MICHIGAN CENTER for YOUTH JUSTICE

Support for Juvenile Defense

The *Justice for Kids and Communities* legislative package represents a historic investment in Michigan's children, youth, and justice-involved young adults. A cornerstone of this package sought to guarantee quality legal representation for youth. Research shows that young people's constitutional rights are not adequately protected without effective counsel. Public defenders play an essential role in the juvenile justice system by safeguarding these rights.

This bipartisan bill previously passed both the Michigan State House and Senate without substantial changes and is now back on the floor due to procedural technicalities in both chambers. Implementing the Michigan Indigent Defense Commission's standards for youth defense must be understood within the broader context of recent legislative reforms.

Leveraging Child Care Fund (CCF) Incentives for Cost Savings

As part of the Justice for Kids and Communities package, Senate Bill 418 increases the CCF reimbursement rate from 50% to 75% for in-home and community-based services. This change incentivizes counties to prioritize pre-arrest diversion programs, shelter care, and alternatives to costly residential placements. Expanding the CCF's eligible uses to include preventative services empowers counties to reduce their reliance on detention, offering a more cost-effective approach that promotes youth rehabilitation.

The Justice Policy Institute estimates that the average cost of securely confining a young person is **$214,620 annually**. The daily cost of a detention bed ranges from $315 to $650, whereas community-based programs can cost less than $75 per day. In Michigan, many youth are detained for low-level, nonviolent offenses. A robust juvenile defense system **reduces** costs by ensuring attorneys advocate for community-based programs, which are significantly more affordable and impactful.

Preventing Recidivism with Effective Defense

Over-incarcerating young people has far-reaching consequences. A working paper found that placement in juvenile detention in Michigan reduces the likelihood of high school graduation by 31%. Nationally, two out of three youths do not return to school post-incarceration. Further, confining youth **increases** their likelihood of adult incarceration by more than 20%.

A strong juvenile defense system can change young people's trajectories. Attorneys specializing in juvenile defense connect youth to diversion programs, rehabilitation services, or other alternatives to detention. Research shows that Michigan youth diverted from the justice system are less likely to reoffend than their peers who were not diverted. National studies align, indicating that youth who avoid deeper justice involvement are more likely to:

- Commit fewer violent acts
- Enroll in college at higher rates
- Earn higher incomes as adults

By preventing deeper justice involvement, juvenile defense reduces the need for repeated interventions and allows young people to contribute positively to their communities. These outcomes also benefit

Michigan's economy by fostering productive, law-abiding citizens. Public defenders are instrumental in achieving these results by advocating for fair, developmentally appropriate interventions.

Efficient and Accountable Resource Management

HB 4070 / SB 81 establishes oversight and grant funding structures to ensure efficient resource allocation. Counties must meet high service delivery standards, minimizing redundancies and maximizing the effectiveness of state funding to promote long-term fiscal responsibility.

State-structured public defender models have demonstrated clear benefits, including:

- Reduced sentence lengths, which lower incarceration costs
- More effective representation, ensuring better outcomes
- Lower long-term justice system expenses

Local jurisdictions will have the flexibility to determine how best to meet the new youth defense standards while ensuring accountability. The bill also stabilizes county budgets by reducing reliance on variable fees for private attorneys, creating a predictable and equitable funding model.

A Proactive Investment to Protect Michigan's Future

Failing to establish a structured youth defense system exposes Michigan to serious **legal and financial risks**. States like Georgia, Tennessee, and Missouri have faced federal investigations and costly lawsuits for inadequate juvenile representation. HB 4070 / SB 81 mitigates these risks by proactively ensuring Michigan meets constitutional obligations, preventing forced federal intervention.

A Proven, Bipartisan Solution

The legislation has already passed with **bipartisan support** in both chambers of the Michigan Legislature. The bill's return to the floor stems solely from a procedural amendment, not substantive opposition. Michigan's leadership has an opportunity to solidify this investment in youth justice, reinforcing the state's commitment to fairness, fiscal responsibility, and community well-being.

Now is the time to move forward. HB 4070 / SB 81 will strengthen Michigan's justice system, reduce reliance on costly detention, and provide young people with the necessary resources to thrive.

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The Justice for Kids and Communities legislative package reflects Michigan's commitment to serving children effectively and responsibly. The legislation builds on this momentum by protecting our youth, reducing long-term costs, and improving outcomes for the entire state.