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March 12, 2019

Larry Royster
Clerk of the Court
Michigan Supreme Court
P.O. Box 30052
Lansing, MI 48909

RE: ADM File No. 2018-23: Proposed Amendment of Rule 6.001 of the Michigan Court Rules

Dear Clerk Royster:

At its March 8, 2019 meeting, the State Bar of Michigan Board of Commissioners (Board) considered the above-referenced proposed rule amendments published by the Court for comment. As part of its review, the Board considered recommendations from the Criminal Jurisprudence & Practice Committee, the Criminal Law Section, and the numerous other comments that have been submitted to the Court.

After this review, the Board voted unanimously to support in principle expanding access to discovery in criminal cases pending in district court. The Board, however, encourages the Court to reconsider this proposal in light of the numerous thoughtful comments that have been submitted to the Court by both prosecutors and criminal defense attorneys. While some comments have raised concerns about the increased burden on prosecutors in providing discovery in district court cases, the Board notes that the expanded use of electronic discovery may lessen this burden.

We thank the Court for the opportunity to convey the Board's position on this rule proposal.

Sincerely,



Janet K. Welch
Executive Director

cc: Anne Boomer, Administrative Counsel, Michigan Supreme Court
Jennifer M. Grieco, President, State Bar of Michigan