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Larry Royster
Clerk of the Court
Michigan Supreme Court
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Lansing, MI 48909

306 Townsend Street

Michael Franck Building

Lansing, MI

48933-2012

RE: ADM File No. 2017-02: Proposed Amendment of Rule 6.508 of the Michigan Court Rules

Dear Clerk Royster:

At its July 26, 2019 meeting, the State Bar of Michigan Board of Commissioners (Board) considered the above-referenced proposed rule amendment published by the Court for comment. As part of its review, the Board considered recommendations from the Access to Justice Policy Committee, Criminal Jurisprudence & Practice Committee, and Criminal Law Section, all of which supported the rule change.

After this review, the Board voted unanimously to support the rule amendment. The rule is consistent with a central tenet of our criminal justice system – that officers of court should provide accurate information upon which criminal defendants should be able to rely. When attorneys or judges fail to live up to this expectation, criminal defendants should have the opportunity to challenge the rejection of pleas based on incorrect information given to them. This rule amendment codifies what is already the current practice of many courts; however, for courts where this is not the practice, the rule amendment provides needed clarity.

We thank the Court for the opportunity to convey the Board's position on this rule proposal.

Sincerely,

Janet K. Welch
Executive Director

cc: Anne Boomer, Administrative Counsel, Michigan Supreme Court
Jennifer Grieco, President, State Bar of Michigan