

State of Michigan
65B JUDICIAL DISTRICT COURT
Gratiot County



Stewart D. McDonald
District Court Judge P30191

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State Court Administrative Office
Model Local Administrative Order 8 – Inspection, Reproduction, and
Creation of Court Records

Administrative Order 2013 - 05
Rescinds: 65B Administrative Order 2001-05

INSPECTION, REPRODUCTION, AND CREATION OF COURT RECORDS

IT IS ORDERED:

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.

1. 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 the cost of \$1.00 per form.
 - (a) Parties will be limited to a maximum of 10 copies per each type of form requested.
 - (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.

Court Administrator:

Angelina R. Ballard
Administrator/Magistrate
(989) 875-5371
Angela M. MacLennan
Judicial Secretary/Court Recorder
(989) 875-5377

Court Personnel:

Pamela S. Schafer
Magistrate/Criminal Clerk
(989) 875-5376
Stacey J. Schafer
Criminal Clerk
(989) 875-5372

Luanne K. Billings
Deputy Clerk/Traffic Clerk
(989) 875-5374
Sherri L. Moon
Deputy Clerk/Traffic Clerk
(989) 875-5362

Kimberly S. Becker
Magistrate/Civil Clerk
(989) 875-5375
Mary Pat Breidinger
Deputy Clerk/Bookkeeper
(989) 875-5373

Probation Department:

Daisy K. Beckett
Probation Officer
(989) 875-5243
Jacalyn G. MacDonald
Deputy Probation Officer
(989) 875-5340

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

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)(v).
- (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, 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.
- (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

- (i) Requests for access to no more than 5 specific case files will be accommodated within 1 hour unless the files are not in the active file area. Requests for specific court records in storage will be accommodated within three working days.
- (ii) Requests for access to more than 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 recordings of court proceedings pursuant to MCR 8.108 is not permitted. Transcripts of all court proceedings shall be furnished by the court recorder pursuant to MCR 8.108(E) upon written request and payment.
- (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. They will 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 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

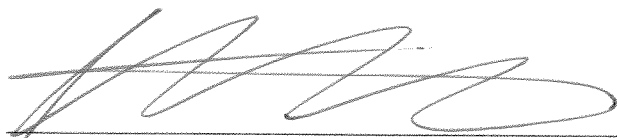
- (i) The court will provide a limited number of copies of documents (fewer than 5 total pages) at a cost of \$1.00 within 1 hour of the request for copies.
- (ii) Requests for more than 5 total copies of documents will be accommodated within a reasonable amount of time as determined by the (1) total 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.
- (iii) Copies of audio recordings of court proceedings pursuant to MCR 8.108 shall not be provided. Transcripts of all court proceedings shall be furnished by the court recorder pursuant to MCL 8.108(E) upon written request and payment.
- (iv) 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

- (i) Requests for creation of a new record or compilation of records pertaining to case files or case-related information that 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 database 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.

Effective Date: 3/27 2013

Date: MARCH 27, 2013



Stewart D. McDonald, P30191, Chief Judge
65B District Court