



MICHIGAN INDIGENT DEFENSE COMMISSION

Amended¹

Compliance Plan for Indigent Defense Standards 1 – 4

INSTRUCTIONS

Local indigent defense systems have until **November 20, 2017**, to submit to the Michigan Indigent Defense Commission (MIDC) a plan for compliance with the first four approved minimum standards for indigent criminal defense services. This document includes instructions and a compliance plan structure for the submission and information on how to calculate your request for state funding. All application questions must be answered within the requirements, and all attachments and signatures included for a complete application. Failure to submit a complete application will result in the application being disapproved and returned, per MCL 780.993(4). Applications should be submitted through the MIDC's web portal at <http://portal.michiganidc.gov/>.

The application document includes the following sections: Applicant Information, Compliance Plan Narrative, Cost Analysis, Local Share Calculation, Data Collection, and Grant Calculation. The MIDC website, <http://michiganidc.gov>, hosts helpful information for compliance planning including additional guidelines, detailed white papers on each of the four standards and several model plans including sample cost analyses for different local indigent defense delivery systems.

Guidelines for the Cost Analysis and Local Share in the Compliance Plan

All proposed, estimated, or actual expenditures reported in either the Cost Analysis or the Local Share should be reflective of direct indigent defense system activities. For any funding requests for ancillary agencies, the claimed expense must be reasonably and directly related to the indigent defense function, with a clear justification and compelling rationale. The Local Share calculation – which acts as a baseline for continued funding unit contribution to the indigent defense system – may be reported as an estimate if the actual funding level cannot be calculated. If an estimate is provided for the Local Share, the methodology to calculate the estimate must be reported. All Local Share calculations must be certified

¹ All amendments to the Compliance Plan are in red font.

by the authorizing official on the application. The following instructions provide general guidance for the Cost Analysis and, specifically, the enhanced costs to meet the provisions of the four standards. The costs, expenditures, and rates proposed are presumed reasonable; variations will be considered on a case-by-case basis.

Standard 1 - Indigent defense systems may achieve this standard by having attorneys register for a specific training or by facilitating a local or regional training program. Registration for CLE hours will be allowed at the rate of \$25 per credit hour. Instructors for training programs will be reimbursed at reasonable consultant rates commensurate with the local market. A guideline for illustrative purposes may be up to \$75/hr. with allowance for program development and preparation time for the training. Travel expenses for the attorneys to attend training or instructors for training programs will be reimbursed at current State of Michigan travel rates for mileage, meals, and lodging, if needed.

Standard 2 - Attorney time to meet this standard will be reimbursed according to reasonable local attorney rates, whether salaried, contract, or assigned attorneys. To facilitate early communication, practical use of technologies available for digital face-to-face communication may be employed. Supplies and equipment needed for technology-based communications will be considered. If it is necessary to create or alter building space to provide a confidential setting for attorneys and their clients, renovation expenses are allowed up to a maximum of \$25,000 per location. Requests exceeding \$25,000 will be reviewed with higher due diligence and considered with accompanying documentation for justification.

Standard 3 - Expenses for investigators will be considered at hourly rates not to exceed \$75. Expenses for expert witnesses will follow a tiered level of compensation based on education level and type of expert,* not to exceed these amounts:

High School or Equivalent	\$30/hr
Associate's Degree	\$50/hr
Bachelor's Degree	\$70/hr
Master's Degree	\$85/hr
Crime Scene and Related Experts	\$100/hr
CPA/Financial Expert	\$100/hr
Pharmacy/PharmD	\$125/hr
Information Technology Experts	\$150/hr
Ph.D./Licensed Doctor	\$200/hr

**The table of expert hourly rates is adopted from the guidelines published by the North Carolina Indigent Defense Services Commission. Variations will be considered on a case-by-case basis.*

Each indigent defense system will be limited to a capped amount of funds for investigators and experts based on the total new circuit adult criminal filings within the jurisdiction in the most recent calendar year, as reported and certified with the State Court Administrative Office. Systems within district courts of the 3rd class are considered in Tier I unless special circumstances are presented.

