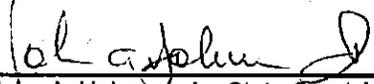


General Records Retention and Disposal Schedule #16 - Michigan Trial Courts

This retention and disposal schedule replaces the schedule that was approved on November 8, 2006 for Michigan trial courts.

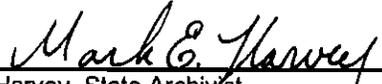
This retention and disposal schedule covers records that are commonly found in **trial courts**. The records that are described on the attached pages are deemed necessary (1) for the continued effective operation of Michigan government, (2) to constitute an adequate and proper recording of its activities, and (3) to protect the legal rights of the government of the State of Michigan and of the people. We, the undersigned, believe that this schedule meets the administrative, legal, fiscal, and archival requirements of the State of Michigan.



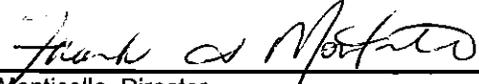
John A. Hohman, Jr., State Court Administrator
State Court Administrative Office
2/21/14
(Date)



Joseph D. Chin, Jr., Director
Department of Technology, Management & Budget, Records Management Services
2.25.14
(Date)



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Department of Natural Resources, Archives of Michigan
3/26/14
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Department of Attorney General, State Operations Division
5/31/14
(Date)

APPROVED

State Administrative Board
7.15.14
(Date)

**GENERAL RECORDS RETENTION AND DISPOSAL SCHEDULE #16
MICHIGAN TRIAL COURTS
INTRODUCTION**

This records retention and disposal schedule lists the records that are created and maintained by Michigan trial courts, for what period they are to be retained, and when those records can be disposed of. Information regarding how to maintain these records and how to dispose of them once the retention period expires is provided in the case file management standards. **This schedule must be used in conjunction with the Michigan Trial Court Case File Management Standards. [MCL 600.1428, MCR 8.119(K)]**

Michigan law (MCL 399.5 and 750.491) requires that all public records be listed on an approved retention and disposal schedule that identifies the minimum amount of time that records must be kept to satisfy administrative, legal, fiscal, and historical needs. Courts may destroy these records or, as specified, transfer them to the Archives of Michigan for permanent preservation at the end of the assigned retention period. Unless a statute or court rule prescribes otherwise, a court may retain records longer than the specified period of time. Any record not contained on this list or not having a statutory retention period may not be disposed of without first securing an amendment to this schedule.

A. Types of Court Records

Court records are defined in Michigan Court Rules 1.109 and 8.119 and can exist in a wide variety of formats, including paper, photographs, digital images, e-mail messages, databases, etc. The retention periods listed on this schedule do not specify the format that the record may exist in because records exist in different media. Each court is responsible for ensuring that its records are properly retained and remain accessible during the entire retention period. Various laws, including the Records Reproduction Act (MCL 24.401-24.406), identify acceptable formats for retaining public records. The courts are responsible for understanding and complying with these laws insofar as they do not conflict with this schedule and the Michigan Trial Court Case File Management Standards.

1. Records Kept by the Clerk of the Court

Retention periods for the various types of case records maintained by the clerk of the court are listed in this schedule. Except for the register of actions and indexes, any case record (whether stored with that file or maintained separately for convenience purposes) becomes a record of that case and is to be retained for the retention period for that case type. Other case records filed with or handled by the court pursuant to MCR 8.119(E) include, but are not limited to, wills for safekeeping, case evaluations, exhibit logs, probation files, and friend of the court records. Some of these records are maintained separately from the case file and have separate retention periods. [MCR 8.119(D), (E)]

2. Court Recordings, Log Notes, Jury Seating Charts, and Media

Retention periods for court recordings, log notes, jury seating charts, and all other records such as tapes, backup tapes, discs, and any other medium used or created in making of a record of proceedings and kept pursuant to MCR 8.108 are listed in this schedule. [MCR 8.119(F)]

3. Other Court Records

All court records not included in MCR 8.119(D), (E), and (F) are considered administrative and fiscal records or nonrecord materials. Retention periods for these records are listed in this schedule. [MCR 8.119(G)]

B. Retention of Court Records – Original Records and Suitable Duplicate Records.

This schedule specifies the required retention periods for trial court records in both original form or suitable duplicate form. An original record is usually paper (such as a pleading filed by a litigant), but may be electronic. Examples of original electronic records are (1) a register of actions created by the court's case management system), and (2) a record transmitted through an approved means pursuant to MCR 1.109(C)(1). A digital image created by scanning pursuant to MCR 1.109(C)(1) and (3) is not an original record but is a suitable-duplicate record. A suitable duplicate record means the duplicate record is either paper, microfilm, or digital image. The register of actions is not a duplicate record (copy) of any other record or document.

