

**NOTICE REGARDING TRAINING UNDER PARAGRAPH 37 OF THE BAIL
PARTNERSHIP AGREEMENT**

This Notice concerns the Bail Partnership Agreement available on the 36th District Court's website which became binding on July 12, 2022 with an effective date of September 1, 2022. *See* Agreement, Paragraph 67.

This Notice concerns an update concerning Paragraph 37 of the Bail Partnership Agreement which currently provides that: "Appointed Arraignment Counsel shall be required to receive at least two hours of refresher training on the law and terms of bail every two years."

This Notice does not impact Paragraph 36 of the Bail Partnership Agreement nor the Court's prior "Notice Regarding Initial Training Under Paragraph 36 of the Bail Partnership Agreement." (See attached Appendix 1).

Rather, this Notice provides that there is a pause on the implementation of the refresher training requirement under Paragraph 37 of the Bail Partnership Agreement. Moreover, the Court plans to issue an "Updated Notice Regarding Training Under Paragraph 37 of the Bail Partnership Agreement" which will be made available in the same manner as this Notice.

Walter C. McConico

36th District Court, Chief Judge McConico

Appendix 1

**NOTICE REGARDING INITIAL TRAINING UNDER PARAGRAPH 36 OF THE BAIL
PARTNERSHIP AGREEMENT**

This Notice concerns the Bail Partnership Agreement available on the 36th District Court's website which became binding on July 12, 2022 with an effective date of September 1, 2022. *See* Agreement, Paragraph 67. In a prior notice – Notice Regarding Effective Date of Bail Partnership Agreement (“Effective Date Notice”), it was communicated that the Parties to the Bail Partnership Agreement **updated** the **effective date of the Bail Partnership Agreement to November 1, 2022** from September 1, 2022. (See attached Appendix A). The Effective Date Notice (Appendix A) and the Appointed Arraignment Counsel And Appointed Defense Attorneys Training Requirement (see attached Appendix B) also communicated the need for Appointed Arraignment Counsel and appointed defense attorneys in the 36th District Court to complete the Parties' 52-slide slidedeck training course which satisfies the 4 hour initial training requirement under Paragraph 36 of the Bail Partnership Agreement. This Notice updates when the initial training must be completed.

Appointed Arraignment Counsel and appointed defense attorneys in the 36th District Court must now complete the 52-slide slidedeck training course (1) prior to May 31, 2023 or (2) prior to serving as Appointed Arraignment Counsel and prior to receiving an appointed defense attorney appointment if not completed prior to May 31, 2023. Please use the following link to access training and other written materials related to the Bail Partnership Agreement including to access and complete the Recorded Training Fulfilling 4 Hour Paragraph 36 Requirement:
<https://www.36thdistrictcourt.org/general-information/bail-partnership-agreement>.



36th District Court, Chief Judge McConico

Appendix A

NOTICE REGARDING EFFECTIVE DATE OF BAIL PARTNERSHIP AGREEMENT

This Notice concerns the Bail Partnership Agreement available on the 36th District Court's website which became binding on July 12, 2022 with an effective date of September 1, 2022. *See* Agreement, Paragraph 67.

Please take notice that the Parties to the Bail Partnership Agreement have **updated** the **effective date of the Bail Partnership Agreement** to **November 1, 2022** from September 1, 2022.

If you have not done so already, please make yourself familiar with the Bail Partnership Agreement and complete the Parties' 52 slide slidedeck training course prior to November 1, 2022 which satisfies the 4 hour initial training requirement under Paragraph 36 of the Bail Partnership Agreement.



36th District Court, Chief Judge McConico

Appendix B

APPOINTED ARRAIGNMENT COUNSEL AND APPOINTED DEFENSE ATTORNEYS TRAINING REQUIREMENT

Pursuant to the historic Bail Partnership Agreement which became binding on July 12, 2022, Appointed Arraignment Counsel and appointed defense attorneys in the 36th District Court must complete the 52-slide slidedeck training course which satisfies the 4 hour initial training requirement under Paragraph 36 of the Bail Partnership Agreement (1) prior to November 1, 2022 (the updated effective date of the Bail Partnership Agreement) or (2) prior to serving as Appointed Arraignment Counsel and prior to receiving an appointed defense attorney appointment if not completed prior to the updated effective date of the Bail Partnership Agreement.

Below please find an excerpt from the Bail Partnership Agreement that sets forth the initial training requirement. For further information regarding the initial training requirement under Paragraph 36 of the Bail Partnership Agreement and the updated effective date of the Bail Partnership Agreement, please consult the 36th District Court website.

36. Prior to serving as Appointed Arraignment Counsel, an attorney must complete at least four hours of specific training regarding the law and terms of bail. Such training must include, at least: instruction regarding the terms of this Agreement; instruction on Michigan bail law including, without limitation, MCR 6.106, and federal constitutional issues relating to bail. The training shall emphasize that this Agreement is not intended to dictate the outcome of any particular Arraignment or Bail Redetermination hearing, but rather to describe the procedures and principles that will be used to guide the lawful and constitutional exercise of the Presiding Officer's discretion when determining whether to impose Cash Bail and the terms upon which to do so. The bail training shall also be required for all appointed defense attorneys in the 36th District Court who are approved to represent Accused Individuals in the 36th District Court under Local Administrative Order 2016-02 (or any successor Administrative Order similar to Administrative Order 2016-02, if any) or who are otherwise serving as appointed defense attorneys in the 36th District Court. For newly approved defense attorneys under Local Administrative Order 2016-02 (or any successor Administrative Order similar to Administrative Order 2016-02, if any) or who are otherwise serving as appointed defense attorneys in the 36th District Court, the training must be completed prior to the effective date of this Agreement or prior to receiving an appointment if completed after the effective date of this Agreement. For defense attorneys previously approved under Local Administrative Order 2016-02 (or any successor Administrative Order similar to Administrative Order 2016-02, if any) or who otherwise served as appointed defense attorneys in the 36th District Court, the training must be completed prior to the effective date of this Agreement or prior to receiving an appointment if completed after the effective date of this Agreement.