

Order

Michigan Supreme Court
Lansing, Michigan

January 29, 2014

Robert P. Young, Jr.,
Chief Justice

ADM File No. 2012-23

Michael F. Cavanagh
Stephen J. Markman

Amendment of Rule 8.109 of
the Michigan Court Rules

Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

On order of the Court, notice of the proposed changes and an opportunity for comment having been provided, and consideration having been given to the comments received, the following amendments of Rule 8.109 of the Michigan Court Rules are adopted, effective May 1, 2014.

[Additions to the text are indicated in underlining and deleted text is shown by strikeover.]

Rule 8.109 Mechanical Recording of Court Proceedings

- (A) Official Record. Trial courts are authorized to use audio and video recording equipment for making a record of court proceedings. ~~If a trial court uses audio or video recording ~~device~~equipment for making the record of court proceedings, it shall use only recording ~~device~~equipment that meets the standards as published by the State Court Administrative Office (i.e., the Standards for Digital Video Recording Systems, the Standards for Digital Audio Recording Systems), or analog equipment that the State Court Administrative Office has approved for use.~~
- (B) Operating Standards. Trial courts that use audio or video recording equipment, whether digital or analog, must adhere to the audio and video recording operating standards published by the State Court Administrative Office.
- (C) [Former (B) relettered, but otherwise unchanged.]

Staff Comment: The amendments of MCR 8.109 provide explicit authority for courts to use audio and video recording equipment to make a record of court proceedings and require that trial courts using recording equipment follow the standards for recording proceedings that are published by the State Court Administrative Office.

The staff comment is not an authoritative construction by the Court.



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 29, 2014


Clerk