

Effective Date: Upon Approval of the State Court Administrative Office.

This administrative order is issued in accordance with Michigan Court Rules 8.119(E), effective September 30, 1999, and 8.110(C) (7), effective October 1, 1988. The purpose of this order is:

To regulate requests for inspection and reproduction of court records and to allow flexibility in providing approved forms or creating new records.

This order rescinds and replaces Local Administrative Order 2007-01 (Inspection, Reproduction and Creation of Court Records) and supersedes any and all previous policies that may address the same matter.

IT IS ORDERED:

1. Court records are public unless specifically made not public by statute, court rule, case law, or court order. Court records include case files, registers of action, indexes, video/audio/digital court recordings (including notes, tapes, and logs), and other court records. Procedures for inspection and reproduction of nonpublic information and records are set forth in Component 19 of the Michigan Trial Court Case File Management Standards, Nonpublic and Limited Access Records Chart, and Administrative Order 2006-2, Privacy Policy and Access to Records.
2. A list of court records not subject to public inspection is contained within the Nonpublic and Limited Access Records Chart.
3. Court records are not subject to Freedom of Information Act requests. MCL 15.232(d) (v) specifically exempts the judiciary from the Freedom of Information Act.
4. In accordance with MCR 8.110(C) (7), the court shall provide litigants with forms approved by the State Court Administrator at no cost, up to a maximum of five (5) forms per day.
 - a. Requests for more than five (5) forms will be accommodated at the cost of \$1.00 for each additional form over the limit of five (5) and may be restricted based on availability of the forms.
 - b. There will be no charge for forms requested by court-appointed attorneys on cases to which they have been appointed or for indigent parties.

- c. There will be no charge for forms prepared by the court.
 - d. The circuit court or clerk of the court may not charge for pro se forms for personal protection proceedings or motion forms for criminal post appeal relief. MCL 600.2950, 600.2950a, MCR 6.502(C) (15).
5. Any person may inspect any court record to which access is not restricted by statute, court rule, case law, or court order and may obtain copies subject to the following regulations established in accordance with MCR 8.119(E).
- a. General
 - i. All requests for court records and/or copies must be made on a "record/copy request form" and must specify a complete case number or party names except as provided under item b., iv. below. Upon completion of the file request, "record/copy request forms" shall be sent to Court Administration.
 - ii. Persons who do not have a complete case number or party names may review available case indexes to identify and select specific cases for inspection.
 - iii. Court records shall be reviewed at the public counter unless approval has been granted by Administration, and at the discretion of court supervisory personnel, access is granted to review records in the clerk's office based on available space, the number of files to be reviewed, and the length of time necessary to review them.
 - 1. Anyone entering secured areas must possess a letter from Court Administration granting access to those areas.
 - iv. Ensuring the right of immediate access to and public inspection of court records shall be a top priority but may be limited by the availability of court staff to supervise the inspection.
 - b. Access to Case Files/Information
 - i. Requests for access to no more than five (5) specific case files will be accommodated within four (4) hours unless the files are in storage. Requests for specific case files in storage will be accommodated within seven (7) working days.
 - ii. Requests for access to more than five (5) specific case files will be accommodated within a reasonable amount of time depending on the total number of case files requested and the availability of court staff.

- iii. Access to audio and video recordings of court proceedings pursuant to MCR 8.108 is not permitted. Parties may request a copy of the video or audio recording of the court proceedings under Section 5(c)(iii) of this Local Administrative Order.
- iv. Case information requests from other courts that lack specific case numbers or party names shall be researched by this court. Requested information will be provided at no charge and will not require a "copy request" form.
- v. Requests to perform general traffic or criminal record checks that do not have specific case numbers or party names will not be researched by the court. Individuals will be informed that they may use the public computer station to conduct their own record checks. They will also be referred to the appropriate state agencies to obtain this information or to the available indexes referred to under subsection 5(a) (ii).
- vi. Requests for the wholesale review of particular types of cases will only be considered if, in the court's discretion, the request will not unreasonably interfere with the discharge of court functions and access has been granted for this purpose by Court Administration. The court is not required to develop special procedures for the convenience or cost/benefit of persons requesting access and may specify the date, time and manner in which access is to be granted. It will be the responsibility of those persons requesting access to make prior, acceptable arrangements with the court.
 1. Anyone entering secured areas must possess a letter from Court Administration granting access to those areas.

c. Copies

- i. The court will provide a limited number of copies of documents (twenty (20) or fewer total pages) at a cost of \$1.00 for the first page and \$.25 for each additional page within thirty (30) minutes of the request for copies.
- ii. Requests for more than twenty (20) total copies will be accommodated within a reasonable amount of time as determined by:
 1. The total number of pages to be copied.
 2. The availability of court staff and photocopying equipment.

3. The nature of the request, i.e., the degree to which court staff is required to identify, select, and review documents to be copied.
- iii. Requests for copies of video and digital audio recordings of court proceedings pursuant to MCR 8.108 shall be granted to parties and attorneys of record within (three) 3 days for digital recordings provided they are in the active file area and (seven) 7 days if they are in storage with the following restrictions:
1. Parties and attorneys of record shall pay \$25.00 for each copy of the video or digital audio recording.
 2. The provided copies shall not be further duplicated, altered or copied in any format and the requestor shall not further disseminate or publish any information contained in the copies.
 3. The provided copies are not to be used as a certified court record of proceedings.

