Nonpublic and Limited-Access Court Records

Revision January 2017

The following chart lists various court record types to which access is limited by statute, court order, or court rule. It should be used in conjunction with Component 19 of the Michigan Trial Court Case File Management Standards. While this chart can help provide guidance on the use of and access to confidential records, court staff should review the particular statutes and court rules and, when in doubt, consult with their chief judge on local interpretation. Each listed item begins with the specific record type that has its access limited, a citation to the relevant statute and/or court rule, and the duration of time that access to the record is limited *(Record Having Limited Access and Length of Duration)*. Following this identification of the record type, the chart specifies what regulations or standards exist for the court's filing and storage of the record and for access to the record by court staff (*Filing and Court Access Requirements*). Each item ends with a listing of the various persons or agencies and the reasons for which they are allowed to have access to the record (*Possibilities for Access to Court Records*). The chart is organized by court type and category of case. Categories are as follows: General: Circuit Court (Civil and Criminal Divisions) and District Court; Circuit Court Family Division - Friend of the Court; Circuit Court Family Division - Juvenile; Circuit Court Family Division - Adoption, etc.; and Probate Court.

Notes:

1. The chart contains some statute references in which the only agency directed to maintain a nonpublic record is the state police. In order to insure the intent of the statute to keep these records confidential, courts are directed to maintain their records in these instances as nonpublic records. They are nonpublic pursuant to MCR 8.119(D).
2. In some cases, a statute or court rule makes **information** in a case file (as opposed to simply the file itself) confidential. This is the case when, for example, the law protects against divulging information in the file or when specific pieces of information (e.g., name or address) are made confidential. When information in a case file is made confidential, individuals should not divulge confidential information, and publicly accessible information sources outside of case files (e.g., indices, registers of actions) should not contain confidential information.
3. The collection, maintenance, and release of social security numbers by courts is governed by Michigan Supreme Court Administrative Order 2006-2, Privacy Policy and Access to Records. Administrative Memorandum 2006-04 provides the procedures courts must follow when providing copies of documents containing social security numbers, as well as remedies available to a party seeking to protect a social security number contained within a publicly filed document.
4. If a request is made to view a record that is nonpublic and the individual requesting to view the record is not allowed access under statute or is not a party to the case, the court should respond as indicated for each record type. In addition, there are nonpublic records that can not be acknowledged or identified. Those record types are identified under "Court response to inquiries."
5. If the court receives form MC 292 from a defendant as provided by MCL 380.1230d and MCL 380.1535a, it shall forward a copy of the form and information regarding the sentencing not later than seven days after the date of sentencing to the entities listed on the form, even if the court is maintaining the file as a nonpublic record. Pursuant to MCL 380.1535a(8), the court shall provide a certified copy of the judgment of conviction and sentence of a person with a teaching certificate within 7 days after receiving the request and fees under this section from the superintendent of public instruction or after entry of the judgment or other document, whichever is later, even if the court is maintaining the judgment or other document as a nonpublic record.

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Glossary

1. **Case**: Any action that is currently before the court or has been before the court. Cases must have a case caption and an assigned case number.
2. **Case Caption**: The official title of the case. For example, People v Smith, Jones v Jones, Smith v State of Michigan, In Re Smith.
3. **Case file**: The file or files in any case that contains all filed documents and all orders or opinions entered by the court.
4. **Department of Defense**: Included in the Department of Defense are the U.S. Army, U.S Navy (Marine Corps is part of the Navy) and U.S. Air Force.
5. **Law Enforcement Agency**: Any agency authorized by federal or state law or local ordinance to enforce the laws of the United States, state of Michigan, or any city, township, or village in the state of Michigan. The following is a list of federal law enforcement agencies published by the Department of Justice with over 500 full time employees. Some of these agencies are within the Department of Homeland Security. There may be other federal law enforcement officers in agencies with fewer than 500 full time officers.
    a. Department of Homeland Security
        i. U.S. Customs and Border Protection
        ii. U.S. Immigration and Customs Enforcement
        iii. U.S. Secret Service
        iv. U.S. Coast Guard
        v. U.S. Citizenship and Immigration Services
    b. Federal Bureau of Prisons
    c. Federal Bureau of Investigation
    d. Drug Enforcement Administration
    e. Administrative Office of the U.S. Courts
    f. U.S. Marshals Service
    g. U.S. Postal Inspection Service
    h. Internal Revenue Service, Criminal Investigation
    i. Veterans Health Administration
    j. Bureau of Alcohol, Tobacco, Firearms and Explosives
    k. National Park Service
    l. U.S. Capitol Police
    m. Bureau of Diplomatic Security, Diplomatic Security Service
    n. U.S. Fish and Wildlife Service, Division of Law Enforcement
    o. USDA Forest Service, Law Enforcement & Investigations
6. **Duration**: The time within which a court record has nonpublic or limited access status.
7. **Limited access:** Available to specific individuals defined by court rule or statute.
8. **Nonpublic**: Not accessible to anyone other than the parties, their attorneys, and the court.
    a. Records that are nonpublic pursuant to statute
    b. Records that are nonpublic pursuant to court rule
    c. Records that are nonpublic in whole or in part as a result of a court order
9. **Public:** Accessible to anyone.
10. **Record**: A record includes all papers, machine readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by a court in connection with the transaction of court business