0 - 499 cases/year = Tier I - \$10,000

500 - 999 cases/year = Tier II - \$25,000

1,000 - 9,999 cases/year = Tier III - \$50,000

Over 10,000 cases/year = Tier IV - To be determined bases on further discussion and review of records of the system(s)

Standard 4 - Attorney time to meet this standard should be reimbursed according to reasonable attorney rates, whether salaried, contract, or assigned attorneys. Methods for implementation can include on call or appointed attorney systems, or other efficient models.

APPLICANT INFORMATION

Applicant Funding Unit(s): **Grand Traverse County**

Trial Courts Included in this Compliance Plan Submission: **86th District Court & 13th Circuit Court**

Fiduciary Funding Unit: **Grand Traverse County**

Federal ID Number: 38-6004852

Street Address/City/Zip Code: **400 Boardman Ave, Traverse City, MI 49684**

AUTHORIZED OFFICIAL (Person Authorized to Enter into Agreements):

Name and Title **Robert Hentschel, Chairman Board of Commissioners**
Nathan Alger, County Administrator

Street Address/City/Zip **400 Boardman Ave, Traverse City, MI 49684**

Telephone: **231-922-4780**

Email Address **rhentschel@grandtraverse.org**
nalger@grandtraverse.org

Signature



Date

9/18/19

CONTACT INFORMATION

PRIMARY CONTACT

(Person Responsible for Oversight and Reporting of Standards Implementation):

Christopher Forsyth, Deputy County Administrator

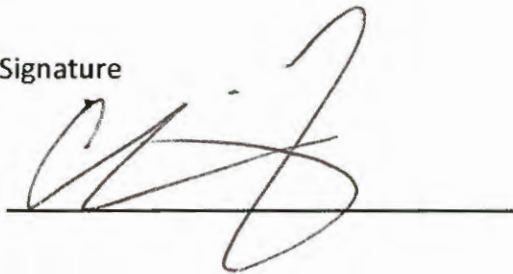
Street Address/City/Zip:

400 Boardman Ave, Traverse City, MI 49684

Telephone **231-922-4780**

Email Address cforsyth@grandtraverse.org

Signature



Date

9/18/19

FINANCIAL CONTACT

(Person Responsible for Grant Accounting):

Name and Title ~~Cheryl Wolf, Deputy Director Finance~~, **Dean Bott, Finance Director**

Street Address/City/Zip **400 Boardman Ave, Traverse City, MI 49684**

Telephone **231-922-4680**

Email Address dbott@grandtraverse.org

Signature



Date

9/18/19

AMENDED

COMPLIANCE PLAN NARRATIVE

Briefly describe the indigent defense delivery system(s) – contract, assigned counsel, or public defender – that the funding unit(s), for which this application is being considered, employed to deliver services before the MIDC Act took effect (July 1, 2013).

Currently, the 86th District Court and the 13th Circuit Court ~~will continue to~~ utilize an assigned counsel system to provide representation for indigent defendants. None of the attorneys are salaried employees of the funding unit and are paid a per-case or per-hour fee depending upon the type of case.

By submitting this amended plan, Grand Traverse County intends to retain the existing counsel system but assign the responsibility of compliance with the MIDC Act to a new Indigent Defense Coordinator position ("Coordinator"). The Coordinator shall be a licensed Michigan attorney qualified to be an Indigent Defense Counsel. Grand Traverse County intends to partner with one or more neighboring counties to contract with an experienced criminal defense attorney for the overall management of the assignment system, and compliance with current and future standards. More specifically, Grand Traverse County's contract with the Coordinator will require him or her to be responsible for, included but not limited to, the following:

