



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 425 (Substitute S-1 as reported)
Sponsor: Senator Sue Shink
Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

The bill would amend the Appellate Defender Act to do the following:

- Increase the number of Appellate Defender Commission members, from seven to nine, and specify that the two public members would have to have been affected by the youth or adult justice system.
- Specify that the Commission would serve indigent adults and indigent youths.
- Create an indigent defense system that would be responsible for payment of reasonable fees and expenses for the services of appellate defenders.
- Specify that the Commission would have to establish a standard procedure for the reimbursement of indigent defense systems and prescribe reimbursement requirements.

MCL 780.712 et al.

BRIEF RATIONALE

Governor Whitmer signed Executive Order 2021-6 on June 9, 2021, which created the Task Force on Juvenile Justice Reform (Task Force) within the Department of Health and Human Services. The Task Force was charged with analyzing Michigan's juvenile justice system and recommending changes to State law, policy, and appropriations aimed to improve youth outcomes. The Task Force found that the State lacks uniform judicial justice policies and quality assurance standards, leading to disparities in outcomes for youth in the juvenile system. Accordingly, the Task Force recommended that the State expand the State Appellate Defender Office (SADO) to include services for juveniles.

PREVIOUS LEGISLATION

(Please note: This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)

Senate Bill 425 is a companion bill to House Bill 4631. Both bills are similar to House Bill 4633 of the 2021-2022 Legislative Session.

Legislative Analyst: Tyler P. VanHuyse

FISCAL IMPACT

The bill would implement recommendation #3(e) of the Task Force. Minor costs for SADO have already been included in the annual budget. Costs to local court systems would likely increase slightly but would be fixed after three years of compliance.

Date Completed: 10-3-23

Fiscal Analyst: Michael Siracuse