

CRIMINAL JURISPRUDENCE & PRACTICE COMMITTEE
Respectfully submits the following position on:

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HB 4186

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The Criminal Jurisprudence & Practice Committee is comprised of members appointed by the President of the State Bar of Michigan.

The position expressed is that of the Criminal Jurisprudence & Practice Committee. The State Bar of Michigan has authorized the Criminal Jurisprudence & Practice Committee to advocate its position.

The State Bar of Michigan's position on this matter is to support.

The total membership of the Criminal Jurisprudence & Practice Committee is 14.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 14. The number who voted in favor to this position was 9. The number who voted opposed to this position was 0.

Report on Public Policy Position

Name of Committee:

Criminal Jurisprudence and Practice

Contact persons:

Nichole Jongsma Derks

J. Kevin McKay

E-Mail/Phone:

nderks@fosterswift.com

kevin.mckay@kentcountymi.gov

Bill Number:

[HB 4186](#)(Oakes) Criminal procedure, expunction; Records, other. Criminal procedure; expunction; record expunction for certain offenders; expand, and provide for under certain circumstances. Amends secs. 1, 3 & 4 of 1965 PA 213 (MCL 780.621 et seq.).

Date position was adopted:

February 20, 2013

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

14

Number who voted in favor and opposed to the position:

9 Voted for position

0 Voted against position

0 Abstained from vote

5 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

It was the position of the committee that expansion and clarification of the availability to expunge one's criminal record is an appropriate response to the effect of a criminal record on one's ability to work, obtain an education and live in today's world.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2013-HB-4186>

FOR LEGISLATIVE ISSUES ONLY:

This position falls within the following Keller-permissible category:

- The regulation and discipline of attorneys
- ✓ The improvement of the functioning of the courts
- The availability of legal services to society
- The regulation of attorney trust accounts
- The regulation of the legal profession, including the education, the ethics, the competency, and the integrity of the profession.

Keller-permissible explanation:

This is Keller permissible as this bill improves the functioning of courts in that it allows for the clearing of a criminal record where there is more than one conviction without having to resort to filing separate actions for new trials on the additional convictions.