

# Deferrals – 2012 Public Acts 547, 548, 549, and 550

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On April 1, 2013, a change in case public status when a judge defers judgment on specific court records will become effective.

The court record and records of the Michigan State Police will become nonpublic at the time a judge defers judgment, rather than at the time a defendant successfully completes a probation period, which is the current practice.

*Drug court cases pursuant to MCL 600.1076(10)*  
*Parental kidnapping cases pursuant to MCL 750.350a(6)*  
*Controlled substance cases pursuant to MCL 333.7411(3)*  
*Domestic violence cases pursuant to MCL 769.4a(7)*

***Deferral code DPT***  
***Deferral code DPK***  
***Deferral code DPD***  
***Deferral code DPS***

Unless the court enters a judgment of guilty or an adjudication of responsibility under the above sections, the department of state police shall retain a nonpublic record of the arrest, court proceedings, and disposition of the criminal charge under those sections.

Deferrals entered under the above sections, as of March 1, 2013, will automatically set the case status to nonpublic. **Programming will be made as of March 1, 2013. This will minimize the amount of deferral cases the courts will need to update manually.**

For existing deferrals, the courts will be responsible for manually making the public case status updates.

Below are the instructions on how to generate a report of cases that are on deferral where the case public status will need to be manually updated.

At the Next: line type **REV**. This will take you to the Case Review Reports Screen.  
Keep the Reporting Date as the current date. Type a **1** on the **Deferred Status** line and press <enter>.

```
MICHELE      UCAQPVK                      UCSGEN - TEST                      HOJ
                                      Case Review Reports                2/20/13

Next: REV Case: 2006 0000000078 Court: C 37 13

Reporting Date: 2/20/2013

Jurist: _ _____

_ Criminal - No Next Action
_ Review Requested
_ Civil - No Next Action
_ Default on Party Due
_ Non-Service Due
_ Under Advise ment
1 Deferred Status
█ Incarcerated - Pending Sentence

F3=Exit F10=Name F13=Cm ds F16=Calc
```

After the report has printed, the court will need to go through it and look for the deferral codes of

**DPT, DPK, DPD and DPS** and then update the case public status of those cases manually.

To update the case public status, go to the work with cases screen and put the case number in.

```
MICHELE    UCDFDFK                UCSGEN - TEST                HOJ
                                Work with Cases                2/21/13

Next: CAS  Case: 2006 0000000078  Court: C 37  13

Type options, press Enter.
2=Change  4=Delete 5=Display 6=Notes A=Abstract B=Bond C=Charge D=Docsum
E=Event F=Form G=Age H=Acct Hist J=Judges M=Money L=Related N=Nxt Actns
O=Eval Ord P=Party R=ROA S=Sent T=Title V=PgmRslts W=Warrant X=Transfer

2 2006 0000000078 FH 2/09/2006                11953 CLATTERBAUGH
STATE OF MI V TEST REST
```

Select **option 2** to change, which will display the Edit Criminal/Juvenile Case screen. Update the **public status from a P to a S**. The user can either F4 prompt and select Suppressed or type an S and then <enter>.

```
MICHELE    UCH5E1K                UCSGEN - TEST                HOJ
                                Edit Criminal/Juvenile Case        2/20/13

Crt: C 37  13
Case: 2006 0000000078 FH STATE OF MI V TEST REST                OPEN
Jurist: J 11953 CLATTERBAUGH, JAMES R.,                Referee: _
Filed: 2/09/2006 Disposed:                Reopened:                Closed:
Bindover Date: 1/02/2007                Offense: 1/01/06
Prosecutor: A 10017 ABRAHAM, GARY J.,                CTN: 1                TCN:
Complaint/Issue Date:                Police Incident#:
Incarcerated:                Location:                Jail/Prison/Prob: _
Arraignment Date:                Preliminary Date:
Habitual:                Caseload Omit: N
Lower Court:                X-Reference:
Public: S
Microfilm No:                Prison Case: N Jury Demand: _

Type:                VIN:                Make:

Officer/Agency:
Officer/Agency:

F3=Exit F10=Name F13=Cmnds F16=Calc F17=Parties
```

**Reminder: Circuit Courts should also inform District Court of any nonpublic case updates.** A recommendation would be to send District Court the report of deferral cases with the updates highlighted.