

## Criminal Law Council Minutes of 10-16-2018

Present: Judge Clarke, Judge Anderson, Josh Blanchard, Stephen Gobbo, Edwar Z eineh, Amanda Tringl, Mike Brady, Matthew Smith, Neil O'Brien, Ryan Zemke, Gora n Antovski, Anthony Greene, Stephanie Farkas, Bruce Timmons, Dave Gilbert, Chris tine Piatkowski, Christina Hines, Dianna Collins, Richmond Riggs, Non-voting memb er Elaine Spiliopoulos, (19 present), Sofia Nelson arrived 7:10 p.m.

EXCUSED: Judge Caprathe, Mike Marutiak, Heather Garretson, Ericka Savage, Bria n Watkins,

MEETING CALLED TO ORDER AT: 6:30 p.m. Quorum Present.

Consent Agenda—

- a. Approval of Minutes from June 19, 2018 Meeting. – Proposed Action: Accept minutes as presented.
- b. Presentation of Financial Statements / Approval of Financial Statements. Prop osed Action: Accept financial statements as presented.
- c. 2002-37: Proposed Amendments of MCR 1.109, 2.102, 2.104, 2.106, 2.107, 2 .117, 2.119, 2.403, 2.503, 2.506, 2.508, 2.518, 2.602, 2.603, 2.621, 3.101, 3.104, 3.2 03, 3.205, 3.210, 3.302, 3.607, 3.613, 3.614, 3.705, 3.801, 3.802, 3.805, 3.806, 4.20 1, 4.202, 4.303, 4.306, 5.001, 5.104, 5.105, 5.107, 5.108, 5.113, 5.117, 5.118, 5.119, 5.120, 5.125, 5.126, 5.132, 5.162, 5.202, 5.203, 5.205, 5.302, 5.304, 5.307, 5.308, 5 .309, 5.310, 5.311, 5.313, 5.402, 5.404, 5.405, 5.409, 5.501, and 5.784 and new rule 3.618

The proposed amendments are an expected progression necessary for design and i mplementation of the statewide electronic-filing system. These particular amendment s will assist in implementing the goals of the project. Proposed Action: Take no actio n.

Gilbert moved to approve items on the Consent Agenda Farkas seconded. Passed u nanimous.

Member introductions. New Members: Amanda Tringl, Matthew Smith, Anthony Gre ene.

Secretary's Report—none

Treasurer Report: Received under consent agenda.

Chairperson's report with goals given:

#### Secured Leave Court Rule

CDAM is proposing a court rule allowing attorneys to send "vacation letters" to block off time for vacation or personal matters. A draft of the rule is available here: [https://paper.dropbox.com/doc/Michigan-Secured-Leave--APW1\\_t1nJp94Zf54YyohrEWSAQ-ovi49v6gcgcl4Bm1FID1r](https://paper.dropbox.com/doc/Michigan-Secured-Leave--APW1_t1nJp94Zf54YyohrEWSAQ-ovi49v6gcgcl4Bm1FID1r)

Committee Assignments discussed appointment to follow.

Mid Winter Conference Feb 16-17, 2019—looking at Soaring Eagle. Motion for deposit and contract approval subject to SBM approvals not to exceed \$800.00. Zemke moved Farkas seconded—passed 18-1-1 (Brady abstained).

Motion by Gobbo seconded by Gilbert to hold the conference at Frankenmuth subject to SBM approvals as a backup location with a deposit not to exceed \$800.00. Approved by a vote of 19-1-0.

Policy Conference discussed. Locations at Frankenmuth, Shanty Creek or Mission Point under consideration.

State Bar Journal articles—Four (4) authors committed for Special Edition State Bar Journal

MIDC—No report.

Criminal Jurisprudence meeting scheduled for October 26, 2018

Criminal Jury Instructions No Report

Prisons and Corrections No Report

Criminal Justice Initiative No report

P.A.A.M. No report

Children Law no report

MDJA-open position to be filled by MDJA

Legislative: Proposed amendment to MCR 2.513 requiring judges to read jury instructions to the jury even if a written copy is provided to the jury. Motion to support by Clarke seconded by Tringl. Motion approved 20-0.

HB 6277 Jury Nullification-Clarke moved Gobbo seconded to oppose bill. Motion failed 9 to 11.

Motion to Table further discussion on HB 6277 failed 9-9-2.

Motion by Zeineh seconded by Tringl to support HB 6277 failed—6-12-2

Package of Bills on Age of criminal responsibility-discussion held no position taken.

Motion to appoint Dave Champine to council for 1 year term-Hines moved Clarke supported. Passed-19-1-0.

Add HB 6344 (Ingham County District Court Consolidation to be placed on the November 2018 Meeting.

Meeting adjourned 8:15 pm