1. Creating Duplicate Records to Replace Original Court Records for Long-Term Retention

A retention period greater than 10 years is considered long-term retention. To ease storage conditions, courts may want to create a suitable-duplicate record (digital image or microfilm) of any original court record that has a long-term retention period. If a court chooses to scan or microfilm original court records pursuant to the Records Reproduction Act (MCL 24.401-24.406) for long-term retention, the original court records can be destroyed after the court verifies the accuracy and integrity of the duplicate record in conformance with quality control and assurance standards. If a court chooses to produce digital images or microfilm of original court records, the court must conform to the policies, standards, and guidelines published by the Michigan Department of Technology, Management and Budget – Records Management Services and the State Court Administrative Office.

When microfilming, several rules must be followed: 1) all confidential documents or any documents containing confidential information must be microfilmed

separately from the rest of the records, and 2) if registers of action are placed in a case file, they should be removed and microfilmed separately. Once the full retention period for a record has expired, the microfilm of that record can be destroyed. This should be kept in mind before microfilming so that records can first be organized in a practical manner. Courts must ensure that microfilmed images are capable of being printed.

Although microfilm has a long life, it is subject to deterioration. It is essential that courts periodically check microfilmed records to ensure the integrity of the film, especially for records that must be kept longer than 25 years. It may be necessary to re-microfilm permanent records.

2. Creating Duplicate Probate Court Records to Supplement Original Court Records

For security purposes, testamentary documents of deceased persons, bonds, orders, and such other documents as the court directs must be copied by microfilming or other means promptly after filing or issuance and preserved in the records of the court separately from the files. The retention period for these records is the same as the original record. These duplicate records do not replace the original record or a duplicate record made to replace the original record as described in item 1 above. [MCR 8.302]

3. Electronic Records

Records include both paper and electronic files. Whoever is providing an automated system for the court (including the friend of the court office or the probation department) must comply with this schedule. In instances where databases are shared between the court and another agency, the following rules apply:

- a. When a court is the source of a record (enters information into the system) that is used by the court, then that record is considered a court record and the court shall ensure that the provider of the system (whether under the authority of the court or another agency) complies with the retention schedule for court records.
- b. When the provider of the system is not under the authority of the court and is the source of the record (enters information into the system), then that record shall be considered a record of the provider of the system and the provider may use its own retention schedule. If the court makes a hard copy of the record or uses the record to perform its responsibilities, it is subject to the retention schedule for court records of that type.

- c. In the event of a conflict concerning ownership of a record, the court shall ensure that the provider of the system will retain records for at least the time required by the retention schedule for court records.
- d. In the event the court moves, copies, or otherwise enters information from the system provider's database electronically into a data field that the court is responsible for maintaining or uses such information within the system to carry out a function of the court, the court shall ensure that the record is subject to the retention schedule for court records.

4. Calculating the Retention Period

When a retention period contains the acronym ACT, it means that the entire record can be destroyed once that record is no longer active. For some records, an additional number of years are added to the period for which the record is active. For example, ACT+3 means that the record is kept 3 years beyond the date the record is no longer active.

When a retention period contains the acronym CR, it means that the entire record can be destroyed based on a number of years following a defined creation date. If more than one record is retained together, the retention period for all records is generally calculated from the creation of the latest record; however, there are exceptions.

When a retention period contains the acronym PERM, it means that the entire record must be retained permanently.

C. Retention of Non-Court Records

Records created by the court as a result of court services provided to the jury board are to be maintained in accordance with the county's record retention and disposal schedule. Payroll records created by courts that perform payroll functions for the funding unit are to be maintained in accordance with the funding unit's record retention and disposal schedule.

D. Disposal of Original Court Records

For detailed information on the procedures and methods for disposing of records, see the Michigan Trial Court Case File Management Standards. Before destroying any records, first determine whether the records are to be transferred to Archives of Michigan. Any records to be transferred to Archives are identified as such under the total retention column of this schedule and in the following paragraph. Courts can contact the Archives of Michigan at 517-373-1415 for information about transferring records for preservation.

The Archives of Michigan will take responsibility for permanently preserving and providing access to the following **circuit court** records because these records possess historical significance to the state of Michigan:

1. **Before 1940:** Item 16.041A--All case types (except adoption, see item 16.051) from all counties are authorized for transfer. Courts may keep these records permanently, but if they do not want to maintain them and the records still exist on the approval date of this schedule, the records must be transferred to Archives. The records may not be destroyed.
2. **1941 to Present:** Item 16.041B--All case types must be retained for the minimum retention period of ACT+25; however, courts are encouraged to retain the records permanently themselves for historical purposes.
3. **All Years:** Judgments and orders covered by item 16.042 are to be permanently retained by the court. However, courts may contact the Archives of Michigan to request authorization to transfer the records if they cannot fulfill their responsibility to retain the records permanently.

E. Non-Record Material

Non-record materials are listed at the end of the retention schedule. These materials do not have a required retention period and may be disposed of at the convenience of the court.

