

Order

Michigan Supreme Court
Lansing, Michigan

September 17, 2014

Robert P. Young, Jr.,
Chief Justice

ADM File No. 2014-36

Michael F. Cavanagh
Stephen J. Markman

Administrative Order No. 2014-18

Mary Beth Kelly
Brian K. Zahra

Merger of the State Appellate Defender
Office (SADO) and Michigan Appellate
Assigned Counsel System (MAACS)

Bridget M. McCormack
David F. Viviano,
Justices

1978 PA 620 authorized the Appellate Defender Commission to develop a system of indigent appellate defense services to include services provided by the State Appellate Defender Office and locally appointed private counsel. In Administrative Order No. 1981-7, the Court authorized the Appellate Defender Commission to establish an Appellate Assigned Counsel Administrator's Office to operate the roster of private attorneys providing appellate defense services. SADO and the Michigan Assigned Appellate Counsel System have operated separately until now. On order of the Court, at the request of the Appellate Defender Commission, effective immediately, to promote efficiency and improve the administration of assigned appellate counsel for indigent defendants, the Court orders that operations of the two offices be merged. The State Appellate Defender shall serve as administrator of the Michigan Assigned Appellate Counsel System. Further, the Court directs the Appellate Defender Commission to review operations of the MAACS and submit a proposed administrative order that reflects the consolidation of the two offices and incorporates proposed updates or revisions that the commission recommends. The commission shall submit the proposed administrative order to the Court no later than March 31, 2015.

Staff Comment: MCL 780.711 *et seq.* charged the Appellate Defender Commission with development of a mixed system of appellate assigned defense representation, consisting of both a public defender office and roster of private attorneys qualified and willing to accept appellate assignments. The State Appellate Defender Office (SADO) was created in 1978 to function as the public defender office; in 1981, the Michigan Appellate Assigned Counsel System (MAACS) was authorized to function as administrator of the statewide roster of private attorneys. Administrative Order No. 1981-7 commentary recognized two administrative models for the system, one defender-administered and one with independent offices. Over time, the Appellate Defender Commission, overseer of both components, has recognized the benefits of the defender-

administered model; as in the federal system, this model produces cost-effective and coordinated management of resources. To better serve the interests of appellate defendants, the Appellate Defender Commission has recommended the change.


The staff comment is not an authoritative construction by the Court.

A copy of this order will be given to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on the proposal may be sent to the Office of Administrative Counsel in writing or electronically by January 1, 2015, at P.O. Box 30052, Lansing, MI 48909, or ADMcomment@courts.mi.gov. When filing a comment, please refer to ADM File No. 2014-36. Your comments and the comments of others will be posted under the chapter affected by this proposal at [Proposed & Recently Adopted Orders on Admin Matters page](#).



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 17, 2014


Clerk