



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GRETCHEN WHITMER
GOVERNOR

GARLIN GILCHRIST II
LT. GOVERNOR

September 17, 2020

Michigan House of Representatives
State Capitol Building
Lansing, MI 48909-7514

Representatives,

Today I signed Enrolled House Bill 5488, which extends the sunset of a provision allowing judges wide discretion to impose fees and costs.

This provision reflects a system where trial courts must fund their operations through discretionary fees on defendants. That system falls short of our obligation to provide fair and impartial justice for our communities, and a reliable financing system for our courts. While it is vitally important to maintain access to judicial relief through continued support for the state's district courts, I urge the legislature to develop a financing system that does not come at the cost of judicial independence and individual rights.

There has been significant work done in this arena, primarily by the Trial Court Funding Commission, created by Public Act 65 of 2017. The commission's report "unanimously concluded that the existing system is broken, and it is imperative to create a stable and consistent funding source for Michigan Trial Courts that removes trial court judges from the role of raising money for the operation of the courts."

Extending this sunset provision is a stopgap measure. I hope that, drawing on the commission's work, we can collaborate to implement appropriate reform of this system.

Respectfully,

A handwritten signature in blue ink, appearing to read "Gretchen Whitmer".

Gretchen Whitmer
Governor