Nonpublic and Limited-Access Court Records		
GENERAL		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
JUDICIAL DATA WAREHOUSE (JDW): All information retrieved from searches and queries conducted using the JDW. Duration: From retrieval of information or creation of the record.	All information retrieved from the JDW should be maintained to ensure that it is not subject to public inspection. **Court response to inquiries:** The court should respond to requests for information by referring the party to the court having jurisdiction over the action.	The JDW is restricted to authorized court use only with no dissemination of information to the public, other than a referral to a court having jurisdiction over a person's case(s). Other agencies may have access through separate operating agreements with the JDW and should gather information through their own information systems networks. There is no possibility of public access.
SEALED RECORDS: Records sealed by court order. (MCR 8.119[I]) Duration: From entry of the order until the time (if any) when the order is rescinded. If a motion to seal a record or a specific document is filed, the materials subject to the motion must be held under seal pending the ruling on the motion.	Sealed records should be maintained to ensure they are not subject to public inspection. All court orders and opinions in the case, including the order or opinion that disposes of a motion to seal the record, may not be sealed and must remain open to the public. *MCR 8.119(I)(5)* **Court response to inquiries:** The court should respond to requests to view a record sealed by court order, as follows: "Only Court Orders and Opinions in this case are accessible to the public."	Except as otherwise provided by statute or court rule, a court may not enter an order sealing court records, in whole or in part, in any action or proceeding unless a party to the case has filed a written motion identifying the specific interest to be protected; the court makes a finding of good cause, in writing or on the record, specifying the grounds for the order; and there is no less restrictive means to adequately and effectively protect the specific interest asserted by the party. *MCR 8.119(I)(1)* Whenever a court grants a motion to seal a court record, in whole or in part, the court must forward a copy of the order to the Clerk of the Supreme Court and to the State Court Administrative Office. *MCR 8.119(I)(7)* Any person may file a motion to set aside an order that disposes of a motion to seal the record or may file an objection to entry of a proposed order. *MCR 8.119(I)(6)* Parties to a case in which a record has been sealed shall be allowed access to their court file.
CONFIDENTIAL LEIN POLICY FILE: Information obtained from the Law Enforcement Information Network. (MCL 28.214[3],[4],[5]) Duration: From creation or receipt of the record.	Information that is nonpublic should be maintained to ensure it is not subject to public inspection. **Court response to inquiries:** "Law Enforcement Information Network (LEIN) information is nonpublic pursuant to statute."	The attorney general or his or her designee, a prosecuting attorney, or the court, in a criminal case, may disclose to the defendant or the defendant's attorney of record information pertaining to that defendant that was obtained from the law enforcement information system.

Nonpublic and Limited-Access Court Records		
GENERAL		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
CONFIDENTIAL CMH FILE: Community Mental Health treatment records for individuals. (MCL 330.1748, 330.1748a) Duration: From creation of the record.	Records should be maintained to ensure they are not subject to public inspection. Nonpublic information remains nonpublic even if admitted into evidence. **Court response to inquiries:** "Community Mental Health records are nonpublic pursuant to statute."	Disclosure of a CMH record is possible under some circumstances, including the following: (a) for case record entries made after March 28, 1996, to an adult recipient, upon the recipient's request, if the recipient does not have a guardian and has not been adjudicated legally incompetent; (b) pursuant to court order or legislative subpoena, unless the information is privileged by law; (c) to a prosecuting attorney as necessary for the prosecuting attorney to participate in a proceeding governed by the Mental Health Code; (d) to an attorney for the recipient, with the consent of the recipient, the recipient's guardian with authority to consent, or the parent with legal and physical custody of a minor recipient; (e) if necessary to comply with another provision of law; (f) to DCH if the information is necessary for the department to discharge a legal responsibility; (g) to the office of auditor general if the information is necessary for that office to discharge its constitutional responsibility; and (h) to a surviving spouse of the recipient or, if there is no surviving spouse, to the individual or individuals most closely related to the deceased recipient within the third degree of consanguinity for the purpose of applying for and receiving benefits.
CONFIDENTIAL CMH FILES, FORENSIC AND PSYCHOLOGICAL REPORTS: Privileged communications between a mental health patient and a psychiatrist or psychologist in connection with the examination, diagnosis, or treatment of the patient. (MCL 330.1748; 330.1750; 330.2028; 330.2030) Duration: From creation of the record.	Records should be maintained to ensure they are not subject to public inspection. Nonpublic reports remain nonpublic even if admitted into evidence. **Court response to inquiries:** "These records are confidential pursuant to statute." ***The existence of confidential CMH files, forensic and psychological reports cannot be acknowledged.***	Disclosure of "privileged communications" is possible, upon request, in any of the following circumstances: (a) if the communication is relevant to a condition of the patient that the patient has introduced as an element of the patient's claim/defense in a proceeding or that, after the patient's death, has been introduced as an element of the patient's claim/defense by a party to a proceeding; (b) if the communication is relevant to a matter under consideration in a proceeding governed by the Mental Health Code, but only if the patient was suitably informed, (c) if the communication is relevant to a matter under consideration in a proceeding to determine the legal competence of the patient or the patient's need for a guardian but only if the patient was suitably informed; (d) in a civil action by or on behalf of the patient or a criminal action arising from the treatment of the patient against the mental health professional for malpractice; and (e) under certain circumstances, if the privileged communication was made during an examination or treatment ordered by a court.

Nonpublic and Limited-Access Court Records		
GENERAL		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
DRUG AND ALCOHOL SCREENING AND ASSESSMENT, ADDITIONAL COUNSELING, AND TREATMENT FOR SUBSTANCE ABUSE: Results of screening and assessment and treatment for substance abuse in the record of a person undergoing screening and assessment, additional counseling, or treatment for substance abuse. (MCL 330.1261; 330.1285) **For drug court files see page 13.** **Duration:** From creation of the record.	Records should be maintained to ensure they are not subject to public inspection. Applicable to both court files and probation files. **Court response to inquiries:** "These records are confidential pursuant to statute." ***The existence of records pertaining to drug and alcohol screening and assessment, additional counseling, and treatment for substance abuse cannot be acknowledged.***	Confidentiality protects the individual from the release of unauthorized information, and individuals must sign a release of information or consent form authorizing the release of information specific to the court case. *42 CFR.* Confidentiality requirements are applicable to information contained in either a court file or probation file. Even if an agency otherwise has access to the file for specified purposes, unless a consent or release form is in the file allowing release of information specific to the court case, including drug and alcohol screening and assessment, additional counseling, and treatment for substance abuse, that information remains nonpublic to those agencies.
LIMITED ACCESS: Secretary of State (SOS) Driving Records: Limited Access to information. (MCL 257.204a(5))	Records should be maintained to ensure they are not subject to public inspection. Nonpublic information remains nonpublic even if admitted into evidence. **Court response to inquiries:** "SOS Driving Records are nonpublic pursuant to statute."	After a request for information in a form prescribed by the SOS has been received, disclosure of SOS Driving Records is limited to the following: (a) another state, (b) the United States Secretary of Transportation (USDOT), (c) the person who is the subject of the record, (d) a motor carrier employer or prospective motor carrier employer, but only if the person who is the subject of the record is first notified of the request as prescribed by the secretary of state, (e) an authorized agent of a person or entity listed in subdivisions (a) to (d). Trial courts considering a petition for restoration of driver's license have access to the driving record for purposes of appeal under MCL 257.323(4).

