

HOUSE BILL NO. 6024

October 15, 2024, Introduced by Reps. Young and Hope and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 50d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 50d. (1) In a criminal prosecution related to the**
2 **treatment of an animal under this chapter or a criminal prosecution**
3 **related to the welfare or custody of an animal under the laws of**
4 **this state, the court may appoint, on the court's own motion or the**
5 **motion of any party, a volunteer advocate to represent the**

1 interests of the animal or the interests of justice. If a court
2 orders the appointment of a volunteer advocate under this section,
3 the court shall appoint the volunteer advocate from a list as
4 described in subsection (3), provided to the court by the State Bar
5 of Michigan or the State Bar of Michigan's designee. A decision by
6 the court denying a request to appoint a volunteer advocate under
7 this section is not subject to appeal.

8 (2) A volunteer advocate appointed by the court under
9 subsection (1) may do any of the following:

10 (a) Monitor the case.

11 (b) Consult an individual with information that may aid the
12 judge or fact finder and review records relating to the condition
13 of the animal and a defendant's actions, including, but not limited
14 to, records from an animal control officer, veterinarian, or police
15 officer.

16 (c) Attend hearings.

17 (d) If necessary and appropriate, recommend and coordinate
18 appropriate expert testimony.

19 (e) Make recommendations related to animal placement.

20 (f) Prepare and present a victim impact statement on behalf of
21 the animal.

22 (g) Present other information or recommendations to the court
23 that are related to a determination of the interests of the animal
24 or the interests of justice. The information and recommendations
25 permitted under this subdivision are limited to information and
26 recommendations that are relevant to the duties undertaken under
27 this subsection.

28 (3) The list provided to the court under subsection (1) must
29 include both of the following:

1 (a) The name and contact information of attorneys licensed to
2 practice law in this state who have knowledge of animal issues in
3 the legal system and are willing and eligible to be a volunteer
4 advocate under this section.

5 (b) The name and contact information of the law schools in
6 this state that have a clinical program that enrolls law students,
7 or anticipates enrolling law students, who have an interest in
8 animal issues in the legal system and that are willing to have the
9 law students enrolled in the clinical program meet the requirements
10 under this section and participate as volunteer advocates as part
11 of the clinical program.

12 (4) An attorney or law student must complete a training that
13 is approved by the State Bar of Michigan or the State Bar of
14 Michigan's designee before being eligible to serve as a volunteer
15 advocate under this section. A law student who participates as a
16 volunteer advocate under this section is subject to the Michigan
17 Rules of Professional Conduct.

18 (5) As used in this section:

19 (a) "Animal" means a vertebrate other than a human.

20 (b) "Clinical program" means a law school program that allows
21 students to earn law school credit for performing legal services
22 under attorney faculty supervision.

23 (c) "Law school" means a law school accredited by the American
24 Bar Association located in this state.

25 (d) "Volunteer" means that the attorney or law student
26 advocate does not receive monetary payment or reimbursement from
27 the court. A volunteer may, however, receive pro bono hours or law
28 school credit under this section.

29 Enacting section 1. This amendatory act takes effect 90 days

1 after the date it is enacted into law.