

# MICHIGAN APPELLATE ASSIGNED COUNSEL SYSTEM

**JONATHAN SACKS**  
APPELLATE DEFENDER

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MAACS ADMINISTRATOR

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[www.mimaacs.org](http://www.mimaacs.org)

## INFORMATION ABOUT THE MAACS ROSTER

In approximately 75% of Michigan felony appeals, the trial courts appoint counsel from a “statewide roster” of “private counsel” maintained by the Michigan Appellate Assigned Counsel System (MAACS). MCL 780.712(4), (6). To apply to join the MAACS roster, an attorney must submit a completed application and supporting materials.

If invited to join the roster, an attorney will be designated as Level 1, 2 or 3, depending on an assessment of the attorney’s prior experience:

**Level 1 attorneys** may represent on direct appeal defendants convicted by plea of offenses carrying a statutory term of less than life imprisonment. There is no minimum experience requirement to join the roster at Level 1, but attendance at Orientation and Training sessions is mandatory.

**Level 2 attorneys** may represent any defendant convicted by plea or at trial, but will not generally be assigned Level 1 cases. Level 2 attorneys must have conducted at least 10 prior felony appeals through submission on the merits in the 5 years immediately preceding the attorney’s roster application.

**Level 3 attorneys** may represent any defendant convicted by plea or at trial, but have requested and been approved by the Administrator to represent only defendants convicted at trial.

A roster attorney may request placement on any local or multi-circuit assignment list. Caseload depends on the number, size, and assignment volume of lists, and compensation varies between circuits, though a growing number of courts have adopted a uniform attorney fee policy with rates of \$50 per hour for Level 1 cases and \$75 per hour for Level 2 and 3 cases. Additional information is available on the MAACS page at [www.sado.org/go/maacs](http://www.sado.org/go/maacs).

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## MAACS ROSTER APPLICATION

Name:

Bar No.:

Year admitted:

Principal business address:

Phone:

Email:

Specify any languages, other than English, in which you are FLUENT:

Approximate percentage of current practice consists of:

Felony Trials:           %                      Felony Appeals:           %

Number of years practicing criminal defense or appellate law:

Criminal Defense:    years                      Appellate Practice:    years

Have you ever been disciplined by the bar in Michigan or any other jurisdiction?  
If so, please explain on a separate sheet.

Please provide two professional references who can attest to your standing in the legal community and/or potential as appointed criminal appellate counsel:

Reference 1

Reference 2

Name:

Title:

Phone:

Email:

To apply to join the MAACS roster, please send copies of the following, all in pdf format, to [rostersupport@mimaacs.org](mailto:rostersupport@mimaacs.org):

1. **This application.**
2. **A current résumé.**
3. **A statement of interest.** The statement of interest should be no more than two pages in length, and should explain your interest in joining the MAACS roster and your qualifications to represent indigent criminal defendants on appeal. If you wish to request classification at Level 2 or 3, the statement of interest should indicate this request and contain a description of specific cases and experiences demonstrating a significant record of consistently high quality criminal appellate representation and a proven ability to handle any type of MAACS assignment.
4. **Two writing samples.** Samples should be personally written by you. Recently filed briefs are preferred, but other samples including law school assignments will be accepted if nothing else is available. Your role in any co-authored pleadings should be explained in the statement of interest.
5. **Declarations page of malpractice insurance policy (if applicable).**

I certify that the information provided here is true and accurate, and I agree to comply with the Minimum Standards for Indigent Criminal Appellate Defense Services and the MAACS Regulations.

Signature:

Date:

## **Excerpt from the MAACS Regulations**

Approved September 20, 2017

### **Section II: Membership and Classification on the MAACS Roster**

(A) Application procedure.

(1) [Omitted.]

(2) The Administrator shall have discretion to grant or deny any application to join the roster.

(3) Admission to the roster is contingent upon an applicant's completion of an orientation program and an annual MAACS training seminar, unless waived by the Administrator.

(4) Admission to the roster represents an agreement by the roster attorney to accept personal responsibility for all aspects of assigned appellate representation.

(B) Classification of MAACS roster attorneys.

(1) Roster attorneys are classified as follows:

(a) A Level 1 roster attorney may only represent on direct appeal defendants convicted by plea of offenses carrying a statutory maximum of less than life imprisonment, unless otherwise authorized by the Administrator and without objection from the attorney or the appointing court.

(b) A Level 2 roster attorney may represent any defendant convicted by plea or at trial.

(c) A Level 3 roster attorney may represent any defendant convicted by plea or at trial, but has requested and been approved to represent only defendants convicted at trial.

(2) All roster attorneys are classified at Level 1 unless approved by the Administrator for Level 2 or Level 3.

(a) The Administrator must reserve Level 2 and Level 3 for roster attorneys who have established a significant record of consistently high quality criminal appellate representation and an ability to handle any type of MAACS assignment. Relevant considerations include performance history, writing ability, familiarity with Michigan criminal law and procedure, client counseling skills, demonstrated interest in indigent defense, and reputation in the legal community.