Nonpublic and Limited-Access Court Records		
GENERAL		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
MEDIATION: Statements made during mediation, including those made in written submissions, unless included in the report of the mediator. (MCR 2.411[C][5]) **Duration:** From creation of the statement.	Information may not be used in any other proceedings, including trial, except as information is necessary for the court to: (a) resolve disputes regarding the mediator's fee, or (b) consider issues raised by a party's failure to attend a scheduled mediation session. Court personnel may have access to the information in order to administer or evaluate the mediation program. **Court response to inquiries:** "Mediation records are nonpublic pursuant to court rule"	None specified.
MEDIATION: Communications between the parties or counsel and the mediator relating to mediation, unless included in the report of the mediator. (MCR 2.411[C][5]) **Duration:** From creation of the communication.	Information is confidential except when necessary for the court to: (a) resolve disputes regarding the mediator's fee, or (b) consider issues raised by a party's failure to attend a scheduled mediation session. **Court response to inquiries:** "Mediation records are nonpublic pursuant to court rule"	Disclosure is possible with the written consent of all parties.

Nonpublic and Limited-Access Court Records		
GENERAL		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
MEDIATION: Work product or case files of mediator or of community dispute resolution center. (MCL 691.1557) Duration: From creation of the work product or case file.	Information is confidential and not subject to disclosure in a judicial or administrative proceeding, except that which is either (a) needed in a subsequent action between the mediator and a party to the dispute resolution process for damages arising out of that process or (b) subject to discovery and was not prepared specifically for use in the dispute resolution process. **Court response to inquiries:** "Mediation records are nonpublic pursuant to statute"	Disclosure is possible when confidentiality is waived in writing by all parties to the dispute resolution process.
CASE EVALUATION: Case evaluation and parties' acceptances and rejections. (MCR 2.403[N][4]) Duration: From creation of case evaluation, acceptance, and rejection and until the time (if any) when judgment is rendered.	Documents are to be placed in a sealed envelope. **Court response to inquiries:** "Case evaluations and the parties' acceptances or rejections are nonpublic records pursuant to court rule."	None specified.
JURY: Completed Juror Qualification Questionnaires. (MCL 600.1315) Duration: From receipt of the completed questionnaire.	Questionnaires should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "Juror qualification questionnaires are nonpublic records pursuant to statute."	Persons may gain access to completed questionnaires through order of the chief circuit judge.

Nonpublic and Limited-Access Court Records		
GENERAL		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
JURY: Juror Personal History Questionnaires. (MCR 2.510[C]) Duration: From receipt of the completed questionnaire.	Questionnaires should be maintained to ensure they are not subject to public inspection. The judges of the court, the clerk of the court, and deputy clerks are all allowed to examine the questionnaire. **Court response to inquiries:** "Juror personal history questionnaires are nonpublic records pursuant to court rule."	The only persons allowed to examine the questionnaires are: (a) parties to actions in which the juror is called to serve and their attorneys, and (b) persons authorized access by court rule or court order.
JURY: Seated juror names and addresses. *People v Mitchell (In Re Juror Names), 233 Mich App 604 (1999)* Duration: Upon the court's finding that juror safety or other interests are implicated by access.	Seated juror names and addresses should be maintained to ensure they are not subject to public inspection when a finding by the court that juror safety or other interests are implicated by granting access. **Court response to inquiries:** "Pursuant to court order, seated juror names and addresses are nonpublic"	The press has a qualified right of postverdict access to juror names and addresses, subject to the trial court's discretion to fashion an order that takes into account the competing interest of juror safety and any other interests that may be implicated by the court's order.

Nonpublic and Limited-Access Court Records		
GENERAL		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
VICTIMS: Victim information. (MCL 780.758) Victim home and work addresses and telephone numbers. **Duration**: From receipt of information.	Information regarding a victim's addresses and telephone numbers "shall not be in the court file or ordinary court documents" unless contained in a transcript (or, in the case of the address, if it is used to identify the place of the crime). Conditional bonds and conditional orders of probation for the protection of named persons containing victim addresses or phone numbers are not subject to public inspection. **Court response to inquiries:** "Victim home and work addresses and telephone numbers are nonpublic pursuant to statute."	None specified.
CHILD VICTIMS AND WITNESSES: Child protective and juvenile delinquency cases – does not apply to a juvenile delinquent. (MCL 712A.28[2]) Records of a hearing closed under MCL 712A.17 **Duration:** From beginning of the hearing.	Hearing records closed under MCL 712A.17 are nonpublic. **Court response to inquiries:** "Child victim and witness testimony is nonpublic for a hearing closed under MCL 712A.17(7)."	Hearing records are open only by court order to persons having a legitimate interest.

