

**Michigan Youth Defense Working Group
Working Draft of Recommendations**

Legislation should be enacted which would:

1) Expand the Michigan Indigent Defense Commission to include oversight and compliance with youth defense standards in local defense systems.

- Placing the Juvenile defense office under MIDC was supported by the group
- Would need additional appropriations and perhaps additional commissioners knowledgeable about indigent juvenile defense
- This model offers the most flexibility to counties without re-inventing the wheel

2) Create Juvenile Defense Standards based upon the MIDC standards, but which includes additional youth specific considerations.

The group did a comparison of the MIDC standards and the Ten Core Principles from NJDC and discussed some of the differences which might need to appear in juvenile defense standards in Michigan.

- Certification would likely not be required to be a juvenile defense attorney
- Specialized training would be essential, but not juvenile defense as a “specialty”
- Indigent standard might be different, but current MIDC standard includes a presumption of indigence for youth under 18
- Waiver of fines, fees and costs might be considered
- Workloads in juvenile cases would likely be different – the cases last longer
- Waiver of counsel restrictions and duration of appointment could be built in

3) Expand the State Appellate Defender Office to include appellate and post-dispositional services.

- SADO offers a good model which should be expanded
- Use of an assigned counsel contract system to take cases (such as MAACS) should be included for some portion of the cases
- Replication of the Criminal Defense Resource Center for juvenile defense should be included
- Additional appropriations and statutory change would be necessary for this expansion