

MICHIGAN SUPREME COURT

PUBLIC HEARING
January 30, 2013

CHIEF JUSTICE YOUNG: Good morning. This is our January Public Hearing where the members of the public can come and comment on pending administrative matters. And today we have just one person who's interested. Ms. Howard, would you care to come - and you're speaking on Item #1 which is administrative matter 2012-12, a proposed amendment to Rule 3.925 concerning procedures for retention and destruction of records in juvenile cases. Good morning.

ITEM 1: 2012-12 - MCR 3.925

MS. HOWARD: I am. Good morning. My name is Lauran Howard; I bring greetings from the Oakland County Circuit Court Family Division, from Nanci Grant, Judge Nanci Grant, and Judge Elizabeth Pezzetti. I am a lawyer, but one of my duties as a court administrator in Oakland County is to be in charge of something called the juvenile file room. The juvenile file room contains all of the files that are concerned with child protective proceedings, the NA suffix cases, juvenile delinquency, the DL suffix cases. We have thousands of cases. As a result of your wonderful proposed change to this court rule which we are, frankly, thrilled to death to hear about and be in support of, we will be able to destroy about 1750 files that no one has looked at in years. I brought a visual aid, this is a confidential file, I was tempted to bring a two volume one with lots of things dripping out of it - we have a few of those - this one is actually more typical of what a confidential file looks like. You can do the math and see how much room we would have if 1750 of these files that no one sees can be destroyed. It will help us free up space for wills and other things that the public can benefit by having on site. We both -

JUSTICE MARKMAN: I thought there -

MS. HOWARD: I'm sorry.

JUSTICE MARKMAN: I thought there was a Murphy's rule somewhere that the moment you destroy a document it's required the next day.

MS. HOWARD: I hope not Justice.

CHIEF JUSTICE YOUNG: It is in my office.

MS. HOWARD: I'm hoping - I'm hoping. We do have imaging in Oakland County and so we do have, obviously, the legal file in place of the confidential, and we also have everything on a scanning system and so even if that's true, we'll be able to dig something up. I hope. The other thing we'll be able to destroy as a result of your wonderful changes are traffic files. Juvenile traffic files are all abstracted to the state - to the Secretary of State. They keep them all and we do too. I won't pretend they're as thick as this one, they're not, they're little teeny things, but the fact is its three shelves we can do something better with because nobody looks at those files either.

CHIEF JUSTICE YOUNG: And you don't have to keep track of them either.

MS. HOWARD: And we don't have to keep track of - when I was in practice, of course, I never paid any attention to this. I would show up and the file would be there. When I went to work for the Court, the whole business of creation, maintenance and destruction of files is a big deal for us. And we would love to be able to be more efficient and this court rule will help us do that. And so I want to thank everybody on your staffs, SCAO, whomever pulled this together and brought this before you for consideration because they did a wonderful job and it will really help us. I know - I only speak for Oakland County, I promise, but I do have some acquaintances in the other courts and I can tell you that most everyone is thrilled.

CHIEF JUSTICE YOUNG: Thank you very much.

MS. HOWARD: Actually, everyone I've talked to.

CHIEF JUSTICE YOUNG: Thank you.

MS. HOWARD: Thank you very much.

CHIEF JUSTICE YOUNG: There being no other public speakers, we're adjourned. Thank you for coming up.

MS. HOWARD: You're welcome.