

JUDGES

HON. DONALD ALLEN, JR.
HON. THOMAS P. BOYD



MICHAEL J. DILLON
COURT ADMINISTRATOR

MARK E. BLUMER
MAGISTRATE

STATE OF MICHIGAN
55TH JUDICIAL DISTRICT COURT
700 BUHL AVENUE • MASON, MICHIGAN 48854
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ADMINISTRATIVE ORDER 2018-03

OWNERSHIP AND CONTROL OF COURT DATA

The State Court Administrative Office (SCAO) has recommended to the courts of Michigan, that when a court is provided any of its communications systems through its funding unit, the court should establish policies and procedures, written in collaboration with the funding unit, for the control and monitoring of the court's information to assure that the information is maintained in a protected and confidential manner.

Ingham County provides certain information technology services and equipment to the Court. The Court has a specific interest in confirming its sole ownership and control of its data and communications where such data and communications are handled or transmitted using the services and equipment provided to the Court by the County;

The purpose of this order is to identify that any data and/or communications created by or on the behalf of the Court using the services and equipment provided to the Court by the County is the sole property of the Court and will be maintained in a confidential manner by the County.

IT IS ORDERED:

The Court and Ingham County, acting through its Information Technology Department, agree and state as follows:

Ownership and Control of Data:

- a. All data generated in all forms, by or resulting from the actions of the Court, its judges, employees, contractors, or volunteers is the property of the Court and the County has no property interests therein.
- b. All data, information, or records generated in or by any communications systems utilized by the judges and employees of the Court are the property of the Court and shall not be disseminated without approval of the Chief Judge or his/her designee.

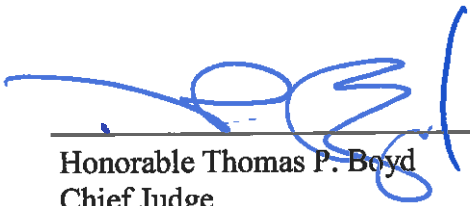
- c. The Court will cooperate with operational policies promulgated by the County as the provider of computer network services and Internet access, to the degree they are not in conflict with this agreement or any other policy(s) that the Court may adopt for their efficient and effective operations. Notwithstanding the foregoing, only the Court will have the authority to monitor and review all data, information, or records generated by the judges and employees of the Court. The Court acknowledges that as part of the services provided, the County scans or otherwise checks email communications, including attachments, for computer viruses, bugs, spy-ware and other damaging or potentially damaging programming. This scanning or checking may necessitate the review of communications and attachments but all such review shall be done in a confidential manner and the County shall not make any copies of Court communications outside the normal back-up procedures.
- d. The Chief Judge or his/her designee has the sole authority to authorize appropriate action should any Court employee abuse the use of any County information technology system or violate any standard of operation. However, the Chief Judge or his/her designee will work with the County to minimize any threat to or damage of the County's information technology system. In the event of an emergency or an imminent threat to the County's information technology system, the County may take immediate emergency measures to address the threat or emergency. As soon as practical, the County will inform the Court of the situation and the County and the Court will jointly agree on a long term solution to the threat or emergency.

Handling of Requests for Court Data/Information

- a. Upon receipt of a Freedom of Information Request (FOIA) for court data/information, the County will respond to a FOIA request by stating that the Court is not subject to FOIA and the request will be forwarded to the Court.
- b. If the request received by the County is in the form of a subpoena or court order, the County will inform the Court of the request as soon as possible. If the Court elects to contest the subpoena or court order, in whole or in part, the County will cooperate with the Court in responding to the subpoena or court order.

Effective Date: March 7, 2018

Date: 3-7-18



Honorable Thomas P. Boyd
Chief Judge

From: [Region2 Info](#)
To: [Boyd, Thomas](#); [Dillon, Michael](#)
Subject: D55 2018-03 Ownership and Control of Court Data - Approved
Date: Monday, March 12, 2018 10:20:29 AM

D55 2018-03 Ownership and Control of Court Data - Approved

This is to advise that we have reviewed the above referenced administrative order and find that it conforms to the requirements of MCR 8.112(B). This order is being accepted and filed until advised by your court of any change.

Jodi M. Latuszek, JD
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