

District Court of the State of Michigan  
55th Judicial District

THOMAS E. BRENNAN, JR.  
Chief District Judge  
(517) 676-8402

PAMELA J. McCABE  
District Judge  
(517) 676-8414



700 BUHL AVENUE  
MASON, MI 48854  
PHONE: (517) 676-8400

JAMES B. PAHL  
Magistrate  
(517) 676-8403

LISA BAILEY  
Court Administrator  
(517) 676-8426

**RECEIVED**

AUG 02 1996

KEVIN J. BOWLING  
REGIONAL ADMINISTRATOR  
REGION 2

**Administrative Order 96-1**

**PUBLIC ACCESS TO COURT RECORDS**

**IT IS ORDERED:**

This administrative order is issued in accordance with Michigan Court Rules 8.105(C), effective March 1, 1985 and MCR 8.110(C)(7), effective October 1, 1988. The purpose of this order is to regulate public access to court records and to allow flexibility in providing approved forms.

1. Court records are public unless specifically made not public by law or court order. Non public court records include the following:

- a. Controlled Substance Act cases (MCL 333.7411)
- b. Spouse Abuse Act cases (MCL 769.4a)
- c. Holmes Youthful Trainee Act cases (MCL 762.14)
- d. Setting Aside Convictions cases (MCL 780.623)
- e. All Probation Department files including Presentence Investigation and Alcohol Assessment Reports.
- f. Criminal history records with non-conviction data
- g. Suppressed search warrants during the period of suppression

(NOTE: Delayed Sentence cases, (MCL 777.1(2) are public records).

2. Requests to inspect or copy any of the above non-public records will be handled as follows: A clerk will notify the interested person that:

- a. There is a case and provide the case number

- b. It is a non-public record
- c. The procedure for challenging limitations to access of court records is contained in MCR 8.116 which provides that any person may file a motion to set aside the order or an objection to entry of the proposed order

3. Court records are not subject to Freedom of Information Act requests. MCL 15.232(b)(v) specifically exempts the judiciary from the Freedom of Information Act.

4. In accordance with MCR 8.110(C)(7), the court will provide litigants with forms approved by the State Court Administrator. The price of each form will be no less than \$.25 and no more than \$1.00 as determined by the actual cost of the form to the court .

- a. Parties will be limited to a maximum of twenty-five copies per each type of form requested.

- b. There will be no charge for forms requested by court appointed attorneys on cases they are appointed to or for indigent parties.

- c. There will be no charge for forms prepared by the court.

5. Any person may inspect any public court file if access to it is not restricted by statute, court rule or suppression order. Copies of the court file may be obtained but are subject to the following regulations established in accordance with MCR 8.105(C)(3):

- a. General

- 1) Requests for files and/or copies shall be made on a "file/copy request form" and must specify a complete case number or party names except as provided under item b. 4) below.

- 2) Copies of papers in the court file will be provided upon receipt of the cost of reproduction which is \$1.00 per page. Certified copies are available at a charge of \$10.00 for the first page.

- 2) 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.

- 3) Files shall be reviewed at the public counter unless at the discretion of Court supervisory personnel, approval 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.