Nonpublic and Limited-Access Court Records		
GENERAL		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
GRAND JURY: Docket, journal, reporters' notes, transcript, and other records. (MCL 767.6a) **Duration:** From the termination of the grand jury inquiry.	If the grand jury does not last more than 30 calendar days, the docket, journal, reporters' notes, transcript, and other record of the judge shall be sealed and filed with the clerk of the court having jurisdiction. If the grand jury lasts more than 30 calendar days, the docket, journal, reporters' notes, transcript, and other record of the judge shall be sealed and filed with the clerk of the supreme court of the state of Michigan, where it shall be held secretly in a separate container securely locked. **Court response to inquiries:** "Grand jury records are nonpublic pursuant to statute"	Any witness in the original proceeding may file a petition in the circuit court of the county in which he resides for release of the entire transcript and record as to that witness, and so far as material, any grant of immunity, in connection with any appeal or other judicial proceedings where it may be relevant. The petition must set forth the proceedings for which the documents are needed and describe the portions of the transcript and record needed, but a witness may request and receive only those portions applicable to that witness and no other witnesses. Upon the filing of the petition, the judge of such circuit court shall issue an order directing the clerk of the court or the clerk of the supreme court of the state of Michigan, as the case may be, to make available the portions of the transcript and record set forth in the petition and pertaining to the witness. After complying with the order, the remaining transcript and records shall be immediately resealed. If the documents are held by the clerk of the supreme court of the state of Michigan, the petitioner shall execute a receipt for the documents and immediately upon the termination of the appeal or judicial proceeding for which they were obtained, return them to the clerk. If, however, the prosecuting attorney of the county in which the inquiry was conducted, or any other interested person, files a petition for destruction of the documents, any circuit judge in that county, upon determining that there is no further need for preserving and retaining the documents, shall enter an order referring the matter to the supreme court for the entry of an order or orders for the destruction of the transcripts, notes, and records, or any part thereof. No such order shall be entered by a circuit judge until at least 6 years after the termination of the inquiry.
Governor's Pardon Article V § 14 **of State of Michigan Constitution**	**Pardon** – The Governor uses his or her executive clemency powers to forgive a person convicted of a crime. A pardon removes the conviction and the associated penalty from the record. **Court response to inquiries:** "There is no public record"	None specified, however, SCAO recommends that courts treat these records similarly to records in which a conviction has been set aside.

Nonpublic and Limited-Access Court Records		
GENERAL		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
CONFIDENTIAL: Americans with Disabilities Act Accommodation Requests **Under Title I of the ADA requests for accommodation from employees are confidential. It has been widely interpreted that these confidentiality requirements under Title I extend to all ADA accommodation requests.**	Records should be maintained to ensure they are not subject to public inspection. Nonpublic information remains nonpublic even if admitted into evidence. **Court response to inquiries:** "ADA requests for accommodation are non-public."	While the primary use of this information is for the court to consider, decide, and implement requests for reasonable accommodation, additional disclosures of the information may be made to: medical personnel to meet a bona fide medical emergency; a Federal agency, a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency when the Government is a party to the judicial or administrative proceeding; a congressional office made at the request of the individual; and an authorized appeal grievance examiner, formal complaints examiner, administrative judge, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint or appeal filed by an employee.
Personal Protection Order Information **Identity or location of the protected party on the Internet.**	Courts are prohibited by 18 USC 2265(d)(3) and MCR 3.705(C) from making available to the public on the Internet any information regarding the registration of, filing of a petition for, or issuance of an order under this rule if such publication would be likely to publicly reveal the identity or location of the party protected under the order. **Court response to inquiries:** “That information is forbidden to be available on the Internet under federal statute and Michigan Court Rule”	No exceptions for Internet access to identity and location of the party.

Nonpublic and Limited-Access Court Records		
CIRCUIT COURT (Civil and Criminal Division) AND DISTRICT COURT		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
CRIMINAL: Drug court. Deferred Status Only (MCL 600.1070[b][i] and MCL 600.1076[10])The court file is a nonpublic record for those individuals who pled guilty to an offense that is not a traffic offense, for whom the court defers entry of the judgment of guilt, and who are eligible for discharge or dismissal upon the issuance of the order deferring judgment. **Duration:** From the date the court orders the judgment deferred.	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "There is no public record."	A. The nonpublic record shall be open to: 1. The courts of this state, law enforcement personnel, the department of corrections, and prosecuting attorneys for use only in the performance of their duties or to determine whether an employee of the court, law enforcement agency, department of corrections, or prosecutor's office has violated his or her conditions of employment or whether an applicant meets criteria for employment with the court, law enforcement agency, department of corrections, or prosecutor's office. 2. The courts of this state, law enforcement personnel, and prosecuting attorneys for the purpose of showing that a defendant has already once availed himself or herself of this section. 3. The department of human services for enforcing child protection laws and vulnerable adult protection laws or ascertaining the preemployment criminal history of any individual who will be engaged in the enforcement of child protection laws or vulnerable adult protection laws. 4. The Attorney Grievance Commission if access to the record is relevant to a pending investigation pursuant to MCR 9.114(E). B. The nonpublic record shall also be open, ***with written consent of the individual***, for use by the Department of Defense, the Department of State, the Department of Transportation, the Office of Personnel Management, the CIA, and the FBI ***only*** for the purpose of determining eligibility for: 1. access to classified information; 2. assignment to or retention in sensitive national security duties; 3. acceptance or retention in the armed forces; and 4. appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the government or performing a government contract. (*5 USCS 9101[a] and [b]*)

Nonpublic and Limited-Access Court Records		
CIRCUIT COURT (Civil and Criminal Division) AND DISTRICT COURT		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
		5. Access for these federal agencies through a contractual arrangement with another entity is allowed. C. If the request is made by a victim in the case, the court may furnish information or records to the victim that would otherwise be closed to public inspection under MCL 780.752a (providing notice to a victim), including information or records related to HYTA participants under MCL 762.14. D. A defendant shall be allowed access to his or her court file even if it is being maintained as a nonpublic record. E. The prosecutor may be furnished a copy of the record indicating the disposition of the case. F. If a defendant is sentenced to probation with a condition for the protection of the victim, and if the victim requests notification, the court shall notify the victim by mail if the court orders that the probation be terminated earlier than previously ordered, including furnishing information or records to the victim that would otherwise be closed to public inspection . *(MCL 780.768b; 780.781a; 780.795a; 780.811b; 780.827b)*

