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Commission Begins Study Of Public Defender System

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A state commission began work this week to ensure that everyone who is accused of a crime in Michigan gets an adequate legal defense.

Michigan allows every county to handle its own public defender system. The system is frequently cited as one of the worst in the country. That's because some counties do a good job of ensuring even people who cannot pay get a good lawyer. Other counties are more haphazard. There are also no training standards for public defenders.

Retired Judge James Fischer chairs the commission: "I think you would be hard-pressed to find anyone who would argue that there are no problems with the system, that it's working perfectly fine for everyone. I'm pretty certain that's not going to be anyone's position."

The commission's first step was to approve a set of questions for every county to answer on how it assigns and pays public defenders.

One of the common complaints is that public defenders must take on too many cases to earn a living. "We need to come up with an improved system for public defense in Michigan," says Peter Cunningham with the Michigan Campaign for Justice, which advocates for a better public defender system. "There needs to be more accountability - a statewide structure for holding counties accountable for how public defense is delivered, if not a statewide system."

Governor Rick Snyder gave the commission until July of next year to come up with a set of recommendations, including a way to pay for a better public defender system.

Michigan is also in court defending itself against a class-action lawsuit demanding improvements.

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