

Report on Public Policy Position

Name of committee:

Criminal Jurisprudence & Practice Committee

Contact persons:

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Bill Number:

[HB 4951](#) (Johnson) Crimes; homicide; delayed right to appeal for persons convicted of felony murder before November 25, 1980; provide if malice not proved. Amends [1927 PA 175](#) (MCL [760.1](#) - [777.69](#)) by adding sec. 13 to ch. X.

Date position was adopted:

November 8, 2007

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:

20

Number who voted in favor and opposed to the position:

11 Voted for position

0 Voted against position

0 Abstained from vote

9 Did not vote

Position:

Oppose the bill, but support the concept.

Explanation of the position, including any recommended amendments:

There was general resistance to the possibility of opening the flood-gates of appeals. There was further concern that this bill would affect too few people anyway. There was a general desire to know how many people this would affect within the Department of Corrections.

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?2007-HB-4951>

RECOMMEND STATE BAR ACTION ON THIS ISSUE:

List any arguments against the position:

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:

Functioning of the courts