- (1) Verify that Indigent Defense Counsel have completed the required education and training;
- (2) Verify that Indigent Defense Counsel have completed client interviews prior to arraignments;
- (3) Appear at all felony and misdemeanor arraignments with indigent defendants, or ensure that other Indigent Defense Counsel are present for arraignments;
- (4) Maintain the list of Indigent Defense Counsel to be present for all proceedings;
- (5) Monitor the rotation of the Indigent Defense Counsel list;
- (6) Provide notice of the rotation schedule to all eligible Indigent Defense Counsel as well as notice of each appointment;
- (7) Oversee and approve attorney invoices for handling arraignments and appointments;
- (8) Oversee and approve investigators and/or investigator fees;
- (9) Oversee and approve expert witnesses and expert witness and other extraordinary fees;
- (10) Comply with all statistical and financial reporting requirements to the MIDC as may be mandated by state law or under the terms of an executed grant agreement.

Generally, how does the system(s) intend to comply with the MIDC standards 1-4? Please address whether you will continue with the model in place above, whether you have already made a transition to a new delivery system, or whether you intend to transition to a new delivery system.

The plan is to continue to operate in ~~the same~~ a similar manner with oversight of this compliance plan by the Coordinator as described above and throughout this compliance plan. The County also reserves the right to modify ~~ication~~ this plan as the MIDC Standards are released, because of the anticipated financial and operational impact to the Funding Unit to change the model of service. Future discussions are reserved as necessary in the event the delivery model should be necessary to change.

Please identify the name and position held (e.g., county administrator, judge, defense attorney, etc.) for each person involved in the compliance planning process for this delivery system.

Amended Compliance Plan Discussion Participants:

Noelle Moeggenberg, Grand Traverse County Prosecutor

Carol Stocking, 86th District Court Administrator

Hon. Robert Cooney, District Court Judge

Teri Quinn, 13th Circuit Court Administrator

Hon. Thomas Power, 13th Circuit Court

Hon. Kevin Elsenheimer, 13th Circuit Court

Matthew C. Connolly, Public Defense Attorney

Janet Mistele, Public Defense Attorney

Kyle Trevas, Public Defense Attorney

Paul Jarboe, Public Defense Attorney

Stephen Kane, Public Defense Attorney

~~Captain Todd Ritter, Grand Traverse County Sheriff's Department~~

~~Lieutenant Ed Lassa, Grand Traverse County Sheriff's Department~~

Nathan Alger, Grand Traverse County ~~Interim~~ Administrator

Provide an attachment with the names, license or P#'s, and years of criminal defense experience for all attorneys the funding unit(s) intends to have deliver services as part of the local indigent defense system.

86th District Court: Misdemeanors

Stephen J. Kane – 4 Years (P76248)

Kyle Trevas – 10 Years (P70550)

Paul A. Hubbell – 25 Years (P37404)

Mattias Johnson – 4 Years (P78199)

Jacob Jackson Graff – 10 Years (P70494)

~~ReAnn R. Gorton – 4 Years (P78002)~~

Thomas J. Seger – 14 Years (P65609)

Jason A. Razavi – 7 Years (P74373)

David J. Clark – 32 Years (P34659)

Cynthia A. Conlon – 11 Years (P41736)

Matthew C. Connolly – 14 Years (P66456)

Kelli Claxton – 4 Years (P77718) TBD/less

than 2 years

*Potential addition of one attorney with fewer than 2-years criminal experience for trial skills college participation through CDAM

13th Circuit Court: Felony:

Matthew Connolly- 14 years (P66456)

Shawn Worden -13 years (P66943)

Cynthia Conlon- 11 years (P41736)

David Clark- 31 years. (P34659)

Paul Jarboe -33 years. (P34343)

Jacob Graff- 7 years (P70494)

Stephen Kane -4+years (P76248)

Janet Mistele -28 years (P43026)

Philip Settles -25+ years (40213)

*List is subject to addition/deletion

Standard 1 – Training and Education

Attorneys with fewer than two years of experience practicing criminal defense in Michigan shall participate in one basic skills acquisition class. Do any of the attorneys included in this plan have fewer than the required experience and require this training? How many?

