

September 30, 2022

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

RE: ADM File No. 2021-20 – Proposed Amendment of Rule 6.001 and the Proposed Addition of Rule 6.009 of the Michigan Court Rules

Dear Clerk Royster:

At its September 16, 2022 meeting, the Board of Commissioners of the State Bar of Michigan considered ADM File No. 2021-20. In its review, the Board considered recommendations from the Access to Justice Policy Committee and the Criminal Jurisprudence & Practice Committee. The Board voted to support the proposed amendment of Rule 6.001 and the addition of proposed Rule 6.009. Having previously supported the adoption of similar procedures in juvenile cases, the Board believes it is appropriate to apply such procedures regarding the use of restraints to all criminal defendants. The Board believes that the proposed rule will help clarify and solidify the manner by which judges make decisions concerning the use of restraints on defendants and ensure that a clear record of those decisions is established.

We thank the Court for the opportunity to convey the Board's position.

Sincerely,



Peter Cunningham
Executive Director

cc: Sarah Roth, Administrative Counsel, Michigan Supreme Court
James W. Heath, President