

From: [Ed Black](#)
To: [ADMcomment](#)
Subject: MCR 6.302
Date: Thursday, September 26, 2019 8:54:00 AM

To Whom It May Concern:

I am writing in regard to the proposed changes to MCR 6.302, and specifically to the changes in paragraph (D)(1). The current rule allows pleas taken to lesser offense with a factual basis for the greater offense. This assists in the taking of pleas as it allows the parties to come to a mutually agreed upon solution. Changing the rule and requiring facts only for the lesser offense will make the options for a plea more limited and make settlement more difficult.

While having more trials may not always be a bad thing, it will serve to frustrate the just, speedy, and economical determination of every action. This will merely promote trials in instances where one was not otherwise necessary.

The recent changes to indigent defense through the MIDC have increased the pressure on the judicial system as a whole. Going forward with this amendment will add to that. In short, in my opinion, this is an ill advised modification which does not take into account the ability of the attorneys to negotiate meaningful solutions for their clients and the public.

Very Respectfully,

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