F. Table of Contents

16.001 - 16.019	Administrative and Fiscal Records (Circuit, District, Municipal, and Probate)
16.031 - 16.035	Case Records (Circuit, District, Municipal, and Probate)
16.041 - 16.073	Case Records Specific to Circuit Court
16.081 - 16.083	Case Records Specific to District and Municipal Court
16.101 - 16.113	Case Records Specific to Probate Court
16.121 - 16.125	Non-Record Materials

State of Michigan
Department of Technology, Management and Budget - Records Management Services
Records Retention and Disposal Schedule

Department Code Department Name
 /GS16/ *Michigan Trial Courts*

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.000	<u>ADMINISTRATIVE AND FISCAL RECORDS (CIRCUIT, DISTRICT, MUNICIPAL, AND PROBATE)</u>		
16.001	<u>Accounting Records</u> Accounting records for trial courts and friend of the court offices, such as receipts (including summary receipt reports, individual receipts, and transmittal/deposit advices); disbursement records (including check registers, bank records, bank statements, bank reconciliations, and deposit slips); bond and trust records (including open bond and trust reports and bond and trust check registers); vouchers and payments (including attorney fee payments, time book of jurors/juror payments, and witness payments); requisitions, etc.	CR+6	11/08/2006
16.002	<u>Used Checkbooks and Cancelled Checks</u> Unused checks are not records and should be destroyed in a manner that renders them unusable when they are no longer of use. The court should keep a record of the check numbers destroyed and the date they were destroyed; this record should be kept with the checkbooks and retained for the period specified in this records series.	CR+6	11/08/2006
16.003	<u>Audit Reports</u> Financial and procedural audit reports performed by outside entities (court contracted or Treasury audits).	CR+6	11/08/2006
16.004	<u>Personnel Files</u> ACT = until the date employment ends. Before files are destroyed, courts should review them to ensure no work-related injuries occurred while the person was employed by the court. If so, the files must be kept for 7 years after employment ends.	ACT+6	11/08/2006
16.005	<u>Job Applications (hired and not hired)</u> ACT = until the position is filled.	ACT+3	11/08/2006

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PERM = Permanent	SUP = Superseded	EVT = Event	DISP = Immediate Disposal

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.006A -	<u>Judicial Assignments - Case-Specific</u>	ACT	11/08/2006
	ACT = until the retention period for the case expires. The order of disqualification and the assignment to a specific case are filed in the case file and retained for the retention period of the case. [MCL 600.1428, MCR 8.119(K)]		
16.006B -	<u>Judicial Assignments - Not Case-Specific</u>	ACT+1	11/08/2006
	ACT = until the assignment terminates or expires. Blanket assignment requests and the blanket assignment are retained until termination or expiration. [MCL 600.1428, MCR 8.119(K)]		
16.007 -	<u>Juror Personal History Questionnaires and Jury Summonses</u>	CR+3	11/08/2006
	The completed questionnaires must be maintained for 3 years from the time they are completed. [MCL 600.1428, MCR 2.510(C)(3), MCR 8.119(K)]		
	Juror Qualification Questionnaires are not court records, but if the court maintains these records for the jury board, then the court must follow the county's record retention and disposal schedule.		
16.008 -	<u>Juror Panel and Pool Lists</u>	CR+3	11/08/2006
	[MCL 600.1428, MCR 8.119(K)]		
	First and second jury lists are not court records, but if the court maintains these records for the jury board, then the court must follow the county's record retention and disposal schedule.		
16.009 -	<u>Operational Records</u>	ACT	11/08/2006
	These records document the functional responsibilities and operations of the courts (including problem-solving courts). They may include local administrative orders, internal policies and procedures, memoranda of understanding, directives from judges regarding internal practices, internal and external correspondence regarding operations, minutes from staff meetings, and other similar records. ACT = until superseded, rescinded, or of no further value. [MCL 600.1428, MCR 8.119(K)]		

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.010 -	<u>Non-Case Records</u>	CR+6	11/08/2006
	<p>These records are not part of a case record series. They may include applications and orders for PEN register (wiretaps), petitions and orders for investigative subpoenas, petitions and orders for discovery subpoenas for out-of-state cases, search warrants that are not placed in case files, demands for notice pursuant to MCL 700.3205 that are not placed in case files, requests for notice pursuant to MCL 700.5104 that are not placed in case files, and other similar records. They may also include reports issued pursuant to MCL 722.623, LEIN validation monthly lists, and other similar report-related requirements between the courts and state agencies. [MCL 600.1428, MCR 8.119(K)]</p>		
16.011 -	<u>Marriage Records Log</u>	CR+6	11/08/2006
	<p>An accurate record of all solemnized marriages shall be kept in a book used expressly for that purpose. [MCL 551.7(2), MCL 551.104]</p>		
16.012 -	<u>Petitions, Orders, and Other Information Related to Authorizing Bonding Companies</u>	CR+3	11/08/2006
	<p>[MCL 600.1428, MCR 8.119(K)]</p>		
16.013 -	<u>Circuit Court Naturalization Proceedings</u>	CR+50	11/08/2006
	<p>[MCL 600.1428, MCR 8.119(K)]</p> <p style="text-align: right;">Transfer to the Archives of Michigan</p>		
16.014 -	<u>Circuit Court Foster Home Files</u>	CR+7	11/08/2006
	<p>[MCL 600.1428, MCR 8.119(K)]</p>		
16.015 -	<u>Friend of the Court Grievances</u>	ACT+6	11/08/2006
	<p>ACT = until the youngest child in the related case reaches the age of 19 ½. [MCL 600.1428, MCR 8.119(K)]</p>		
16.016 -	<u>Probate Court Inventory of Safe Deposit Box</u>	CR+1	11/08/2006
	<p>[MCL 600.1428, MCR 8.119(K)]</p>		

