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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

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DIRECTOR

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS**

In the matter of: The Michigan Indigent Defense Commission Proposed Minimum Standard Five

Issued and entered this 29th day of October 2020.

NOTICE AND ORDER APPROVING STANDARD FIVE

1. MCL 780.985 outlines the procedure for the Michigan Indigent Defense Commission (MIDC) to propose minimum standards for the local delivery of indigent criminal defense services and for the Department of Licensing and Regulatory Affairs (LARA) to approve or reject those standards.
2. MCL 780.985(4) requires the MIDC to convene a public hearing on the standards. Following a public comment period, the MIDC held a public hearing on standards five through eight on June 12, 2018.
3. After the hearing and public comment, the MIDC submitted the standards to LARA for consideration on September 17, 2018.
4. MCL 780.985(4) authorizes LARA to prescribe a manner for interested parties to voice opposition to the proposed minimum standards. LARA published a notice of a 30-day comment period, which ended on December 14, 2018.
5. On November 4, 2019, the MIDC submitted a letter to LARA requesting that standard five be considered separately from standards six through eight.
6. MCL 780.985(4) provides that a proposed minimum standard is final once approved by LARA.

IT IS THEREFORE ORDERED THAT

Following review of the standard and public comment, the MIDC's Proposed Minimum Standard FIVE is hereby **APPROVED** by LARA.

The MIDC shall mail notice to indigent criminal defense systems pursuant to MCL 780.985(5). Indigent criminal defense systems shall have 180 days from the date of this order to submit compliance plans to the MIDC pursuant to MCL 780.993(3).

Petition for Review

MCL 780.985(5) gives indigent criminal defense systems the ability to file a petition for review to determine whether the approved minimum standard is authorized by law. This petition must

be filed in the Court of Claims within 60 days after the date of mailing notice of this Order on the recommended minimum standards.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS



Orlene Hawks, Director

October 29, 2020
Date