

Effective Date: July 1, 2010

Upon approval of this order by the State Court Administrative Office, Local Administrative Order DP01 2004-04 is rescinded.

IT IS ORDERED:

This administrative order is issued in accordance with Michigan Court Rules (MCR) 8.119(E) and 8.110(C) (7). 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.

1. Court records are public unless specifically made not public by statute, court rule, case law, or court order. Specific 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* http://courts.michigan.gov/scao/resources/standards/cf_stds.pdf, the Nonpublic and Limited Access Court Records Chart http://courts.michigan.gov/scao/resources/standards/cf_chart.pdf and Michigan Supreme Court Administrative Order 2006-2, Privacy Policy and Access to Records <http://coa.courts.mi.gov/rules/documents/3AdministrativeOrders.pdf>.
2. A list of court records which are not subject to public inspection is contained within the Nonpublic and Limited Access Court Records Chart.
3. Court records are not subject to Freedom of Information Act requests. Michigan Compiled Laws [MCL 15.232(d) (v)] specifically exempts the judiciary from the Freedom of Information Act.
4. State Court Administrative Office approved forms are available at no cost to parties at: <http://courts.michigan.gov/scao/courtforms>. The court will not provide litigants with forms unless specified below. There will be no charge for:
 - a. Forms requested by court-appointed attorneys on cases to which they have been appointed and for parties determined indigent by the court.
 - b. Forms created by the Washtenaw County Trial Court for use in court proceedings.

- c. Pro se (self represented) forms for personal protection proceedings and motion forms for criminal post appeal relief [MCL 600.2950, 600.2950a and 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

- 1) Individuals wishing to personally view or copy court records of the Washtenaw County Trial Court must file a "Record/Copy Request Form" and specify a complete case number or party names. Requests made by mail must include the full names of the parties and the case number(s). (Exception: The court will research case names and/or case numbers for requests from other Michigan courts free of charge.)
- 2) Persons who do not have a complete case number or party names may review available case indexes using Washtenaw County Trial Court Public Access Terminals to identify and select specific cases for inspection.

For persons not present at the Washtenaw County Courthouse, upon written request and payment, the court will perform Name/Litigation Searches, through the year 1979, for a fee of five dollars (\$5.00) per name. For requests for searches for years prior to 1979, an additional fee of one dollar (\$1.00) per year requested is added to the initial five dollar (\$5.00) fee.

Persons may also request a Michigan Criminal Record Search through the website of the Michigan State Police at:

www.michigan.gov/ichat

Or request a driving record (traffic) search by contacting:

Michigan Department of State
Record Lookup Unit
7064 Crowser Drive
Lansing, Michigan 48918
Telephone: (517)322-1624
<http://www.michigan.gov/sos>

- 3) Court records shall be reviewed at the public counter unless, in the discretion of court supervisory personnel, approval is granted to review records in the clerk's office based on available space, the type and number

of records to be reviewed, and the length of time necessary to review them.

- 4) 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

- 1) Requests for access to no more than five (5) specific case files will be accommodated within one (1) hour unless the files are in storage.
- 2) 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.
- 3) Requests for access to video and audio records (digital and analog) of court proceedings are governed by a separate Local Administrative Order. (See Washtenaw County Trial Court Local Administrative Order 2008-03J, Access to Audio/Visual Recordings of Court Proceedings.)
http://washtenawtrialcourt.org/general/lao/2008-03J_access_to_audio_visual_record_pdf
- 4) Requests for specific court records which are located in storage will be accommodated within three working days.
- 5) Requests to perform general traffic or criminal record checks that do not have specific case numbers or party names will be researched by the court pursuant 5. a. above.
- 6) Requests for the wholesale review of particular types of court records will only be considered if, in the court's discretion, the request will not unreasonably interfere with the discharge of court functions. 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.

c. Copies

- 1) The court will provide a limited number of copies of documents (30 total pages or fewer) at a cost of Two Dollars (\$2.00) per page within One (1) Hour of the request for copies. Payment must be made at time of service.

