

Honorable Judge Thomas P. Boyd

Honorable Judge Donald L. Allen, Jr.



Court Administrator Michael J. Dillon

Magistrate Mark E. Blumer

State of Michigan
55th Judicial District Court
700 Buhl Avenue • Mason, Michigan 48854
517-676-8400 • <http://dc.ingham.org>

March 21, 2016

Mr. Larry S. Royster
Clerk of the Court
Michigan Supreme Court
PO Box 30052
Lansing MI 48909



Dear Clerk Royster:

I am writing to express the 55th District Court's strong support for the Proposed Minimum Standards for Indigent Defense (ADM File No. 2015-7), in particular, Standard 4, Counsel at First Appearance and other Critical Stages.

The 55th District Court was the recipient of two Court Performance Innovation Fund grants from the State Court Administrative Office that allowed our court to provide attorneys at misdemeanor arraignments from April 1, 2014, through March 31, 2015. The project was divided into two parts; the first operated from April 1, 2014, through September 30, 2014, and the second operated from October 1, 2015, through March 31, 2015. The first part of the project (First Appearance Project 1 or FAP 1) strictly adhered to the concept of vertical representation: An attorney was assigned at arraignment and that attorney was expected to remain on the case through its dismissal or through the defendant's sentencing. Recognizing the difficulty for attorneys in scheduling cases with the model used in FAP 1, the project was slightly changed. In FAP 2, each participating attorney was assigned to a shift and represented all defendants at first appearance during that shift.

Data collected by court staff, jail staff, and student volunteers measured the accomplishments of this project:

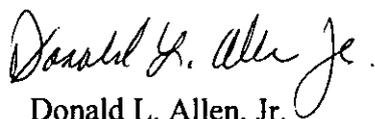
- **Court efficiency increased** – Mean case age decreased 20%, from 32:65 days to 26:22 days.
- **Jail used declined** – Average time in jail from arraignment to release from custody decreased 28%, from 8.99 days to 6.443 days.

- **Appointed counsel resolved cases prior to arraignment through reduction to civil infraction or non-reportable misdemeanor** – 13.3% of cases were resolved in this manner.
- **Fewer defendants failed to appear at pretrial** -- our court's failure to appear rate decreased from 124 to 113.

Having counsel available at first appearance resulted in efficient court proceedings, greater protections for indigent defendants, and superior criminal justice outcomes. Proposed Standard 4 could enable all 83 of Michigan's counties to realize similar results. We hope that the successful projects in the 55th District Court will serve as a model for other counties' compliance plans.

Thank you for your consideration of the Michigan Indigent Defense Commission's standards.

Very truly yours,



Donald L. Allen, Jr.
Chief Judge

¹ Attorneys were also provided to all felony defendants for arraignment under a joint administrative order with the 30th Circuit Court. While data was not collected on felony case processing, there were no unmanageable complications, including potential conflicts of interest, concerning these arraignments.