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.017 -	<u>Probate Court Secret Marriage Files</u> [MCL 600.1428, MCR 8.119(K)]	PERM	11/08/2006
16.018 -	<u>Probate Court Receipt of Return of Will to Testator</u> [MCL 600.1428, MCR 8.119(K)]	PERM	11/08/2006
16.019 -	<u>Statistical Reports, Correspondence, and Calendars</u> This series includes caseload and delay reports, internally generated reports such as annual reports, court daily calendars, annual statutory reviews, and related correspondence. [MCL 600.1428, MCR 8.119(K)]	CR+1	11/08/2006
16.030 -	<u>CASE RECORDS (CIRCUIT, DISTRICT, MUNICIPAL, AND PROBATE)</u>		
16.031A -	<u>Register of Actions</u> Formerly called docket, case history, or journal. A register of actions is a chronological list of events in the life of a case and is required for all cases, except district court civil infractions. [MCL 600.1428, MCL 600.8344, MCR 8.119(D)(1)(c) and (K), MCR 8.203, MCR 8.302] Note: Records that are more than 50 years old may be transferred to the Archives of Michigan for permanent preservation.	PERM	11/08/2006
		Records > 50 years may be transferred to Archives	
16.031B -	<u>Register of Actions - Small Claims</u> ACT = until the case is destroyed. A register of actions is required in small claims cases; however, it may be destroyed at the same time as the case file. [MCL 600.1428, MCL 600.8344, MCR 8.119(K)]	ACT	11/08/2006
16.031C -	<u>Register of Actions - Civil Infractions</u> ACT = until the case is destroyed. A register of actions is not required for civil infraction cases, but if one is created for such a case, it may be destroyed at the same time as the case file. [MCL 600.1428, MCL 600.8344, MCR 8.119(K)]	ACT	11/08/2006

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.032A1A-	<u>Circuit Courts - Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs</u> Recordings of felony cases, including jury seating charts. [MCL 600.1428, MCR 8.119(K)]	CR+15	11/08/2006
16.032A1B-	<u>Circuit and Probate Courts - Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs</u> Recordings of all circuit and probate court cases except felony cases, including jury seating charts. [MCL 600.1428, MCR 8.119(K)]	CR+10	11/08/2006
16.032A1C-	<u>Circuit and Probate Courts - Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs</u> Recordings concerning hearings for the admission of mentally ill or developmentally disabled persons or persons with contagious diseases to hospitals or places of detention. They may include jury seating charts. ACT = until at least 10 years from creation or for as long as the person is in the relevant hospital or facility, whichever is longer. [MCL 600.859(3), MCL 600.1428, MCR 8.119(K)]	ACT	11/08/2006
16.032A2A-	<u>District and Municipal Courts - Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs</u> Recordings of all district court cases except civil infraction cases, including jury seating charts. ACT = until entry of a judgment in a civil action, a summary proceeding, an ordinance violation case, or a criminal case. [MCL 600.1428, MCR 8.119(K)]	ACT+6	11/08/2006
16.032A2B-	<u>District and Municipal Courts - Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs</u> Recordings of district court civil infraction cases. ACT = until entry of a finding in the action. [MCL 600.1428, MCR 8.119(K)]	ACT+3	11/08/2006
16.032B -	<u>Transcribed Notes, Tapes, Recordings (video/audio/digital), Logs</u> One year after a transcript of a note, tape, or recording is filed with the court, the court may order the destruction of the note, tape, or recording. The actual transcripts are filed in the case files and are maintained in accordance with the retention periods for those case files. ACT = until the transcript is filed with the court. [MCL 600.1428, MCR 8.119(K)]	ACT+1	11/08/2006

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.033 -	<u>Indices</u>	PERM	07/15/2014
	Courts must create and maintain two types of indices: an alphabetical index and a numerical index. The alphabetical index will list names of parties to cases (or numbers) corresponding to each name. The numerical index will list case numbers in numerical order with party names corresponding to each number. All cases except district court civil infraction cases must be indexed. [MCL 600.1428, MCR 8.119(D), (K)]		
	Note: Records that are more than 50 years old may be transferred to the Archives of Michigan for permanent preservation.		
16.034 -	<u>Case Evaluations</u>	CR+6	11/08/2006
	These records are maintained separately from case files and include case evaluations, acceptances, rejections, and awards. The retention period is based on the statute of limitations for a contract, which is 6 years. [MCL 600.1428, MCR 2.403(N)(4), MCR 8.119(K)]		
16.035 -	<u>Exhibits Offered Into Evidence</u>	ACT	11/08/2006
	All exhibits offered into evidence and maintained during a trial or hearing. The original of an exhibit log is placed in the case file and is maintained in accordance with the retention period for that case file. ACT = 56 days after conclusion of the trial or hearing. [MCL 600.1428, MCR 2.518(B), MCR 3.930(B), MCR 8.119(K)]		
16.040 -	<u>CASE RECORDS SPECIFIC TO CIRCUIT COURT</u>		
16.041A -	<u>Civil, Criminal, Domestic Relations, and Adult Personal Protection Case Files--prior to 1941</u>	ACT+25	11/08/2006
	ACT = until the date of the latest dispositive order. [MCL 600.1428, MCR 8.119(K)] Courts may keep these records permanently, but if they do not want to maintain them and the records still exist on the approval date of this schedule, the records must be transferred to Archives of Michigan. The records may not be destroyed.		Transfer to the Archives of Michigan