None currently. However, the budget includes registration for CDAM Trial Skills College for one new attorney as we anticipate that the roster of attorneys may change by FY2019. It is likely that will include one attorney with fewer than two years of criminal defense experience.

All attorneys shall annually complete at least 12 hours of continuing legal education. How many attorneys require training in this plan?

All current and future attorneys require CLE.

- Registration Fee
- Mileage: IRS tax rate
- Hotel & Food: IRS tax rate (consistent with rate paid for assistant prosecutors)

How will the funding unit(s) ensure that the attorneys satisfy the 12 hours of continuing legal education during the plan year?

Currently, the 86th District Court requires attorneys to attend one-day of CLE and provide verification to the Court Administrator. This process will ~~continue~~ **be modified** with the additional requirement to document the completion of 12-hours of CLE, rather than just one day **and provide that to the funding unit or Coordinator for required reporting instead of the Court Administrator.** *The Attorney is currently responsible for these costs.*

Currently, the 13th Circuit Court requires attorneys to attend one continuing education seminar through an approved organization such as the Criminal Defense Attorneys of Michigan (CDAM) once every two years.

Continuing legal education costs will be incurred and paid by the Funding Unit, as noted above. The Estimated costs for 16 attorneys are as follows:

Number of Attorney	Reimbursement	Cost	Total
Up to 16	Conference Registration	\$300/atty	Up to \$4,800
Up to 16	Mileage (475 miles)	\$0.535	Up to \$4,066
Up to 16	Hotel (3 nights)	\$129/night	Up to \$6,192
Up to 16	Food (4 days)	\$46/day	Up to \$2,944
Up to 1	Trial skills college CDAM Training	\$900	Up to \$900

Costs are dependent upon membership of the attorney in CDAM and are subject to change. If additional attorneys are added to serve indigent defendants the costs will continue to increase.

Standard 2 – Initial Interview

When a client is in local custody, counsel shall conduct an initial client intake interview within three business days after appointment. When a client is not in custody, counsel shall promptly deliver an introductory communication so that the client may follow-up and schedule a meeting. To be successful, this requires immediate notification of appointment and client contact information.

How does the plan facilitate immediate attorney assignment and notification of new cases? How will the system ensure attorneys are completing their interviews within three business days? How will the initial interview be accomplished?

The 86th District Court assigns public defenders for misdemeanor cases at arraignment. The Court Appointed Attorneys are notified via e-mail of the appointment from the Court with contact information for the defendant. For felony appointments of Court Appointed Attorneys, the District Court sends the file/order to the Circuit Court for appointment by the Circuit Court's Office and the Court assigns the Court Appointed Attorney. The Attorney is notified via e-mail that they have been appointed to the case with contact information for the defendant.

Upon notification of assignment, the Court Appointed Attorney sends a letter to the defendant with the Attorneys contact information and request to be contacted to discuss the case.

The requirement to conduct an interview with the defendant within 3-days is a new requirement for both the 86th District Court and the 13th Circuit Court. This additional work will require additional compensation to the Court Appointed Attorneys. The estimated cost is \$85 for each case. In 2015, there were 1,171 Court Appointed Cases in Grand Traverse County. At an estimated minimum of 1hour, the annual cost could exceed \$99,500. Interviews may be conducted through electronic means. ~~Prisoner interviews are necessary within an appropriate amount of time and access is necessary to defense counsel. It is requested that MDOC make polycom/phone available as needed for defense attorneys.~~ Prisoner and out-of-county interviews shall be conducted within a reasonable period of time when confidential Polycom/telephone access is permitted by MDOC or the out-of-county facility. MDOC is urged to make these confidential Polycom/telephone communications available to defense counsel, in keeping with the purposes of Standard 2.