- 2) Requests for more than thirty (30) total copies of documents will be accommodated within a reasonable amount of time as determined by the (1) total number of pages to be copied, (2) availability of court staff and photocopying equipment, and (3) nature of the request, such as, the degree to which court staff is required to identify, select, and review documents to be copied. Copies are provided at the cost of Two Dollars (\$2.00) per page. Payment must be made at time of service.
- 3) 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. New Record Creation

- 1) Court approved requests for the creation of a new record or compilation of records pertaining to case files or case-related information will be accommodated within a reasonable amount of time, as determined by the court, based upon the availability of sufficient data contained in the records or record data base to easily identify those records requested and if such compilation will not unreasonably interfere with the discharge of court functions.
- 2) Costs charged to provide any records under this subsection will include the direct costs, as determined by the court, to develop, generate, and validate the accuracy of said record.

Date:

Chief Judge Signature:

Honorable Donald E. Shelton

**WASHTENAW COUNTY TRIAL COURT
RECORD/COPY REQUEST FORM**

1. Date of Request: _____

2. Requested by: _____

Name

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

Address

Contact Telephone Number

3. Specify the complete case number and/or litigant name(s):

Case Number: _____

Party Name(s): _____ v _____

4. Nature of Request:

Review File

Request Copies

Please paper clip any documents that you are requesting to be copied.

**IT IS A CRIMINAL OFFENSE TO REMOVE, ALTER, OR
TAMPER WITH ANYTHING FROM COURT FILES.**

**WASHTENAW COUNTY TRIAL COURT
MEMORANDUM**

TO: Persons Requesting General Record Check

FROM: Washtenaw County Trial Court Administration

Please be advised that per Washtenaw County Trial Court Administrative Order 2010-XXJ, to request copies of case records you must provide both the specific case number and case name. If you do not have the case number and name, the following options are available:

1. You may review available case indexes at the Washtenaw County Trial Court (Courthouse) to identify and select specific cases for inspection.
2. If not present at the Washtenaw County Courthouse, upon written request and payment, the court will perform Name/Litigation Searches, through the year 1979, for a fee of five dollars (\$5.00) per name. For requests for searches for years prior to 1979, an additional fee of one dollar (\$1.00) per year requested is added to the initial five dollar (\$5.00) fee. Requests and payment may be made to:

Washtenaw County Trial Court - Court Services
101 East Huron Street
P.O. Box 8645
Ann Arbor, Michigan 48107-8645

3. You may request a record check by contacting the appropriate state agency. Both the Michigan State Police and Michigan Department of State maintain computer information expressly for this purpose.
 - (a) To request a record search of **criminal** convictions by party name you must utilize the Michigan State Police website:

www.michigan.gov/ichat

Questions regarding this website should be directed to the Michigan State Police Records Division at (517) 241-0606.

- (b) To request a **driving** (traffic) record contact:

Michigan Department of State - Record Lookup Unit
7064 Crowner Drive
Lansing, Michigan 48918
Telephone: (517)322-1624
<http://www.michigan.gov/sos>

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.

**WASHTENAW COUNTY TRIAL COURT
MEMORANDUM**

TO: Persons Requesting State Court Administrative Office Approved Forms

FROM: Washtenaw County Trial Court Administration

The Washtenaw County Trial Court only provides court forms when required to do so by Michigan Law and/or Michigan Court Rules. Most State Court Administrative Office approved court forms are available, free of charge, at their website:

<http://courts.michigan.gov/scao/courtforms>.

Many of these forms may be filled out on-line and printed from your personal printer.

Litigants that are in need of court forms while at the Washtenaw County Courthouse (101 East Huron, Ann Arbor, Michigan 48107) may utilize the computer and printer available in the Law Library, maintained by the Washtenaw County Bar Association. The offices of the Bar Association and law library are located on the first floor of the Courthouse. There is a fee charged for use of the printer.

The Legal Resource Center, a community resource offered through the Legal Assistant Program of Eastern Michigan University, provides legal information, education, and assistance in the several general areas of law. Some forms (and instructions for completion) may be available through their office. They are located on the first floor of the Washtenaw County Courthouse. Their hours are Monday, Tuesday, and Thursday from 8:30 a.m. to 4:30 p.m. The telephone number is (734) 994-0160.