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.041B1 -	<u>Civil, Criminal, Domestic Relations, Adult Personal Protection and Young Adult Voluntary Foster Care Case Files--post 1941</u> ACT = until the date of the latest dispositive order. [MCL 600.1428, MCR 8.119(K)] Courts are encouraged to retain the civil and criminal records permanently themselves for historical purposes.	ACT+25	07/15/2014
16.041B2 -	<u>Presentence Reports</u> This record series includes alcohol assessments. ACT = until discharge from probation or until date of sentencing if not placed on probation. [MCL 600.1428, MCR 8.119(K)]	ACT+3	07/15/2014
16.042 -	<u>Judgments and Orders</u> Retain the latest dispositive order entered for each circuit court case (including designated cases) except child protective, delinquency, and juvenile guardianship cases. For each child protective case, retain the order of adjudication, the order terminating parental rights, and the order terminating jurisdiction for each child. For each delinquency case, retain the order of adjudication and the order termination jurisdiction. For each juvenile guardianship case, retain the order appointing a juvenile guardian. [MCL 600.1428, MCR 3.925(E) (3)(a), MCR 8.119(K)] Note: Records that are more than 50 years old may be transferred to the Archives of Michigan for permanent preservation.	PERM	11/08/2006 Records > 50 years may be transferred to Archives
16.051 -	<u>Adoption-Related Records</u> This record series includes records concerning adoption proceedings and records concerning requests for adoption information. [MCL 600.1428, MCR 8.119(K)]	PERM	11/08/2006
16.052 -	<u>Name Change Records</u> [MCL 600.1428, MCR 8.119(K)]	PERM	11/08/2006
16.053A -	<u>Emancipation of Minors Granted Records</u> ACT = until the date the minor becomes age 25, or sooner for good cause. [MCL 600.1428, MCR 8.119(K)]	ACT	11/08/2006

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.053B -	<u>Emancipation of Minors Denied Records</u>	ACT	11/08/2006
	ACT = until 6 years from the date of creation, or sooner for good cause. [MCL 600.1428, MCR 8.119(K)]		
16.054 -	<u>Infectious Diseases Files</u>	ACT+6	11/08/2006
	ACT = until the date of the latest court order. [MCL 600.1428, MCR 8.119(K)]		
16.055 -	<u>Safe Delivery of Newborn Files</u>	ACT	11/08/2006
	ACT = until the date the child becomes age 18. [MCL 600.1428, MCR 8.119(K)]		
16.056 -	<u>Waiver of Parental Consent Files</u>	ACT+2	11/08/2006
	ACT = until the date the minor becomes age 18. These files may not be microfilmed or otherwise copied. [MCL 600.1428, MCR 3.615(B)(4), MCR 8.119(K)]		
16.057A -	<u>Juvenile Delinquency Files - Petition Diverted, Petition not Authorized</u>	ACT	11/08/2006
	These files include both petitions that are diverted and petitions that are not authorized for other reasons. ACT = until the date the minor becomes age 17. [MCL 600.1428, MCR 3.925(E)(1),(23)(a), MCR 8.119(K)]		
16.057B -	<u>Juvenile Delinquency Files - Consent Calendar</u>	ACT	11/08/2006
	ACT = until the date the juvenile becomes age 17, or until dismissal from court supervision, whichever is later, unless the juvenile subsequently comes within the jurisdiction of the court on the formal calendar. [MCL 600.1428, MCR 3.925(E)(1), (3)(b), MCR 8.119(K)]		
	If a case on the formal calendar is transferred to the consent calendar, the register of actions created for the formal calendar must be maintained permanently as a nonpublic record. [MCL 600.1428, MCR 3.925(E)(2), (3)(d), MCR 8.119(K)]		

