



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

*
SB 0845

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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 8. 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:

[SB 0845](#) (Hansen) Criminal procedure; warrants; district court magistrate to issue an arrest warrant; allow. Amends sec. 1, ch. IV of [1927 PA 175](#) (MCL [764.1](#)).

Date position was adopted:

March 13, 2014

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:

8 Voted for position

0 Voted against position

1 Abstained from vote

6 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

The committee voted to support SB 0845. It was agreed that the change makes sense and will be particularly beneficial to smaller counties where there is only one judge.

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-SB-0845>

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 affects the functioning of the court in extending “to district court magistrates the authority to issue arrest warrants,” a duty already allowed to district court judges. This addition remedies the current definition of “magistrate” in the Code of Criminal Procedure, which defines the position as “a judge of the district court or a judge of a municipal court,” but does not include “district court magistrate.”