CRIMINAL: Drug court. (MCL 600.1064[4]) Statements or information obtained as a result of participating in a preadmission screening and evaluation assessment under MCL 600.1064(3). **Duration:** From preadmission screening.	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "These records are nonpublic pursuant to statute." ***The existence of drug court records cannot be acknowledged.***	Any statement or other information obtained as a result of participating in assessment, treatment, or testing while in a drug treatment court is confidential and is exempt from disclosure under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246, and shall not be used in a criminal prosecution, unless it reveals criminal acts other than, or inconsistent with, personal drug use
CRIMINAL: Drug court. (MCL 600.1072[2], 42 CFR Part 2) Substance abuse treatment records, references to substance abuse treatment. **Duration:** From creation of the record.	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "These records are nonpublic pursuant to statute." ***The existence of drug court records cannot be acknowledged.***	Any statement or other information obtained as a result of participating in assessment, treatment, or testing while in a drug treatment court is confidential and is exempt from disclosure under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246, and shall not be used in a criminal prosecution, unless it reveals criminal acts other than, or inconsistent with, personal drug use. Confidentiality protects the individual from the release of unauthorized information, and individuals must sign a release of information or consent form authorizing the release of information specific to the court case. *42 CFR.* Confidentiality requirements are applicable to information contained in either a court file or probation file. Even if an agency otherwise has access to the file for specified purposes, unless a consent or release form is in the file allowing release of information specific to the court case, including drug and alcohol screening and assessment, additional counseling, and treatment for substance abuse and/or mental health problems, that information remains nonpublic to those agencies.
CRIMINAL: Veterans Treatment Court. (MCL 600.1206[1][i] and MCL 600.1209[6])The court file is a nonpublic record for those individuals who pled guilty to an offense that is not a traffic offense, for whom the court defers entry of the judgment of guilt, and who are eligible for discharge or dismissal upon the successful completion of the program.	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "There is no public record."	A. All records of the proceedings regarding the participation of the individual in the veterans treatment court under subsection (4) are closed to public inspection and are exempt from public disclosure under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246, but shall be open to the courts of this state, another state, or the United States, the department of corrections, law enforcement personnel, and prosecutors only for use in the performance of their duties or to determine whether an employee of the court, department, law enforcement agency, or prosecutor's office has violated his or her conditions of employment or whether an applicant meets criteria for employment with the court, department, law enforcement agency, or prosecutor's office.

Duration: From the date the court orders the judgment deferred.		B. The Attorney Grievance Commission if access to the record is relevant to a pending investigation pursuant to MCR 9.114(E). C. The nonpublic record shall also be open, with written consent of the individual, for use by the Department of Defense, the Department of State, the Department of Transportation, the Office of Personnel Management, the CIA, and the FBI ***only*** for the purpose of determining eligibility for: D. access to classified information; E. assignment to or retention in sensitive national security duties; F. acceptance or retention in the armed forces; and G. appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the government or performing a government contract. *(5 USCS 9101[a] and [b])* H. Access for these federal agencies through a contractual arrangement with another entity is allowed. I. If the request is made by a victim in the case, the court may furnish information or records to the victim that would otherwise be closed to public inspection under MCL 780.752a (providing notice to a victim), including information or records related to HYTA participants under MCL 762.14. J. A defendant shall be allowed access to his or her court file even if it is being maintained as a nonpublic record. K. The prosecutor may be furnished a copy of the record indicating the disposition of the case. L. If a defendant is sentenced to probation with a condition for the protection of the victim, and if the victim requests notification, the court shall notify the victim by mail if the court orders that the probation be terminated earlier than previously ordered, including furnishing information or records to the victim that would otherwise be closed to public inspection . *(MCL 780.768b; 780.781a; 780.795a; 780.811b; 780.827b)*

CRIMINAL: Mental Health Court. (MCL 600.1095[B][i]; MCL 600.1098[5]) The court file is a nonpublic record for those individuals who pled guilty to an offense that is not a traffic offense, for whom the court defers entry of the judgment of guilt, and who are eligible for discharge or dismissal upon the successful completion of the program. **Duration:** From the date the court orders the judgment deferred.	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "There is no public record."	A. All records of the proceedings regarding the participation of the individual in the mental health court under subsection (3) are closed to public inspection and are exempt from public disclosure under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246, but shall be open to the courts of this state, another state, or the United States, the department of corrections, law enforcement personnel, and prosecutors only for use in the performance of their duties or to determine whether an employee of the court, department, law enforcement agency, or prosecutor's office has violated his or her conditions of employment or whether an applicant meets criteria for employment with the court, department (of corrections), law enforcement agency, or prosecutor's office. B. The Attorney Grievance Commission if access to the record is relevant to a pending investigation pursuant to MCR 9.114(E). C. The nonpublic record shall also be open, ***with written consent of the individual***, for use by the Department of Defense, the Department of State, the Department of Transportation, the Office of Personnel Management, the CIA, and the FBI ***only*** for the purpose of determining eligibility for: D. access to classified information; E. assignment to or retention in sensitive national security duties; F. acceptance or retention in the armed forces; and G. appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the government or performing a government contract. *(5 USCS 9101[a] and [b])* H. Access for these federal agencies through a contractual arrangement with another entity is allowed. I. If the request is made by a victim in the case, the court may furnish information or records to the victim that would otherwise be closed to public inspection under MCL 780.752a (providing notice to a victim), including information or records related to HYTA participants under MCL 762.14. J. A defendant shall be allowed access to his or her court file even if it is being maintained as a nonpublic record. K. The prosecutor may be furnished a copy of the record indicating the disposition of the case.