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Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.057C1 -	<u>Juvenile Delinquency and Traffic/Local Ordinance Files - Petition Authorized (Legal Files)</u>	ACT	07/15/2014
	<p>This record series pertains only to proceedings filed on a petition. ACT = until the date the person becomes age 30. This includes files of proceedings where the court did not take jurisdiction after authorizing a petition. [MCL 600.1428, MCR 3.925(E)(1), (3)(c), (d), MCR 8.119(K)]</p> <p>When an adjudication is set aside in a case heard on the formal calendar, the record must be maintained as a nonpublic record and may not be destroyed until the full retention period has expired.</p> <p>When the court destroys its files regarding a juvenile proceeding on the formal calendar, it shall retain the register of actions, and, if the information is not included in the register of actions, whether the juvenile was represented by an attorney or waived representation. [MCR 3.925(E)(3)(d)]</p> <p>Because the legal and social files have different retention periods, it is important to maintain the files in such a way as to facilitate destruction of the file contents as well as preserving the social file's confidentiality pursuant to MCR 3.903(A)(3)(b). The legal file will typically include authorized petitions, requests for counsel, requests for appeal, notices, summonses, subpoenas, service of process, abstracts, and orders.</p>		
16.057C2 -	<u>Juvenile Delinquency and Traffic/Local Ordinance Files - Petition Authorized (Social Files)</u>	ACT	07/15/2014
	<p>ACT = until either: 1) three years after an order terminating jurisdiction of the person, or 2) the person becomes age 18, whichever is later. This includes files of proceedings where the court did not take jurisdiction after authorizing a petition. [MCL 600.1428, MCR 3.925(E)(1), (3)(c), (d), MCR 8.119(K)]</p> <p>Because the legal and social files have different retention periods, it is important to maintain the files in such a way as to facilitate destruction of the file contents as well as preserving the social file's confidentiality pursuant to MCR 3.903(A)(3)(b).</p>		
16.057D -	<u>Juvenile Delinquency and Traffic/Local Ordinance Files - Probation</u>	ACT	07/15/2014
	<p>ACT = until either: 1) three years after an order terminating jurisdiction over the person, or 2) the date the juvenile becomes age 18, whichever is later. [MCL 600.1428, MCR 3.925(E)(7), MCR 8.119(K)]</p>		

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.057E -	<u>Personal Protection Files (Legal and Social Files)</u>	ACT	07/15/2014
	ACT = until either: 1) three years after the expiration date of the personal protection order or the latest dispositive order on a violation of the personal protection order, or 2) the date the juvenile becomes age 18, whichever is later. [MCL 600.1428, MCR 3.925(E)(5), MCR 8.119(K)]		
16.057F -	<u>Juvenile Traffic/Local Ordinance Files - Uniform Law Citations</u>	ACT	07/15/2014
	This record series pertains to traffic and local ordinance violations issued and disposed on a Uniform Law Citation under the Motor Vehicle Code or local corresponding ordinance. ACT = until the date the person becomes age 30. [MCL 600.1428, MCR 3.925(E)(1), (3), MCR 8.119(K)]		
16.058A -	<u>Child Protective Files - Petition Referred/Not Authorized</u>	ACT	11/08/2006
	ACT = until the date the minor becomes age 18. [MCL 600.1428, MCR 3.925 (E) (1), MCR 8.119(K)]		
16.058B1 -	<u>Child Protective Files - Petition Authorized (Legal Files)</u>	ACT+25	07/15/2014
	ACT = until jurisdiction over the child ends, except that where records on more than one child in a family are retained in the same file, destruction is not allowed until 25 years after jurisdiction over the last child ends. This includes files of proceedings where the court did not take jurisdiction after authorizing a petition. [MCL 600.1428, MCR 3.925(E)(1), (34)(a), MCR 8.119(K)]		
	Because the legal and social files have different retention periods, it is important to maintain the files in such a way as to facilitate destruction of the file as well as preserving the social file's confidentiality pursuant to MCR 3.903(A)(3)(b). The legal file will typically include authorized petitions, requests for counsel, requests for appeal, notices, summonses, subpoenas, service of process, admitted findings and recommendations of the Foster Care Review Board, abstracts, and orders.		

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.058B2 -	<u>Child Protective Files - Petition Authorized (Social Files)</u>	ACT	07/15/2014
	<p>ACT = until either: 1) three years after an order terminating jurisdiction over the child, or 2) the child becomes age 18, whichever is later. This includes files of proceedings where the court did not take jurisdiction after authorizing a petition. [MCL 600.1428, MCR 3.925(E)(1), (3)(c), (d), MCR 8.119(K)]</p> <p>Because the legal and social files have different retention periods, it is important to maintain the files in such a way as to facilitate destruction of the file contents as well as preserving the social file's confidentiality pursuant to MCR 3.903(A)(3)(b).</p>		
16.059 -	<u>Designated Cases</u>	ACT+25	11/08/2006
	<p>ACT = until the date of the latest dispositive order. [MCL 600.1428, MCR 8.119(K)]</p>		
16.060 -	<u>Juvenile Guardianship Cases</u>	ACT+25	07/15/2014
	<p>ACT = until the date of the order appointing a juvenile guardian. [MCL 600.1428, MCR 3.925(E)(6), MCR 8.119(K)]</p>		
16.071A -	<u>Friend of the Court Support Records (Arrearage)</u>	ACT+10	11/08/2006
	<p>This record series includes support files and support payment records where there is an arrearage. Support payment records are the compilation of accounting records (ledgers and account records) rather than accounting records (cancelled checks, receipts, etc.).</p> <p>ACT = when an arrearage is reflected on the support records, active until 10 years after the obligation to pay support ends and the case has been administratively closed. Friend of the court copies of records contained in the court's case file may be destroyed 1 year after the friend of the court case is administratively closed. [MCL 600.1428, MCL 600.5809, MCR 8.119(K)]</p>		