~~Verification of the completion of the interview will be tracked on the invoice submitted for payment by the Court Appointed Attorney.~~ Indigent Defense Attorneys will be required to verify to the Coordinator that they have met with their locally incarcerated clients within three business days, or when the clients are not incarcerated, delivery of introductory communication. The Coordinator will develop a policy and protocol regarding verification and appropriate standards.

This standard further requires a confidential setting be provided for all client interviews.

Does the jail have confidential space for attorney-client interviews? Describe the space available for the interviews or the plan to provide confidential space.

The County's jail was originally constructed in the 1960's and modified numerous times since. While there is space available, the space is not adequate and will require renovation. The renovation will require design services, furniture, security systems to monitor entering and exiting of the confidential interview space, and may require additional officers to monitor and move inmates from the jail to the "attorney-client interview area."

The estimated costs for remodeling would require an initial appropriation of \$5,000 and subsequent appropriations for the project costs which would be determined through the study. Additional staff time would also have to be evaluated in that study to determine the best means available to maintain security in the facility.

Estimated total costs could be up to \$32,893 for the renovation. Additional staff costs will be required for one additional officer. In order to provide full-time 8-hours per day access to inmates for attorney visits at least one full-time corrections officer would be needed to ensure access and security. The estimated cost would be:

Annual Gross	PTO 5 days assumed	FICA (7.65%)	Medical Benefits	STD/LTD	Life Insurance	Retirement (6% assumed)	Workers Comp	Total for Position
\$ 44,054.40	\$ 847.20	\$ 3,434.97	\$ 13,844.99	\$ 440.54	\$ 125.60	\$ 2,694.10	\$ 44.05	\$ 65,485.85

Does the courthouse have confidential space for attorney-client interviews? Describe the space available for the interviews or the plan to provide confidential space.

The Courthouses have space available for attorney-client interviews. Small conference rooms are available throughout the building. However, depending upon the definition of confidentiality not all preserve confidentiality due to sight and sound movement. Some offices have shaded glass windows while others do not. Some modification may be necessary with further definition of confidentiality. While sufficient space is available, access to that space so as to allow confidential communications between counsel and their in-custody clients is limited and modifications are required, such as access to use of the jury rooms and holding rooms with floor chains.

86th District Court in the Hall of Justice currently has holding cells that are not used because they do not provide the security requirements as needed by the correctional facility.

Standard 3 – Experts and Investigators

This standard requires counsel to conduct an independent investigation. When appropriate, counsel shall request funds to retain an investigator to assist with the client's defense. Counsel shall request the assistance of experts where it is reasonably necessary to prepare the defense and rebut the prosecution's case. Counsel has a continuing duty to evaluate a case for appropriate defense investigations or expert assistance.

How will this standard be complied with by the delivery system?

~~This will continue to follow the same process as is currently undertaken.~~ **The Coordinator will oversee and approve investigators and/or investigator fees as well as expert witnesses and expert witness fees. The Coordinator will continue to follow the guidelines as adopted by the 13th Circuit and 86th District Court that provide for reimbursement. Consistent with the current process, The following applies for the 86th District Court:**

The County agrees, upon Court approval, additional costs such as, but are not necessarily limited to: long distance and collect telephone charges (if they are accepted by counsel for a client), reproductive or transcription expenses for which third-party charges are incurred, expert witness fees and reports, certified document charges, polygraph and mental examination fees and/or reports, subpoena and mileage fees advanced, and mileage or prevailing County reimbursement rates for out of county consultation and/or investigation relative to case merit. Reimbursement shall be added to the next payment due the attorney so requesting. Execution of the necessary County documents, as approved by the Court and the

County Finance Committee, shall permit disbursement of the reimbursement sought as an increment to the next remittance.

