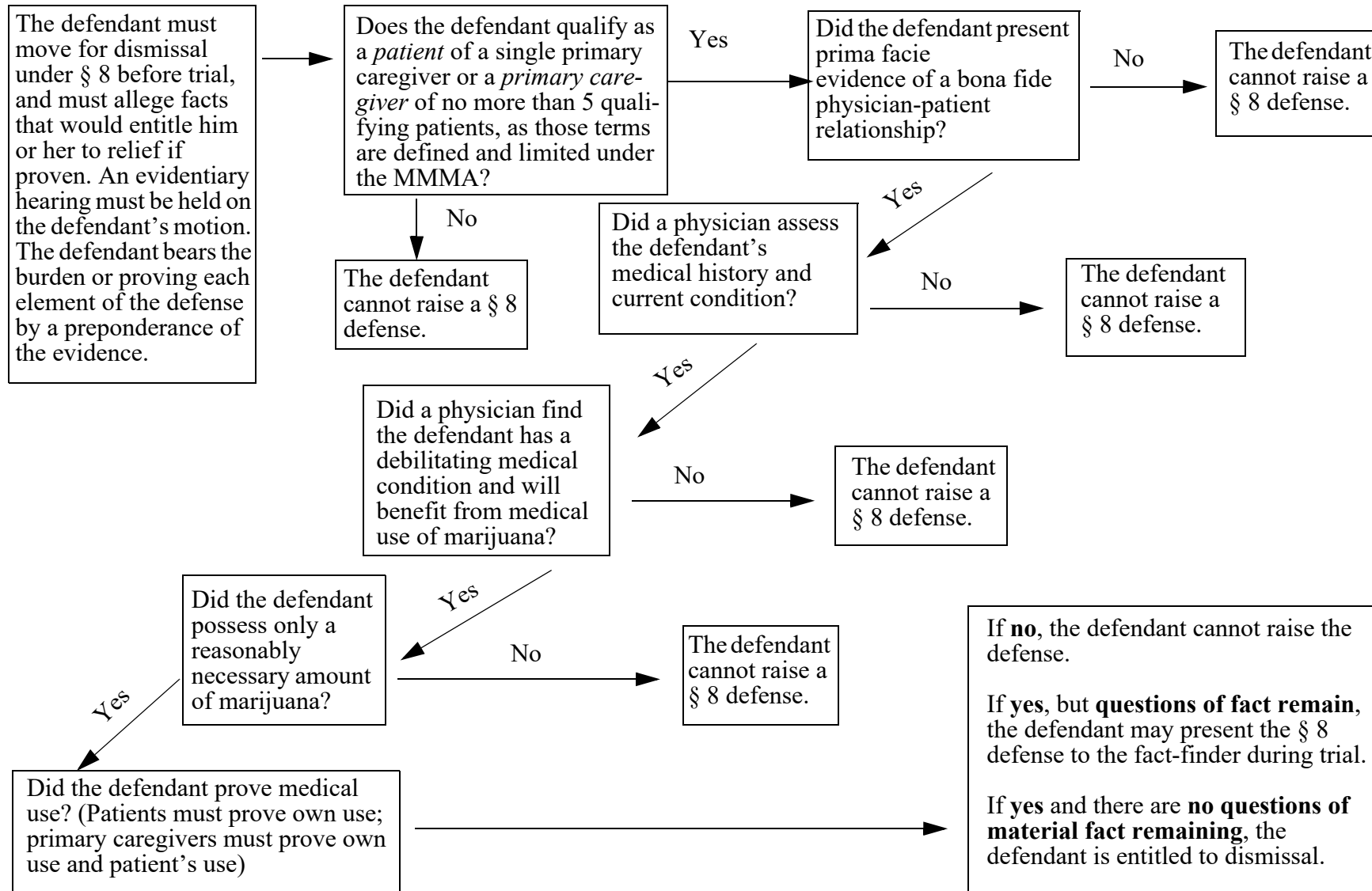


## Affirmative Defense Under § 8 Flowchart<sup>1</sup>

This flowchart outlines the process in response to a defendant’s claim under § 8 of the Michigan Medical Marihuana Act (MMMA) as set out in *People v Hartwick*, 498 Mich 192 (2015), and *People v Bylsma (On Remand)*, 315 Mich App 363 (2016). See the Michigan Judicial Institute’s *Controlled Substances Benchbook*, Chapter 8, for more information on the MMMA.



<sup>1</sup>Note that the § 8 affirmative defense is only applicable to criminal proceedings. *Varela v Spanski*, 329 Mich App 58, 73 (2019).