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.071B -	<u>Friend of the Court Support Payment Records (No Arrearage)</u>	ACT+6	11/08/2006
	<p>This record series includes support payment records where there is no arrearage. Support payment records are the compilation of accounting records (ledgers and account records) as opposed to the accounting records themselves (cancelled checks, receipts, etc.).</p> <p>ACT = when no arrearage is reflected on the support records, active until 6 years after the obligation to pay support ends. [MCL 600.1428, MCL 600.5809, MCR 8.119(K)]</p>		
16.071C -	<u>Friend of the Court Support Records (No Arrearage)</u>	ACT+1	11/08/2006
	<p>This record series includes all support records, except payment records, where there is no arrearage.</p> <p>ACT = when no arrearage is reflected on the support records, active until 1 year after the obligation to pay support ends and the case has been administratively closed, provided notice has been sent to parties advising them of the administrative closing and intent to destroy the file. [MCL 600.1428, MCR 8.119(K)]</p>		
16.072 -	<u>Friend of the Court Mediation Records</u>	ACT+6	11/08/2006
	<p>ACT = until mediation concludes. [MCL 600.1428, MCL 600.5807(8), MCR 8.119(K)]</p>		
16.073 -	<u>Friend of the Court Nonsupport Records</u>	ACT+6	11/08/2006
	<p>This record series includes all nonsupport records. ACT = until the youngest child emancipates. [MCL 600.1428, MCL 600.5807(8), MCR 8.119(K)] Emancipation includes other termination events such as death of a child or parent.</p>		
16.080 -	<u>CASE RECORDS SPECIFIC TO DISTRICT AND MUNICIPAL COURT</u>		

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.081A -	<u>Civil Infraction Case Files - Satisfied Judgment</u>	ACT+3	11/08/2006
	This record series includes traffic and non-traffic civil infraction (including parking) cases in which a judgment was rendered and satisfied or that have been dismissed. It includes proof of insurance certificates filed for waived citations. ACT = until the date of the latest dispositive order. [MCL 600.1428, MCR 8.119(K)]		
16.081B -	<u>Civil Infraction Case Files - Unsatisfied Judgment</u>	ACT	11/08/2006
	This record series includes traffic and non-traffic civil infraction (including parking) cases in which a judgment was rendered, but that remain unsatisfied. It includes proof of insurance certificates filed for waived citations. ACT = until 3 years after the date of the latest dispositive order, or until the suspension is purged from the Secretary of State, whichever is later. [MCL 257.321a, MCL 600.1428, MCR 8.119(K)]		
16.082 -	<u>Case Files (except civil infraction and parking)</u>	ACT+6	11/08/2006
	This record series includes all cases except civil infraction (including parking) cases. ACT = until the date of the latest dispositive order. [MCL 600.1428, MCR 8.119(K)]		
	Although court files may be destroyed after 6 years, the statute of limitations for non-contractual money judgments from a court of record is 10 years. [MCL 600.5809(3)]. However, actions to collect against a judgment arising from a case that has been destroyed is allowable under MCL 600.8344.		
16.083 -	<u>Probation Files and Presentence Reports</u>	ACT+3	11/08/2006
	This record series includes alcohol assessments. ACT = until discharge from probation or until date of sentencing if not placed on probation. [MCL 600.1428, MCR 8.119(K)]		
16.100 -	<u>CASE RECORDS SPECIFIC TO PROBATE COURT</u>		
16.101 -	<u>Conservatorship Files</u>	PERM	11/08/2006
	[MCL 600.1428, MCR 8.119(K)]		

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.102 -	<u>Estate Files</u> [MCL 600.1428, MCR 8.119(K)] Note: Records that are more than 50 years old may be transferred to the Archives of Michigan for permanent preservation.	PERM	11/08/2006 Records > 50 years may be transferred to Archives
16.103 -	<u>Guardianship Files</u> This record series includes guardianship files for developmentally disabled persons, legally incapacitated individuals, and minors. [MCL 600.1428, MCR 8.119(K)]	PERM	11/08/2006
16.104 -	<u>Mental Health Code Proceedings Files</u> This record series includes files on judicial admission and involuntary commitment. [MCL 600.1428, MCR 8.119(K)]	PERM	11/08/2006
16.105 -	<u>Trust Files</u> This record series includes files on testamentary and inter vivos trusts. [MCL 600.1428, MCR 8.119(K)]	PERM	11/08/2006
16.106 -	<u>Wills Delivered After Death of Testator</u> [MCL 600.1428, MCR 8.119(K)] Note: Records that are more than 50 years old may be transferred to the Archives of Michigan for permanent preservation.	PERM	11/08/2006 Records > 50 years may be transferred to Archives
16.107 -	<u>Wills Filed for Safekeeping</u> These records should not be microfilmed until they are opened for purposes of probating the will or in cases in which the testator died but an estate was not opened. [MCL 600.1428, MCR 8.119(K)] Note: Wills that were opened more than 50 years ago for purposes stated in the paragraph above may be transferred to the Archives of Michigan for permanent preservation.	PERM	11/08/2006 Records > 50 years may be transferred to Archives

