

National Consortium on Racial and Ethnic Fairness in the Courts

2014 STATE REPORT - MICHIGAN

State Bar of Michigan Equal Access Initiative (EAI)

The Equal Access Initiative (EAI) is one of four initiatives that are part of the State Bar of Michigan's justice initiatives efforts. It is made up of approximately 17 volunteer attorneys and judges and supported by State Bar staff. EAI has various workgroups. The following are programs and projects that were undertaken by these groups in the year since the last National Consortium Annual Meeting.

A Right to Counsel in Civil Matters

The EAI recently developed a program, "Right to Counsel: A Right to Counsel in Civil Matters" that provided participants with information about the work being done nationally on the topic and a view of the Michigan landscape regarding representation for those who need assistance. John Pollock from the Public Justice Center and currently coordinator of the National Coalition for a Civil Right to Counsel and a nationally recognized leader on the topic provided information about several pilot projects around the country. Local stakeholders including Joan Glanton Howard Chief Counsel, Civil Law Group Legal Aid and Defender Association, David Moss Director of Clinical Education, Wayne State University Law School, and Angela Tripp Co-Managing Attorney, Michigan Poverty Law Program and Project Manager, Michigan Legal Help Program described the Michigan scene. The program was well attended and sets the stage for further work in this important area.

The Disabilities Workgroup

The Disabilities Workgroup continues to look at opportunities to educate and inform the profession. The 2013 Annual meeting included a program titled "Problem Solving Courts: Lessons Learned & Implications for People with Mental Health Care Needs" that followed on the heels of the passing of legislation in support of expanding the availability of mental health courts. Two panels of experts from around the state discussed the implications of the legislation and the value of the problem solving courts that are already operating across Michigan. The program was attended by over 80 participants and is available as an audio recording on the Bar website.

Also the workgroup continues to focus on a quarterly online e-newsletter with concise, utilitarian articles regarding disabilities issues; over six years of these newsletters have been completed and the project is ongoing www.michbar.org/programs/equalaccess.cfm

The Jury Curriculum Program

The Jury Curriculum Project requires the collaboration of the legal and educational Communities. Working with the Michigan Center for Civic Education, lawyers, judges and teachers throughout the state come together to teach the concepts of due process, equal protection, individual rights and justice as they apply to the importance of jury service and the value of diverse jury pools. The workgroup in conjunction with members of the Law Related Education Committee is revamping the materials that have been used over the last several years. The curriculum has been presented to school districts in Kent, Genesee, Berrien and Wayne Counties, the most recent being in Detroit.

Diversity and Inclusion Advisory Committee

The Diversity and Inclusion Advisory Committee, as a part of its mission to advise the Board of Commissioners of the State bar of Michigan and the profession, is developing a strategy to monitor the progress and implementation of a number of the recommendations from The State Bar Task Force on Race/Ethnic and Gender Issues in the Courts and the Legal Profession Report of 1996 and to develop the information into ongoing reports. These recommendations were first made in a 1989 report from the Task Force on Gender Issues in the Courts and the Task Force on Racial/Ethnic Issues in the Courts established by the Michigan Supreme Court in 1987.

The 1989 reports contained 167 specific recommendations that addressed virtually every aspect of the profession from the development and retention of minority and female lawyers and judges to the ability of citizens from diverse backgrounds to get adequate and fair access to legal services. The recommendations represent a “roadmap” to improving the profession and increasing access and fairness in the administration of justice.

Making additional assessments as to implementation and progress is a natural continuation of those efforts. In addition DIAC is focused on diversity in its broadest definition including but not limited to race ethnicity and gender.

Michigan legal Help.org

A new website was launched in 2013 designed to help Michigan residents solve their legal problems. This interactive website was built to help persons who are not able to afford a lawyer handle simple civil legal matters on their own. The website was the result of “Solutions for Self Help” work that was done in previous years aimed at providing assistance to the self-represented.

<http://www.michiganlegalhelp.org/> |

Indigent Defense

Michigan has taken a major step forward in assuring the constitutional rights of persons accused of crimes in Michigan. Indigent defense received strong bipartisan support, and Public Act 93 of 2013 established the first statewide standards for indigent defense in Michigan, and created a foundation for fair and adequate funding statewide. Currently the Michigan Indigent Defense Commission (MIDC) established by the Act is taking shape. Among other duties, the MIDC will propose minimum standards for the local delivery of indigent criminal defense services, and will identify and encourage best practices for delivering the effective assistance of counsel to indigent defendants charged with crimes.