



MICHIGAN INDIGENT DEFENSE COMMISSION

October 23, 2020

Dear Indigent Defense Partners:

I hope that this update continues to find everyone safe and healthy. On October 20th, the Commission met remotely for the fifth time since March. Approximately 40 members of the public attended the meeting and six members of the public offered public comment.

FY21 Indigent Defense Budget

On September 30, 2020, Governor Whitmer signed the State of Michigan budget for fiscal year 2021. I am very pleased to say that the budget includes over \$117 million to support the continued implementation of local funding units' indigent defense compliance plans.

This year, upon approval of plans and cost analyses by the Commission, the MIDC is sending grant contracts to the local funding unit for signature to avoid delay in the distribution of funding pending the submission of unexpended balance reports. To date, 42 grant contracts have been returned by systems and processed for distribution of grant funds.

Please note that the grant contract covers the period of October 1, 2020 through September 30, 2021. All indigent defense expenditures consistent with a system's approved cost analysis beginning October 1, 2020, may be applied against the FY21 grant.

FY21 Compliance Planning and Grants

At its October meeting, the Commission approved 25 of the 27 plans and cost analyses reviewed. To date, the Commission has approved 110 of 120 compliance plans and cost analysis submitted for review. All 110 plans have been approved on the initial or second submission. Compliance plan approvals and grant totals are updated and available on the [grants page](#) of the MIDC's website.

The Commission will continue to review the second and third submissions of the last 10 compliance plans and cost analyses at its December meeting. Any resubmissions must be submitted to LARA-MIDC-Info@michigan.gov. Please copy your Regional Manager on the resubmission. The list of plans to be reviewed by the Commission at the meeting will be published on the agenda and posted on the MIDC website in advance of the meeting.

Final FY20 Financial and Program Reporting

Quarterly reporting for the fourth quarter is due by **October 31, 2020**. Quarterly reporting must include the following:

- A quarterly program report detailing compliance with minimum standards 1-4;
- A financial status report with information about spending during the reporting period;
- A list of the attorneys providing services;
- A certified declaration of unexpended FY20 grant funds.

By statute, FY20 unexpended grant funds must be reported to MIDC by October 31, 2020. MCL 780.993(15). Funding units must report unexpended funds as of September 30, 2020 on the designated form available on the grants page of the MIDC website. Again, the completed form must be submitted to LARA-MIDC-Info@michigan.gov **no later than October 31, 2020**, and you should include your Regional Manager on this email.

Instructions and forms for submitting quarterly reporting, unexpended FY20 funds balances, budget adjustments and a helpful checklist, are available on the website. Also available is a new webinar on reporting unexpended FY20 funds. All are available on the [grants page](#) on the MIDC website.

MIDC Approved Proposed Standard on Indigency Screening and Contribution

Thank you to all of you who submitted written comments or offered comment at the public hearing in September on the MIDC's proposed standard on indigency screening and contribution. Based on those comments, the proposed standard was revised through the Commission's committee process. At its meeting this week, the Commission unanimously approved the revised version of the proposed standard. The approved version of the standard is available on the [standards page](#) of the MIDC website.

As required by the MIDC Act, the proposed standard will be submitted for final approval by the Director of the Licensing and Regulatory Affairs Department (LARA). In the past, LARA has held an additional public comment period prior to acting on a proposed standard.

Continued Remote Working

The MIDC staff have been working remotely since March and will continue to do so through January 2, 2021 at the direction of the Office of the State Employer. We have plenty of tools that enable us to continue to very effectively support funding units and indigent defense systems remotely. Please continue to work with us to facilitate necessary meetings, discussions, and compliance monitoring remotely so that we can do our best to keep everyone safe and healthy. If you have any questions about this, I encourage you to contact me.

Next Commission Meeting

Finally, the Commission's next meeting will be **December 15, 2020**. Information about the meeting and an agenda for the meeting will be posted on the MIDC website in advance of the meeting. I anticipate that the December meeting will be held remotely in accordance with Public Act 228 of 2020, which allows public bodies to meet remotely through the end of the year.

Please do not hesitate to contact me if you have any feedback, or your Regional Manager if you have questions about implementation or planning.

Please be well.

Sincerely,

Loren Khogali, Executive Director
Michigan Indigent Defense Commission