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.108 -	<u>Miscellaneous Proceedings Files</u>	ACT+25	11/08/2006
		Transfer to the Archives of Michigan	
	<p>This record series includes, but is not limited to records concerning Soldiers and Sailors Relief Commission, Tax Allocation Board, State Boundary Commission, Poor Persons Act, Bonds for Railway Survey, Election Commission, filling of vacancies in certain offices, lost instruments, kidney donations, Uniform Gift to Minors Act, appeals of denial of delayed registration of birth, appeals of adoption subsidy determination, appeals of financial liability re-determination by Community Health, and appeals in drain proceedings. ACT = until the date of the latest dispositive order. [MCL 600.1428, MCR 8.119(K)]</p>		
16.109 -	<u>Acknowledgments of Paternity</u>	PERM	11/08/2006
		Records > 50 years may be transferred to Archives	
	<p>These records are no longer processed in many probate courts; however, it is necessary for probate courts to retain their old records permanently. [MCL 600.1428, MCR 8.119(K)]</p> <p>Note: Records that are more than 50 years old may be transferred to the Archives of Michigan for permanent preservation.</p>		
16.110 -	<u>Libers of Orders</u>	PERM	11/08/2006
		Records > 50 years may be transferred to Archives	
	<p>These records are no longer processed in many probate courts; however, it is necessary for probate courts to retain their old records permanently. [MCL 600.1428, MCR 8.119(K)]</p> <p>Note: Records that are more than 50 years old may be transferred to the Archives of Michigan for permanent preservation.</p>		
16.111 -	<u>Condemnation Proceedings Files</u>	PERM	11/08/2006
		Records > 50 years may be transferred to Archives	
	<p>These records are no longer processed in many probate courts; however, it is necessary for probate courts to retain their old records permanently. [MCL 600.1428, MCR 8.119(K)]</p> <p>Note: Records that are more than 50 years old may be transferred to the Archives of Michigan for permanent preservation.</p>		

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.112 -	<u>Obsolete Probate Records</u>	DISP	11/08/2006
	Records regarding abstracts of taxable inheritance, afflicted adult files, crippled or afflicted children, custodian files, mother's pension files, power of attorney records, and sterilization are no longer maintained by the probate court. DISP = These records may be disposed of after proper notification to the Archives of Michigan. [MCL 600.1428, MCR 8.119(K)]		Transfer to the Archives of Michigan
16.113 -	<u>Civil Cases</u>	ACT+25	07/15/2014
	This record series includes actions against another filed by a fiduciary or trustee or any action filed by a claimant after notice that a claim has been disallowed. ACT = until the date of the latest dispositive order. [MCL 600.1428, MCR 8.119(K)]		
16.120 -	<u>NON-RECORD MATERIALS</u>		
16.121 -	<u>Copies/Duplicates</u>	ACT	11/08/2006
	Extra copies of correspondence and other documents preserved only for reference, such as reading, tickler, or follow-up files; employee time sheets and other payroll records; copies of documents maintained in the same office; and outdated copies of printed or processed materials of which official copies have been retained for record purposes. ACT = until of no further reference value.		
16.122 -	<u>Personal Records</u>	ACT	11/08/2006
	Materials neither made nor received pursuant to statute nor in connection with the functional responsibilities of the office, such as privately purchased material or correspondence of a personal nature kept at the office for convenience, notice of employee meetings, etc. ACT = until of no further reference value.		

ACT = Active
 PERM = Permanent

CR = Creation
 SUP = Superseded

EXP = Expiration
 EVT = Event

FY = Fiscal Year
 DISP = Immediate Disposal

Item Number	Series Title	Total Retention	State Administrative Board Approval Date
16.123 -	<u>Drafts and Informational Items</u>	ACT	11/08/2006
	<p>File copy request forms, preliminary drafts of letters, preliminary reports (including printouts of database queries* and other preliminary information used to assist in preparing reports), data provided in response to a public query that has no value-added information (electronic or paper)**, and memoranda that do not represent significant basic steps in preparing records. ACT = until of no further reference value.</p> <p>*A record created by accessing a database can be destroyed at the convenience of the court provided the record can be regenerated in its original form and the retention requirements for the database meet or exceed the retention period for the record that is created.</p> <p>**While data provided in response to a public query is considered a non-record, there are instances where the court may want to keep the information for at least 1 year.</p>		
16.124 -	<u>Routing Slips</u>	ACT	11/08/2006
	<p>Routing and other interdepartmental records that do not add any significant information about the activity concerned. ACT = until of no further reference value.</p>		
16.125 -	<u>Reference Materials for Case Files</u>	ACT	11/08/2006
	<p>LEIN records, warrant information, driving records, copies of temporary vehicle registration plates, mental health records, victim information, fingerprints, judges' notes/day sheets, and other similar records that are filed with or created by the court for use with specific cases, but which are not part of the court record. ACT = until of no further reference value.</p>		