~~Consistent with the current process,~~ The following applies for the Circuit Court:

The County will reimburse counsel for expenses reasonably incurred in the defense of the litigation; e.g., necessary medical and legal records, expert witness examination and testimony, fees for photographs and costs for photocopies of police reports... Miscellaneous expenses such as postage, telephone expenses and photocopying charges, other than for police reports or necessary medical or legal records shall be included in the contract case amount...

Should costs exceed the local share, it is expected that up to an additional \$20,000 will be necessary to cover additional expert and investigation costs.

Standard 4 – Counsel At First Appearance and Other Critical Stages of the Case

Counsel shall be appointed to provide assistance to the defendant as soon as the defendant's liberty is subject to restriction by a magistrate or judge. All persons determined to be eligible for indigent criminal defense services shall also have appointed counsel at pre-trial proceedings, during plea negotiations and at other critical stages, whether in court or out of court.

How will this standard be complied with by the delivery system?

Currently, Court Appointed Attorneys are appointed at arraignment by the judge. In order to implement this Standard, the County may have request a rotation of on-call scheduled Court Appointed Attorneys or to retain additional Court Appointed Attorneys to be available on a daily basis.

It is proposed that in order to meet this standard that the existing Criminal Defendant Attorneys rotate daily representation at every criminal arraignment. ~~The proposed fee of \$500 will be paid each day for all time required to work during their rotation. If scheduled on-call rotation is required 5 days per week, the estimated annual cost to have a Criminal Defense Attorney available on scheduled days: 260 Business Days at \$500 per day = \$130,000. In addition, an on-call fee of \$100 shall be paid to each additional defense attorney required in cases involving co-defendants arraigned on the same day or in the event of other conflicts of interest.~~ There will be a payment of \$600 for a half day to handle arraignments to be scheduled in the morning, which is split equally between the two attorneys handling the arraignments. There may be additional District Court arraignments, and Circuit Court felony probation violation arraignments set in the afternoon. Attorneys will be compensated an additional \$100 for handling such arraignments in the afternoon. Additional District Court staff time will be required to access and provide Criminal Defense Attorneys law enforcement information network information, which ensures that the

Attorneys are adequately representing defendants at arraignments and other critical stages of the proceedings.

Court Appointed Attorneys will be required to attend all pre-trial proceedings, during plea negotiations and at other critical stages, whether in court or out of court; or to have an authorized individual in their stead.

On June 18, 2019, the MIDC approved Grand Traverse County's FY20 Compliance Plan and Cost Analysis. The approved Cost Analysis is attached to this amended Compliance Plan with all amendments to the Cost Analysis in red font.

Summary of Estimated Funding Unit Costs To Meet MIDC Standards		
Attorney-CLE	\$ 18,902	Review terms of DC and CC payment for CLE
Interview w/in 3 days	\$ 99,500	Estimated 1 hour for each new interview
Jail Modification	\$ 32,893	Estimate
Counsel at 1st Appearance	\$ 130,000	(See above)
Corrections Officer	\$ 65,486	Estimated 1FTE
Expert/Investigation Cost	\$ 20,000	Estimated to Tier II based on caseload and intention to educate and encourage court-appointed attorneys to utilize this resource. Rates based on MIDC Standards.
Estimated Total Cost To Meet MIDC Standards	\$ 366,781	

CURRENT COSTS TO MEET CURRENT STANDARDS	
CIRCUIT COURT	\$145,008
DISTRICT COURT	\$270,469
TOTAL	\$415,477

THE FOLLOWING PAGES ARE TO BE COMPLETED COST ANALYSIS

The MIDC Act requires funding unit(s) to provide a cost analysis as part of a request for state funding. The cost analysis should include all total indigent criminal defense services costs for compliance with minimum standards and the amount of funds in excess of the local share necessary to comply with the standards.

Refer to the instructions guide for grant allowances.

Personnel

Include staff, if any, whose work is or will be reasonably and directly related to the indigent defense function.

