



# MICHIGAN INDIGENT DEFENSE COMMISSION

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**February 22 , 2018**  
**House Subcommittee on Licensing and Regulatory Affairs**

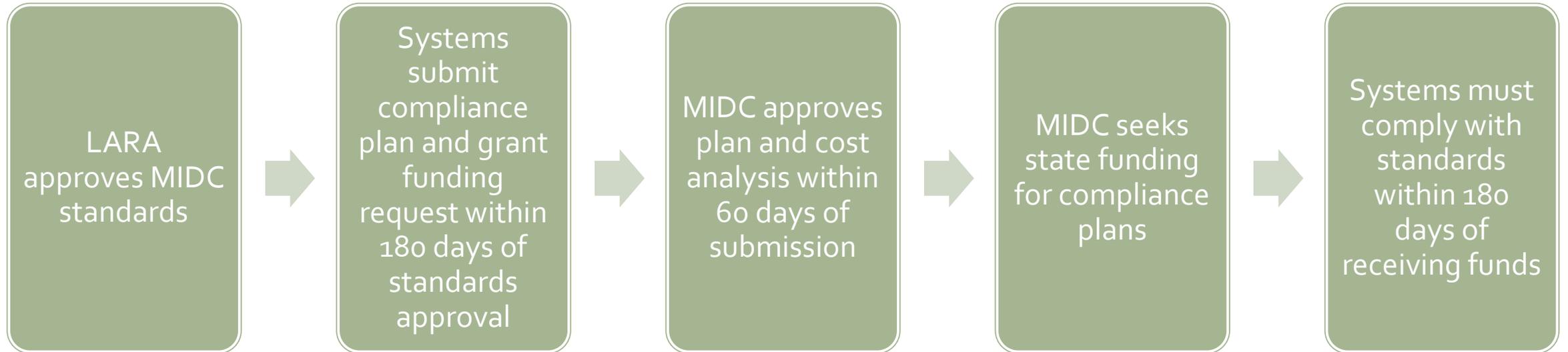
# Michigan Indigent Defense Commission Act

- Collects and compiles data for the review of indigent defense services in Michigan
- Creates minimum standards
- Works with counties to design plans to meet the standards and measures the performance of counties in providing public defense services
- Awards state funded grants to county systems to fund the compliance plans and bring systems into compliance with the new minimum standards

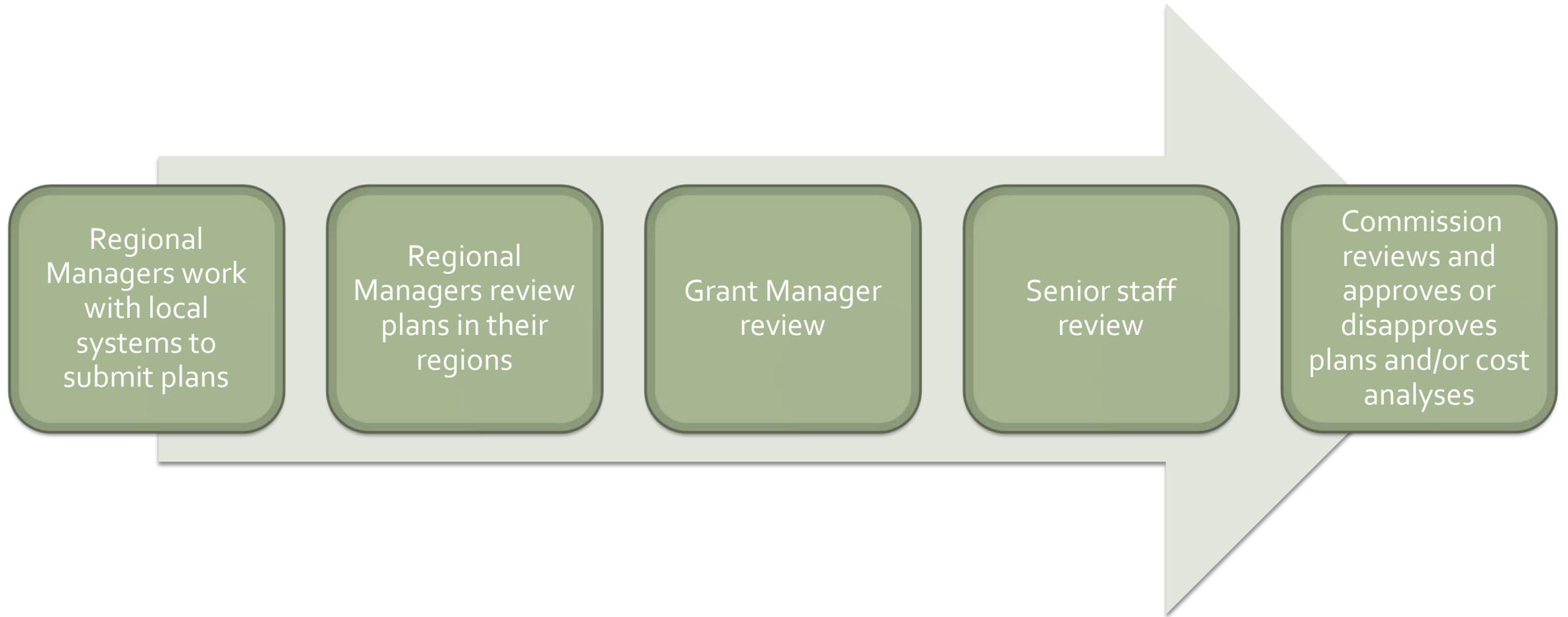
# The MIDC's First Statewide Standards

- ✓ Require training and education of counsel
- ✓ Attorneys must have an initial client meeting as soon as practicable (within 3 business days if the defendant is in local custody)
- ✓ Encourage the use of investigation and experts
- ✓ Provide counsel at first appearance and other critical stages

# Progression of compliance plans



# Review Process



# Timeline for Submissions and Approvals

1<sup>st</sup> submission  
due November  
20, 2017

Plans reviewed  
December 20,  
2017 & January 5,  
2018

Resubmissions  
due February 20,  
2018

Commission will  
review all revised  
plans by March

Commission  
approves or  
disapproves  
plans and/or cost  
analyses

Local systems can submit plans three times before mediation process begins.

