



p 517-346-6300

p 800-968-1442

f 517-482-6248

www.michbar.org

306 Townsend Street

Michael Franck Building

Lansing, MI

48933-2012

February 8, 2012

The Honorable Tonya Schuitmaker
State Senator
State Capitol
P.O. Box 30036
Lansing, MI 48909-7536

The Honorable Ellen Cogen Lipton
State Representative
State Capitol
P.O. Box 30014
Lansing, MI 48909-7514

Re: SB 0246, SB 0247, HB 4555, and HB 4556 – Juvenile Competency

Dear Senator Schuitmaker and Representative Lipton:

At its January meeting, the State Bar of Michigan's Board of Commissioners unanimously voted to **support SB 0246, SB 0247, HB 4555, and HB 4556** but respectfully requests an amendment be made regarding the qualifications of who performs a competency evaluation. An amendment was recommended by the Criminal Law Section that would state if a forensic mental health examiner is not available, the court should appoint another qualified person for the competency exam.

The position adopted by the State Bar was in concurrence with recommendations from the Criminal Law Section, the Criminal Jurisprudence & Practice Committee and the Justice Policy Initiative.

If you would like to discuss this position in further detail or have questions, please contact me directly at your convenience. Thank you for continuing to provide leadership on this important bill package.

Sincerely,

Elizabeth K. Lyon
Director of Governmental Relations
Direct dial: (517) 346-6325
Email: elyon@mail.michbar.org

CC. Julie I. Fershtman, President
Nell Kuhnmuensch, Governmental Consultant Services, Inc.