		L. If a defendant is sentenced to probation with a condition for the protection of the victim, and if the victim requests notification, the court shall notify the victim by mail if the court orders that the probation be terminated earlier than previously ordered, including furnishing information or records to the victim that would otherwise be closed to public inspection . *(MCL 780.768b; 780.781a; 780.795a; 780.811b; 780.827b)*
CRIMINAL: Mental Health Court. (MCL 600.1093[4]) Statements or information obtained as a result of participating in a preadmission screening and evaluation assessment under MCL 600.1093(3). **Duration:** From preadmission screening. **CRIMINAL: Mental Health Court (MCL 600.1093, 42 CFR Part 2) Substance abuse treatment records, references to substance abuse treatment.** **Duration:** From creation of the record.	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "There is no public record." ***The existence of mental health court records cannot be acknowledged.*** Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "There is no public record." ***The existence of mental health court records cannot be acknowledged.***	Any statement or other information obtained as a result of participating in assessment, treatment, or testing while in a mental health treatment court is confidential and is exempt from disclosure under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246, and shall not be used in a criminal prosecution, unless it reveals criminal acts other than, or inconsistent with, personal drug use Any statement or other information obtained as a result of participating in assessment, treatment, or testing while in a mental health treatment court is confidential and is exempt from disclosure under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246,, and shall not be used in a criminal prosecution, unless it reveals criminal acts other than, or inconsistent with, personal drug use. Confidentiality protects the individual from the release of unauthorized information, and individuals must sign a release of information or consent form authorizing the release of information specific to the court case. *42 CFR.* Confidentiality requirements are applicable to information contained in either a court file or probation file. Even if an agency otherwise has access to the file for specified purposes, unless a consent or release form is in the file allowing release of information specific to the court case, including drug and alcohol screening and assessment, additional counseling, and treatment for substance abuse and/or mental health problems, that information remains nonpublic to those agencies.
CRIMINAL: Holmes Youthful Trainee Act (HYTA). (MCL 762.14[4]) In cases where the HYTA (MCL 762.11-15) is applied and where no subsequent conviction is entered, the entire file (including records related to HYTA assignment).	Case files should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "There is no public record."	A. All proceedings regarding the disposition of the criminal charge and the individual's assignment as youthful trainee shall be closed to public inspection but shall be open for use only in the performance of the duties of: (a) the courts of this state, (b) the Michigan Department of Corrections, (c) the Department of Human Services, (d) federal, state, and local law enforcement personnel, and (e) prosecuting attorneys. (MCL 762.14[4])

Duration: From the decision by the court to apply HYTA to the case and until the time (if any) when the case is removed from HYTA status.	***The existence of HYTA records cannot be acknowledged.***	B. The Attorney Grievance Commission if access to the record is relevant to a pending investigation pursuant to MCR 9.114((E). C. It shall also be open, ***with written consent of the individual***, for use by the Department of Defense, the Department of State, the Department of Transportation, the Office of Personnel Management, the CIA, and the FBI ***only*** for the purpose of determining eligibility for: 1. access to classified information; 2. assignment to or retention in sensitive national security duties; 3. acceptance or retention in the armed forces; and 4. appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the government or performing a government contract. (*5 USCS 9101[a] and [b])* D. Access for these federal agencies through a contractual arrangement with another entity is allowed. E. Access for these federal agencies through a contractual arrangement with another entity is allowed. F. If the request is made by a victim in the case, the court may furnish information or records to the victim that would otherwise be closed to public inspection under MCL 780.752a (providing notice to a victim), including information or records related to HYTA participants under MCL 762.14. G. A defendant shall be allowed access to his or her court file even if it is being maintained as a nonpublic record. H. The prosecutor may be furnished a copy of the record indicating the disposition of the case. I. If a defendant is sentenced to probation with a condition for the protection of the victim, and if the victim requests notification, the court shall notify the victim by mail if the court orders that the probation be terminated earlier than previously ordered, including furnishing information or records to the victim that would otherwise be closed to public inspection. *(MCL 780.768b; 780.781a; 780.795a; 780.811b; 780.827b)*

CRIMINAL: Licensed health care professional practicing under the influence. (MCL 750.430[8][A]) Entire file when case is discharged or dismissed. **Duration:** From the date the court orders the judgment deferred.	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "There is no public record." ***The existence of records governed by MCL 750.430 (8)(A) cannot be acknowledged.***	A. The record shall only be furnished to: 1. (a) a court, or (b) a police agency upon request only for the purpose of showing whether the individual accused of violating has already once utilized this subdivision. 2. The record shall also be furnished to: (a) a court, (b) a police agency, or (c) a prosecutor upon request only for the purpose of determining whether the defendant in a criminal action is eligible for discharge and dismissal of proceedings by a drug treatment court under MCL 600.1076. (MCL 750.430 [8][A]) 3. The courts of this state, law enforcement personnel, the department of corrections, and prosecuting attorneys for use only in the performance of their duties or to determine whether an employee of the court, law enforcement agency, department of corrections, or prosecutor's office has violated his or her conditions of employment or whether an applicant meets criteria for employment with the court, law enforcement agency, department of corrections, or prosecutor's office. B. The Attorney Grievance Commission if access to the record is relevant to a pending investigation pursuant to MCR 9.114(E). C. It shall also be open, ***with written consent of the individual***, for use by the Department of Defense, the Department of State, the Department of Transportation, the Office of Personnel Management, the CIA, and the FBI for the purpose of determining eligibility for: (a) access to classified information; (b) assignment to or retention in sensitive national security duties; (c) acceptance or retention in the armed forces; and (d) appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the government or performing a government contract. (*5 USCS 9101[a] and [b])* Access for these federal agencies through a contractual arrangement with another entity is allowed. D. If the request is made by a victim in the case, the court may furnish information or records to the victim that would otherwise be closed to public inspection under MCL 780.752a (providing notice

		to a victim), including information or records related to HYTA participants under MCL 762.14. E. A defendant shall be allowed access to his or her court file even if it is being maintained as a nonpublic record. The prosecutor may be furnished a copy of the record indicating the disposition of the case. F. If a defendant is sentenced to probation with a condition for the protection of the victim, and if the victim requests notification, the court shall notify the victim by mail if the court orders that the probation be terminated earlier than previously ordered, including furnishing information or records to the victim that would otherwise be closed to public inspection . *(MCL 780.768b; 780.781a; 780.795a; 780.811b; 780.827b)*
CRIMINAL: Immunity. (MCL 767A.8) Documents related to prosecutor-sought immunity in relation to an investigative subpoena (including petitions or orders for immunity and transcripts of testimony delivered to witnesses pursuant to grants of immunity). **Duration:** From the time the prosecutor seeks immunity.	Relevant documents shall not be available for public inspection or copying and shall not be divulged. **Court response to inquiries:** "There is no public record." ***The existence of records governed by MCL 767A.8 cannot be acknowledged.***	Relevant documents shall not be divulged to any person.
CRIMINAL: Investigative subpoenas. (MCL 767A.8) Records and documents obtained by the prosecutor pursuant to an investigative subpoena. **Duration:** From creation of the record or document.	Relevant documents shall not be available for public inspection or copying and shall not be divulged. **Court response to inquiries:** "There is no public record." ***The existence of records cords governed by MCL 767A.8 cannot be acknowledged.***	Relevant documents shall not be divulged to any person.