# Planning Costs

- An indigent criminal defense system may submit an estimate of the cost of developing the plan and cost analysis for implementing the plan under MCL 780.993
- The MIDC has \$5 million in a work project that will be used for planning costs.

# Other Work Project Spending

- The MIDC Act allows unspent funds to be placed in a work project. MCL 780.985(2)
- In addition to the \$5 million that was placed in a work project for FY 17, the MIDC has two other work projects through the Judiciary.
- These work projects fund data collection efforts and innovation grants.

## Future Minimum Standards

- Delivery of services is independent of the judiciary. MCL 780.991(1)(a).

## Future Minimum Standards

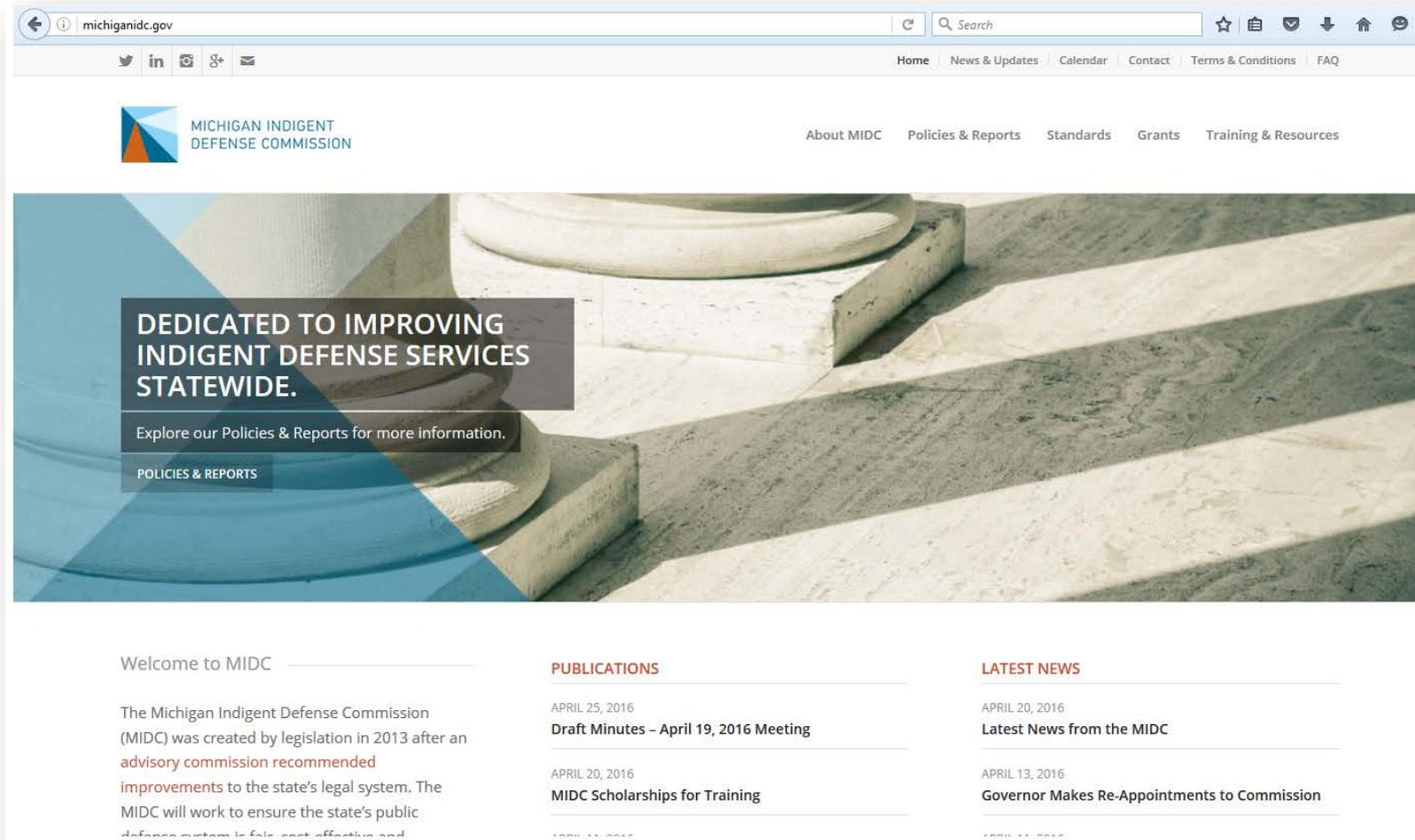
- Workload is controlled to permit effective representation. MCL 780.991(2)(b).

## Future Minimum Standards

- Economic disincentives or incentives that impair defense counsel's ability to provide effective representation shall be avoided. MCL 780.991(2)(b).

## Future Minimum Standards

- An attorney has the training and experience that matches the complexity of the allegations against their client. MCL 780.991(2)(c).



Find out more at [michiganidc.gov](http://michiganidc.gov)