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October 1, 2019

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

306 Townsend Street

Michael Franck Building

Lansing, MI

48933-2012

RE: ADM File No. 2018-23: Proposed Amendment of Rule 6.610 of the Michigan Court Rules

Dear Clerk Royster:

At its September 25, 2019 meeting, the State Bar of Michigan Board of Commissioners (Board) considered the above-referenced proposed rule amendment published by the Court for comment. As part of its review, the Board considered a recommendation from the Criminal Jurisprudence & Practice Committee.

After this review, the Board voted to support Alternative A, as it will allow defendants access to discovery when needed, but not unnecessarily slow down misdemeanor cases in district court. The Board, however, continues to be concerned that this rule will place increased burdens on prosecutors and urges additional funding to help prosecutors meet their new responsibilities of providing discovery in misdemeanor cases when requested by defendants. Further, the Board notes that this burden may be eased with the expanded use of electronic discovery.

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
Dennis M. Barnes, President, State Bar of Michigan