

Drug czar wants to reduce appeals for pleading guilty

By TIM RICHARD STAFF WRITER

The state's drug czar says Michigan could save \$2 million by reducing the number of automatic appeals by convicts.

Robert Peterson, coordinator of drug programs for Gov. John Engler, supports a constitutional amendment to eliminate automatic appeals by people who plead guilty.

"We should abolish the automatic right to appeal guilty pleas. Many convicts plead guilty and are not happy with the sentence," Peterson said after testifying before a Senate subcommittee.

"We could save \$400,000 in attorneys' costs, plus the cost of defense attorneys. The Supreme Court estimates the savings at \$2 million."

George Ward, chief assistant Wayne County prosecutor running for the Court of Appeals, agrees.

"There doesn't have to be a three-year backlog in the Court of Appeals," Ward said in a separate interview. "The Court of Appeals, by its own procedures, generates frivolous appeals. A quarter of the docket is frivolous."

Fifty-five percent of its cases are criminal. Half stem from pleas of guilty.

■ The Court of Appeals rules against all but a few appeals. But it still takes a three-judge panel — plus clerks, time and paper — to produce written opinions.

backlog — definitely. It would take some pressure off (for new judges) and save the state attorneys' fees for indigents."

Plawewski, of Dearborn Heights, said "20 percent of appeals are frivolous — where the individual, after being fully represented, pleads guilty and waives his rights."

Appellant-convicts are entitled to file a 35-page brief and usually use the entire 35 pages. The prosecutor who sent them to prison usually uses his full 35 pages for rebuttal.

Appellant-convicts charge such irregularities as inadequate legal counsel or too stiff a sentence by the judge.

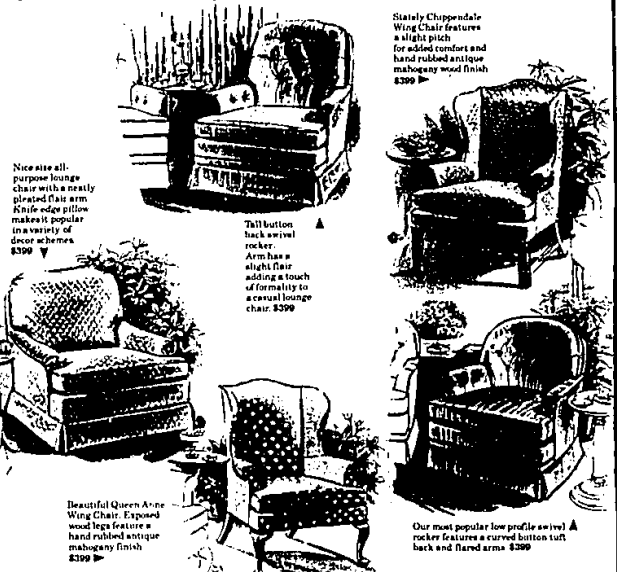
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The Court of Appeals was created by the 1963 state constitution with nine judges. Today it has 24 and three-year backlogs. The Supreme Court administrator has asked for 40 judges by 1994 and said there is work for 80 judges.

Lawmakers, however, are leaning in the direction of cutting the workload by cutting automatic appeals.

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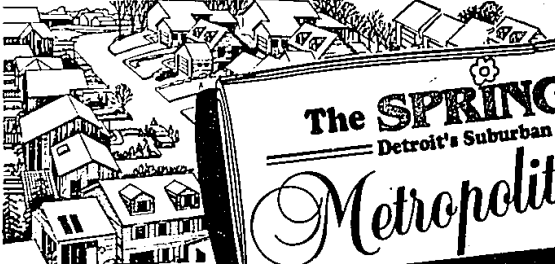
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