Name	Position	Computation	Total
New Employee	Jail Officer		\$65,486
Total			\$65,486

Describe the duties of the positions listed (whether full-time or part-time) the number of hours worked, and rate of pay. Identify whether the positions will be a new cost as a result of the compliance plan.

Additional staff costs of one additional officer is required to be available to transport and move inmates to the attorney interview area may be necessary. In order to provide full-time 8-hours per day access to inmates for attorney visits at least one full-time corrections officer would be needed to ensure access and security. The funding for this position will ensure that attorneys have safe and consistent access to clients. The funds will be used exclusively for indigent defense. This position is necessary to meet MIDC standards. The estimated cost would be:

Annual Gross	PTO 5-days assumed	FICA (7.65%)	Medical Benefits	STD/LTD	Life Insurance	Retirement (6% assumed)	Workers Comp	Total for Position
\$ 44,054.40	\$ 847.20	\$ 3,434.97	\$ 13,844.09	\$ 440.54	\$ 125.60	\$ 2,694.10	\$ 44.05	\$ 65,485.85

Describe the fringe benefits listed here with the positions above. The table above identifies/outlines each benefit provided by Grand Traverse County.

Contractual

For assigned counsel, you may group all attorney contracts in one line item. You may list the computation as "various" to indicate various rates of pay and provide detail below for the pay structure. List contractors for training programs. Also, list contractors who will be providing construction services for confidential space, if needed. Confidential space costs should be discussed in detail below but costs cannot exceed \$25,000 per location. Requests exceeding \$25,000 will be reviewed with higher due diligence and considered with accompanying documentation for justification. List contracts for investigators and experts here. (Outline is contained within document)

CONTRACTOR	COMPUTATION	SERVICES TO BE PROVIDED	TOTAL
Contract Defense Attorney Interview w/i 3 days	\$85.00/case (estimated at 1,171 cases)	conduct an interview with the defendant within 3 days	\$99,500
Expert / Investigation	Estimated at Tier II based on number of attorneys on list who intend to increase utilization of this resource, caseload statistics, and historic usage of experts in GT County	counsel to conduct an independent investigation	\$20,000
Contract Defense Attorney	\$500/day @ 260 business days per year	rotation of on-call scheduled Court Appointed Attorneys or to retain additional Court Appointed Attorneys to be available on a daily basis	\$130,000

Jail Modification	Request for proposals will be sought to complete work (Estimate for work attached)	The space is not adequate and will require renovation. The renovation will require design services, furniture, security	\$32,893
		systems to monitor entering and exiting of the confidential interview space	
TOTAL			\$283,393

Provide detail for the types of contractors listed above, rates and hours, and services to be provided. Identify if the contractor will be a new cost or includes cost enhancements for implementation of the compliance plan.

Travel and Training

Include registrations for continuing legal education hours and training. Travel expenses should adhere to local funding unit travel policies, not to exceed State of Michigan standardized travel rates.

Number of Attorney	Reimbursement Type	Cost	Total
Up to 16	Conference Registration	\$300	Up to \$4,800
Up to 16	Mileage (475 miles)	\$0.535	Up to \$4,066
Up to 16	Hotel (3 nights)	\$129/night	Up to \$6,192
Up to 16	Food (4 days)	\$46/day	Up to \$2,944
1	Trial — skills — college CDAM Training	\$900	\$900

		TOTAL	\$18,902

~~Complete overview of the above table is identified within grant application.~~

Supplies and Other

~~Include all other expenses not provided elsewhere in the cost analysis.~~

ITEM	TOTAL
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~~Provide details for supplies and other expenses. Identify whether the expense is new as a result of the compliance plan.~~

~~Total Cost Analysis (sum of all expenditure sections) _____~~

~~\$ 366,781~~

~~The MIDC Act, MCL 780.993(2), allows for an indigent defense system to request reimbursement as part of the total grant for the cost of developing the compliance plan. If submitting a claim for this expense, provide an explanation and calculation with details of all plan development costs. Attach a separate document with the compliance plan submission if needed.~~

