



October 1, 2019

Mr. Larry Royster
Clerk, Michigan Supreme Court
PO Box 30052
Lansing, MI 48909

VIA E-MAIL ONLY TO
ADMCOMMENT@COURTS.MI.GOV

RE: ADM File No. 2018-23 – Proposed Amendment to MCR 6.610

Dear Mr. Royster,

I am writing to encourage the Court to adopt Alternative A which was published for comment on June 5, 2019 in ADM File No. 2018-23.

The rule embraced by Alternative A provides a clear and workable standard for misdemeanor discovery, ensures that accused citizens have access to a minimum level of information necessary to make informed decisions, and allows for the prompt resolution of cases without unnecessary reciprocal discovery obligations.

To the contrary, Alternative B calls for a standard where the accused citizen or her lawyer is only entitled to “inspect” a police report, but not obtain a copy until the matter is “set for trial¹”. Permitting the police report to be withheld until near the end of a case would lead to less informed decisions by accused citizens and increases the burdens on counsel.

Should you have any questions or concerns, please feel free to contact me directly.

Sincerely,
BLANCHARD LAW

Joshua Blanchard

JAB /

¹ The term “set for trial” is not defined and could lead to significant confusion. In some district courts, cases are assigned a trial date at arraignment and in other courts a trial date is only scheduled on the day of jury selection. The wide-ranging practices regarding trial scheduling would result in uneven application of this rule.