



Michigan Supreme Court

State Court Administrative Office

Trial Court Services Division

Michigan Hall of Justice

P.O. Box 30048

Lansing, Michigan 48909

Phone (517) 373-4835

MEMORANDUM

DATE: February 21, 2008

TO: Judges
cc: County Clerks, Court Administrators, Probate Registers

FROM: Dawn M. Childress, Management Analyst

RE: Assessing Costs When Creating a New Record

When the court or county clerk receive a request to create a new record or compile records pertaining to case files or case-related information, such as conducting a background check for prior convictions, costs may only be assessed if the following requirements have been met:

1. The court has updated its Inspection, Reproduction, and Creation of Court Records Local Administrative Order, previously referred to as Access to Records, to allow the court to assess costs to create a new record or compile court records, and
2. The court or county clerk has created a new paper or electronic record that is delivered to the requestor.

The State Court Administrative Office's model Inspection, Reproduction, and Creation of Records Local Administrative Order may be found at <http://courts.michigan.gov/scao/resources/other/lao/LAO8-model.doc> .

The court or clerk's office may not assess costs if the new or compiled record is delivered verbally rather than by paper or electronic format. Furthermore, costs to provide new or compiled records may include only the direct costs the court incurred to develop, generate, and validate the accuracy of the record. Copies of an existing paper or electronic record, such as a judgment or register of actions, are not considered new records and the normal copy rate applies.

If you have any questions, please contact Dawn M. Childress at 517-373-3756 or childressd@courts.mi.gov.