

SBM

S T A T E B A R O F M I C H I G A N

p 517-346-6300
p 800-968-1442
f 517-482-6248
www.michbar.org

October 20, 2009

Corbin Davis
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. 2009-07
Proposed Amendment of Rules 7.105, 7.204, 7.205, and 7.302 of the
Michigan Court Rules**

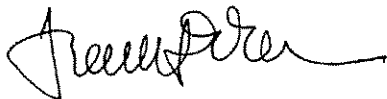
Dear Clerk Davis:

On October 13, 2009, the Criminal Issues Initiative of the State Bar of Michigan voted to support the above rule amendments published for comment.

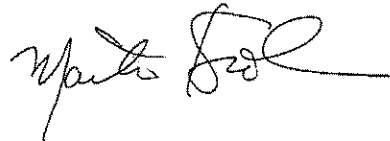
The need for these rule changes is partly demonstrated by the fact that the state does not appoint counsel for criminal defendants seeking leave in the Michigan Supreme Court, but that the Supreme Court allows pro se applications on a form created by the court. In addition, prison mail can be unreliable and slow, and therefore the rule that a document is filed when placed in outgoing mail protects the pro se litigant from the vagaries of the handling of prison mail.

We thank the Court for its publication of the proposed amendments, and reiterate our support for their adoption. Please contact us with any further questions.

Sincerely,



Frank D. Eaman
Co-chair, Criminal Issues Initiative



Martin P. Krohner
Co-chair, Criminal Issues Initiative

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



CRIMINAL ISSUES INITIATIVE
Respectfully submits the following position on:

*

ADM File No. 2009-07

*

The Criminal Issues Initiative is comprised of members appointed by the President of the State Bar of Michigan.

The position expressed is that of the Criminal Issues Initiative only and is not an official position of the State Bar of Michigan, nor does it necessarily reflect the views of all members of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter but is authorizing Criminal Issues Initiative to advocate their position.

The total membership of the Criminal Issues Initiative is 16.

The position was adopted after an electronic discussion and vote. The number of members in the decision-making body is 16. The number who voted in favor to this position was 10. The number who voted opposed to this position was 0.