GRANT CALCULATION

TOTAL COST ANALYSIS	\$415,477 (Current Costs)
	+ \$366,781 (new Standards)
COMPLIANCE PLANNING COSTS	
LOCAL SHARE	- \$153,580
COMPLIANCE PLAN GRANT REQUEST	\$628,678

~~The Local Share is defined as an indigent criminal defense system's average annual direct expenditures for adult criminal defense services for three fiscal years preceding the creation of the MIDC Act (effective July 1, 2013). Collections or reimbursements made to the system for partially indigent defendants are applied to the calculation. Expenditures to be included in the calculation:~~

- ~~Payments to criminal defense attorneys (contracts, public defenders, appointed systems, hybrid systems) for providing indigent adult criminal defense services including services for expedited docket programs, criminal contempt, juveniles waived into adult court, appeals from district to circuit court or eligible interlocutory appeals to the Court of Appeals~~
- ~~Payments to experts and investigators~~
- ~~Other expenses including attorney supplies, travel, or training~~

~~Services not included as expenditures:~~

- ~~Post-sentencing appeals~~
- ~~Probate, Juvenile Delinquency, Abuse and Neglect cases~~
- ~~Civil Contempt~~
- ~~Counsel at lineup (before charges are filed)~~

~~Reimbursements:~~

- ~~Fees paid by or on behalf of a defendant for indigent criminal defense services including payments by the Michigan Department of Corrections and grant payments that include indigent defense services as eligible grant expenditures (i.e. expedited docket programs)~~

~~If the actual expenses and reimbursements cannot be calculated as exact, identify that you are providing estimates and discuss the methodology for determining the estimated local share.~~

FISCAL YEAR	TOTAL EXPENSES	REIMBURSEMENTS	NET EXPENSES
2010	-\$495,361	-\$278,810	-\$216,551
2011	-\$360,058	-\$256,472	-\$103,586
2012	-\$391,013	-\$250,410	-\$140,603
Average of Three Fiscal Years	-\$415,477	-\$261,897	-\$153,580

~~Certification: I certify to the best of my knowledge and belief that the calculation of the local share is correct and complete and that all fiscal details included are direct indigent defense system expenditures and reimbursements in the given fiscal years.~~

Authorizing Official Name _____

_____ (Printed) _____ (Signature)

Title _____ Date _____

Data Collection

~~In the future, the MIDC expects to collect data on the following topics related to the first four standards. Data points include "system-wide data" (pertaining to each indigent defense system), "attorney-level data" (pertaining~~

to each attorney) and “case-level data” (pertaining to each individual court case). This list is not exhaustive but offers guidance on the types of data that will be critical to demonstrating standards compliance.

System-Wide Data Points

- Local requirements for training
- Existence of local training options
- Structure of any local administrative bodies responsible for identifying training needs and implementing training
- Mechanism(s) and timeline for notifying attorneys of new appointments
- Existence of confidential space for attorney-client interviews in holding facilities and courthouses
- Mechanism(s) by which attorneys request investigators or expert witnesses
- Delivery models for provision of counsel at first appearance

Attorney-Level Data Points

- P numbers and contact information
- Total number of annual completed CLE credits
- Location, date and content of all completed training courses

Case-Level Data Points

- Defendant request for appointed counsel
- Court appointment of counsel and date
- Date of attorney notification of appointment
- Date of initial client interview
- Request for investigator, date granted or denied
- Request for expert witness, date granted or denied
- Presence of counsel at first appearance
- Mechanism by which counsel at first appearance was provided • Type and amount of bail issued, if any

The MIDC Act, MCL 780.993 (9), requires the state to appropriate funds for the reasonable costs associated with data required to be collected by the MIDC in excess of the local government’s data costs for other purposes. Costs associated with data collection are not required to be submitted with this compliance plan submission but will be addressed at a future date and are remarked here for informational purposes.