 558 NW2d 242 (1996) [defendant convicted of resisting and obstructing a police officer and sentenced to jail with work release; conviction reversed after court of appeals found defense trial counsel ineffective in failing to challenge off-duty motor carrier commercial vehicle enforcement officer's authority to stop and detain truck driver for equipment violation].