



Michigan District Judges Association

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Sterling Heights

November 1, 2019

Dear Ms. Boomer:

The Michigan District Judges Association has reviewed the proposed amendments to court rules, MCR 6.302 and 6.610. We strongly object to the changes. One of our members has accurately referred to this as "a solution in search of a problem". The plea bargains which keep our dockets moving often involve a plea to a lesser charge. The defendant has usually had the option of presenting proofs to either the original charge or the charge to which he/she is pleading. Eliminating the possibility of taking proofs regarding the original charge will make it more difficult to negotiate resolutions of some cases. The busy schedules of many judges would be negatively impacted by a court rule change that makes it more difficult for attorneys and defendants to negotiate guilty pleas to reduced charges.

We realize that MCR 6.302 and 6.610 are not included in MCR 6.001(B) which is the list of rules that apply to district court. The portions of those court rules which we so commonly use should probably be included in MCR 6.001(B). These would be MCR 6.302(D) and MCR 6.610(E)(1).

Thank you for considering our position.

Sincerely,



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Julie H. Reincke
Chair, Michigan District Court Judges
Court Rules Committee

Cc: Beth Gibson