



p 517-346-6300

p 800-968-1442

f 517-482-6248

www.michbar.org

306 Townsend Street

Michael Franck Building

Lansing, MI

48933-2012

December 21, 2009

Corbin Davis
Clerk of the Court
Michigan Supreme Court
P.O. Box 30052
Lansing, MI 48909

**RE: ADM File No. 2008-21
Proposed Amendment of Rule 3.932 of the Michigan Court Rules**

Dear Clerk Davis:

At its December 15, 2009 meeting, the Executive Committee of the State Bar of Michigan considered the above rule amendment published for comment. The Executive Committee reviewed the various recommendations already provided to the Court, devoting particular attention to the positions taken by the Prosecuting Attorneys Association of Michigan (PAAM) and the Michigan Probate Judges Association (MPJA).

The Executive Committee voted unanimously to oppose both Alternative A and Alternative B. The committee voiced support for maintaining the current court rule as a tool for restorative justice and to maintain efficiencies in docket control. The committee was also concerned that both proposed alternatives undermined judicial discretion. However, the committee also voted to support the suggestion offered by Hon. Susan L. Dobrich on behalf of MPJA that the Court form a task force to address the goals of the proposed rule. The State Bar would appreciate being a part of such a task force, and would also suggest that the Criminal Defense Attorneys of Michigan be invited to participate as well.

We thank the Court for its publication of the proposed amendment. Please contact me with any further questions.

Sincerely,



Janet Welch
Executive Director

cc: Anne Boomer, Administrative Counsel, Michigan Supreme Court
Charles R. Toy, President