

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

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HB 5078

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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 to support.

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 10. 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 Numbers:

[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 14, 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:

10 Voted for position

0 Voted against position

0 Abstained from vote

5 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

The committee voted 10 in favor to support this bill. A sentencing guidelines commission with non-partisan members from all stakeholders would be an excellent addition to the criminal justice system.

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.