

# Order

Michigan Supreme Court  
Lansing, Michigan

April 18, 2019

Bridget M. McCormack,  
Chief Justice

ADM File No. 2018-27

David F. Viviano,  
Chief Justice Pro Tem

Proposed Rescission of  
Administrative Order No. 1997-5  
(Defenders – Third Circuit Court)

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Stephen J. Markman  
Brian K. Zahra  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh,  
Justices

On order of the Court, this is to advise that the Court is considering a proposed rescission of Administrative Order No. 1997-5. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter also will be considered at a public hearing. The notices and agendas for public hearings are posted at [Administrative Matters & Court Rules page](#).

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[Additions to the text are indicated in underlining and  
deleted text is shown by strikeover.]

~~Administrative Order No. 1997-5—Defenders—Third Circuit Court~~

~~The Court has determined that the efficient administration of justice requires the extension of the provisions of Administrative Order No. 1972-2 to criminal matters coming before the Third Circuit Court after the merger of the Third Circuit Court and Recorder's Court on October 1, 1997. It is therefore ordered that effective October 1, 1997, and until further order of the Court, that the Chief Judge of the Third Circuit Court shall provide for the assignment as counsel, on a weekly basis, of the Legal Aid and Defender Association in twenty five percent of all cases wherein counsel are appointed for indigent defendants.~~

*Staff comment:* The proposed rescission of Administrative Order No. 1997-5 is consistent with the current practice of appointment of counsel, which is now governed by statute and regulated through the Michigan Indigent Defense Commission.

The staff comment is not an authoritative construction by the Court. In addition, adoption of an amendment in no way reflects a substantive determination by this Court.

A copy of this order will be given to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on the proposal may be sent to the Supreme Court Clerk in writing or electronically by August 1, 2019, at P.O. Box 30052, Lansing, MI 48909, or [ADMcomment@courts.mi.gov](mailto:ADMcomment@courts.mi.gov). When filing a comment, please refer to ADM File No. 2018-27. Your comments and the comments of others will be posted under the chapter affected by this proposal at [Proposed & Recently Adopted Orders on Admin Matters page](#).



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 18, 2019

A handwritten signature in black ink, appearing to read "Larry S. Royster", written over a horizontal line.

Clerk