



MI Supreme Court dismisses challenge to indigent defense system

Rick Pluta (2010-07-16)

LANSING, MI (MPRN) - The court split along party lines. The four Republican justices in the majority said it's up to the governor and the Legislature - not the courts -- to design and fund a system for ensuring legal representation for poor defendants.

The American Civil Liberties Union filed the challenge, focusing on three counties. The ACLU says Michigan's county-by-county patchwork system does not ensure every defendant gets adequate legal representation.

The lawsuit says the system is under-funded and has no uniform standards for ensuring attorneys do a good job. National studies rank Michigan's indigent defense system among the worst in the country.

The court's three Democrats dissented, and said they would have allowed the case to go forward. They said the Republican majority focused on the prospect of an expensive solution before the key question was settled - and that is whether poor defendants are being denied their constitutional rights.