Requests by nonparties for copies of video or digital audio recordings of court proceedings pursuant to MCR 8.108 must be filed with the court in a written request. The court shall provide copies of video or digital audio recordings unless a judge denies the motion and finds on the record, in the exercise of discretion, that the fair administration of justice requires such action. The judge has sole discretion to exclude copies of the video or audio testimony of certain witnesses, including, but not limited to, the victims of sex crimes and their families, police informants, undercover agents, and relocated witnesses. Granted requests will be accommodated within three (3) days for digital recordings provided they are in the active file area and seven (7) days if they are in storage with the following restrictions:

1. Attorneys not of record or individuals not a party to the case shall pay \$25.00 for each copy of the video or digital audio recording.
2. The provided copies shall not be further duplicated, altered or copied in any format and the requestor shall not further disseminate or publish any information contained in the copies.
3. The provided copies are not to be used as a certified court record of proceedings.

Requests by the media for copies of video or audio recordings of court proceedings pursuant to MCR 8.108 must be made by written request. The court shall provide copies of video or audio recordings unless a judge denies the request and finds, in the exercise of discretion, that the fair administration of justice requires such action. The judge has sole discretion to exclude copies of the video or audio testimony of certain witnesses, including, but not limited to, the victims of sex crimes and their families, police informants, undercover agents, and relocated witnesses. Granted requests will be accommodated within three (3) days for digital recordings provided they are in the active file area and seven (7) days if they are in storage with the following restrictions:

1. Media or media representatives shall pay \$25.00 for each copy of the video or digital audio recording.
 2. The provided copies shall not be further duplicated, altered or copied in any format and the requestor shall not further disseminate or publish any information contained in the copies.
 3. The provided copies are not to be used as a certified court record of proceedings.
- iv. The 14A District Court does not have the capability to reproduce analog audio recordings. Parties seeking a copy of these records of proceedings may request a transcript. The requestor shall pay for the copy of the transcript of the proceedings.
- v. In order to preserve and maintain the integrity of court records and to prevent unreasonable interference with the discharge of court functions, persons will not be permitted to copy or otherwise duplicate court records using their own equipment.

d. Certified Copies

- i. The court will provide certified copies at the rate provided by MCL 600.2546. The cost of certification is \$10.00 per group of documents to be certified with a charge of \$1.00 for each page copied as part of the certification.
- ii. All requests will require payment prior to certification. All Law Enforcement Agencies, Prosecuting Attorneys, court appointed attorneys including Public Defenders, Probation Departments, Courts, any branches of the Military and Washtenaw County

Government Departments (e.g., County Clerk/Register of Deeds) are exempt from payment.

iii. Requests will be accommodated within a reasonable amount of time as determined by:

1. The total number of files/pages to be certified.
2. The availability of court staff and equipment.
3. The nature of the request, i.e., the degree to which court staff is required to identify, select, and review documents to be certified.

e. New Record Creation

i. Requests for creation of a new record or compilation of records pertaining to case files or case-related information which are granted will be accommodated within a reasonable amount of time:

1. as determined by the availability of sufficient data already contained in the records or record data base to easily identify those records requested; and
2. Only if such compilation will not unreasonably interfere with the discharge of court functions.

ii. Costs to provide records under this subsection will include direct costs to the court to develop, generate, and validate the accuracy of the record.

Date: September 19, 2012

**Kirk W. Tabbey
Chief Judge
14A District Court**

**14A DISTRICT COURT
COURT RECORD/COPY REQUEST FORM**

1. Date of Request _____
2. Requested by: Name _____
Address _____
Telephone-Home _____ Office _____

3. Please specify the complete party name(s) and/or case number below:
Case Number _____
Party Name(s) _____ vs _____

4. Nature of Request
_____ Review Record
_____ Obtain Copies
_____ Obtain Certified Copies

5. If copies are requested, list documents to be copied:
_____ Complete case file (except for any nonpublic court records).
_____ Specific documents (list – use additional page if necessary) _____

NOTE: Michigan law does not require that you place your name and address on this form. This information is required to facilitate the processing of your request.

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For Court Use Only

Copies _____ x per page _____

Total charged _____

Processed by _____ on _____
Court Clerk Date

14A DISTRICT COURT
MEMORANDUM

TO: Persons Requesting General Record Checks

FROM: Robert Ciolek, Court Administrator

Please be advised that per Local Administrative Order [2012-04], a specific case number or the party names are required in order to provide the information you have requested.

If you do not have a specific case number or case name, the following options are available:

1. You may review available case indexes at the 14A District Court to identify and select specific cases for inspection. Please note that this review may only provide information on current or recent court cases from this court.
2. A more complete record check may be requested by writing the appropriate state agency. Both the Michigan State Police and Department of State maintain computer information expressly for this purpose.

(a) To obtain a Criminal Record Check either contact the Michigan State Police, Central Records Division at (517) 241-0606 or go to the Michigan State Police Website at www.michigan.gov/ichat to obtain information on how to use the Internet Criminal History Access Tool (ICHAT)

(b) To obtain a Driving (Traffic) Record contact the:

Michigan Department of State
Commercial Look-up Unit
7064 Crowner Drive
Lansing, Michigan 48918
Telephone: (517) 322-1624

Once you receive complete record checks, you will be able to contact the appropriate police agency or court listed on the records to obtain case specific information.

The 14A District Court regrets that it cannot accommodate your request at this time. If you have any additional questions, please contact the court at (734) 484-9655 or (734) 484-9664.