CRIMINAL: Protective orders. (MCR 6.201[E]) Record of hearing on issuance of a protective order in connection with discovery if the court grants the protective order. **Duration:** Provisionally upon start of the hearing, and then permanently from the granting of the protective order.	Record must be sealed (and preserved for review in the event of an appeal). **Court response to inquiries:** "This record is sealed pursuant to court rule."	None specified.
CRIMINAL: Victim information. (MCL 780.758) Victim home and work addresses and telephone numbers. **Duration**: From receipt of information.	Information "shall not be in the court file or ordinary court documents" unless contained in a transcript (or, in the case of the address, it is used to identify the place of the crime). Conditional bonds and conditional orders of probation for the protection of named persons containing victim addresses or phone numbers are not subject to public inspection. **Court response to inquiries:** "Victim home and work addresses and telephone numbers are nonpublic pursuant to statute."	None specified.
CRIMINAL: Plea notification. (MCL 780.816[1]) Plea notification to prosecutor following arraignment on serious misdemeanors. **Duration:** From creation of the plea notification.	Notice shall be on a "separate form" and contain victim name, address, and telephone. **Court response to inquiries:** "Plea notification to the prosecutor is a nonpublic record pursuant to statute"	The notice shall not be a matter of public record.

CRIMINAL: Minor in possession. (MCL 436.1703[3]) Entire file. **Duration** From the date the court orders the judgment deferred.	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "There is no public record." ***The existence of records governed by MCL 436.1703(3) cannot be acknowledged.***	A. The nonpublic record shall be furnished to any of the following: 1. to a court, prosecutor, or police agency upon request only for the purpose of determining if an individual has already utilized the subsection, and 2. to the Department of Corrections, a prosecutor, or a federal, state, and local law enforcement agency, upon request, subject to the following conditions: a. at the time of the request, the individual is an employee of the Department of Corrections, the prosecutor, or the law enforcement agency or an applicant for employment with the Department of Corrections, the prosecutor, or the law enforcement agency, and b. the record is used by the Department of Corrections, the prosecutor, or the law enforcement agency only to determine whether an employee has violated his or her conditions of employment or whether an applicant meets the criteria for employment. (MCL 436.1703[3]) 3. The Attorney Grievance Commission if access to the record is relevant to a pending investigation pursuant to MCR 9.114(E) B. It shall also be open, with written consent of the individual, for use by the Department of Defense, the Department of State, the Department of Transportation, the Office of Personnel Management, the CIA, and the FBI for the purpose of determining eligibility for: (a) access to classified information; (b) assignment to or retention in sensitive national security duties; (c) acceptance or retention in the armed forces; and (d) appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the government or performing a government contract. (*5 USCS 9101[a] and [b]*) Access for these federal agencies through a contractual arrangement with another entity is allowed. C. If the request is made by a victim in the case, the court may furnish information or records to the victim that would otherwise be closed to public inspection under MCL 780.752a (providing notice to a victim), including information or records related to HYTA participants under MCL 762.14. D. A defendant shall be allowed access to his or her court file even if it is being maintained as a nonpublic record. The prosecutor may be furnished a copy of the record indicating the disposition of the case.

		E. If a defendant is sentenced to probation with a condition for the protection of the victim, and if the victim requests notification, the court shall notify the victim by mail if the court orders that the probation be terminated earlier than previously ordered, including furnishing information or records to the victim that would otherwise be closed to public inspection . *(MCL 780.768b; 780.781a; 780.795a; 780.811b; 780.827b)*
CRIMINAL: Setting aside a conviction; (MCL 780.621, 780.623; MCR 8.119[D]) Entire file where conviction has been set aside. **Duration:** From entry of the order setting aside the conviction.	Records should be maintained to ensure they are not subject to public inspection. A person who knows or should know that a conviction was set aside and who divulges, uses, or publishes information concerning a conviction set-aside is guilty of a misdemeanor. **Court response to inquiries:** "There is no public record." ***The existence of records governed by MCL 780.621, 780.623 and MCR 8.119(D) cannot be acknowledged.***	This nonpublic record is open to: A. A court of competent jurisdiction, an agency of the judicial branch of state government, the department of corrections, a federal, state, and local law enforcement agency, a prosecuting attorney, the attorney general or the governor, upon request and only for the purpose of: 1. consideration of a licensing function conducted by an agency of the judicial branch of state government 2. to show that a person who has filed an application to set aside a conviction has previously had a conviction set aside pursuant to this act 3. the court's consideration in determining the sentence to be imposed upon conviction for a subsequent offense that is punishable as a felony or by imprisonment for more than one year 4. consideration by the governor if a person whose conviction has been set aside applies for a pardon for another offense 5. consideration by a law enforcement agency if a person whose conviction has been set aside applies for employment with the law enforcement agency 6. The Attorney Grievance Commission if access to the record is relevant to a pending investigation pursuant to MCR 9.114(E). 7. consideration by a court, law enforcement agency, prosecuting attorney, or the attorney general in determining whether an individual required to be registered under the Sex Offenders Registration Act has violated that act, 1994 PA 295, MCL 28.721 to 28.736, or for use in a prosecution for violating that act. B. The nonpublic record shall also be open, ***with written consent of the individual***, for use by the Department of Defense, the Department of State, the Department of Transportation, the Office of Personnel Management, the CIA, and the FBI ***only*** for the purpose of determining eligibility for:

		1. access to classified information; 2. assignment to or retention in sensitive national security duties; 3. acceptance or retention in the armed forces; and 4. appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the government or performing a government contract. *(5 USCS 9101[a] and [b])* C. Access for these federal agencies through a contractual arrangement with another entity is allowed. D. If the request is made by a victim in the case, the court may furnish information or records to the victim that would otherwise be closed to public inspection under MCL 780.752a (providing notice to a victim), including information or records related to HYTA participants under MCL 762.14. E. A defendant shall be allowed access to his or her court file even if it is being maintained as a nonpublic record. F. The prosecutor may be furnished a copy of the record indicating the disposition of the case.
CRIMINAL: Excision of discovery materials. (MCR 6.201[D]) Record of hearing on excision of portions of material under discovery if the court grants the excision. **Duration:** Provisionally upon start of the hearing, and permanently from the granting of the order.	Records must be sealed (and preserved) for review in the event of an appeal. **Court response to inquiries:** "The record of the hearing is sealed pursuant to court rule."	None specified.
CRIMINAL: Probationer information. (MCL 791.229; MCR 8.119 [E]) (if a copy of the MDOC pre-sentence investigation is maintained by the circuit court), *Howe v Detroit Free Press, 440 Mich 203; 487 NW2d 374 [1992])* Records and reports of investigations made by a probation officer and all case histories of probationers.	Relevant information shall be considered privileged or confidential communications and shall not be open to public inspection. Judges and probation officers shall have access to all records, reports, and case histories. **Court response to inquiries:** "Probation investigations and case histories are nonpublic pursuant to statute."	The probation officer, the assistant director of probation, or the assistant director's representative A. Shall permit the attorney general, the auditor general, and federal, state, and local law enforcement agencies to have access to the records, reports, and case histories, and B. Shall permit designated representatives of a private vendor that operates a youth correctional facility to have access to the records, reports, and case histories pertaining to prisoners assigned to the youth correctional facility. (MCL 791.229) C. They shall also be open, ***with written consent of the individual***, for use by the Department of Defense, the Department of State, the

Duration: From creation of the record or report.		Department of Transportation, the Office of Personnel Management, the CIA, and the FBI ***only*** for the purpose of determining eligibility for: *1.* access to classified information; *2.* assignment to or retention in sensitive national security duties; *3.* acceptance or retention in the armed forces; and *4.* appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the government or performing a government contract. *(5 USCS 9101[a] and [b])* *5.* Access for these federal agencies through a contractual arrangement with another entity is allowed. D. If a defendant is sentenced to probation with a condition for the protection of the victim, and if the victim requests notification, the court shall notify the victim by mail if the court orders that the probation be terminated earlier than previously ordered, including furnishing information or records to the victim that would otherwise be closed to public inspection . *(MCL 780.768b; 780.781a; 780.795a; 780.811b; 780.827b)*
CRIMINAL: Parental kidnapping. (MCL 750.350a[4]; MCR 8.119[D]) **Entire file** **Duration**: From the date the court orders the judgment deferred.	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "There is no public record." ***The existence of records governed by MCL 750.350a[4] or MCR 8.119[D] cannot be acknowledged.***	A. The record is available upon request to: 1. The courts of this state, law enforcement personnel, the Department of Corrections, and prosecuting attorneys for use only in the performance of their duties or to determine whether an employee of the court, law enforcement agency, Department of Corrections, or prosecutor's office has violated his or her conditions of employment or whether an applicant meets criteria for employment with the court, law enforcement agency, Department of Corrections, or prosecutor's office. 2. The Attorney Grievance Commission if access to the record is relevant to a pending investigation pursuant to MCR 9.114(E). 3. The courts of this state, law enforcement personnel, and prosecuting attorneys for either of the following purposes: (a) Showing that a defendant in a criminal action under section 81 or 81a of the Michigan penal code, 1931 PA 328, MCL 750.81 and 750.81a, or a local ordinance substantially corresponding to section 81 of that act has already once availed himself or herself of this section. (b) Determining whether the defendant in a criminal action is eligible for discharge and dismissal of proceedings by a drug treatment court under section 1076(5) of the revised

		judicature act of 1961, 1961 PA 236, MCL 600.1076. 4. The Department of Health and Human Services for enforcing child protection laws and vulnerable adult protection laws or ascertaining the preemployment criminal history of any individual who will be engaged in the enforcement of child protection laws or vulnerable adult protection laws. B. It shall also be open, with consent of the individual, for use by the Department of Defense, the Department of State, the Department of Transportation, the Office of Personnel Management, the CIA, and the FBI for the purpose of determining eligibility for: 1. access to classified information 2. assignment to or retention in sensitive national security duties 3. acceptance or retention in the armed forces 4. appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the government or performing a government contract. (*5 USCS 9101[a] and [b])* C. Access for these federal agencies through a contractual arrangement with another entity is allowed. D. If the request is made by a victim in the case, the court may furnish information or records to the victim that would otherwise be closed to public inspection under MCL 780.752a (providing notice to a victim), including information or records related to HYTA participants under MCL 762.14. E. A defendant shall be allowed access to his or her court file even if it is being maintained as a nonpublic record. The prosecutor may be furnished a copy of the record indicating the disposition of the case. F. If a defendant is sentenced to probation with a condition for the protection of the victim, and if the victim requests notification, the court shall notify the victim by mail if the court orders that the probation be terminated earlier than previously ordered, including furnishing information or records to the victim that would otherwise be closed to public inspection . *(MCL 780.768b; 780.781a; 780.795a; 780.811b; 780.827b)*
CRIMINAL: Domestic violence assault. Deferred Cases Only (MCL 769.4a[5]; MCR 8.119[D]) Entire file	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "There is no public record."	A. The record is available upon request to: 1. The courts of this state, law enforcement personnel, the department of corrections, and prosecuting attorneys for use only in the performance of their duties or to determine whether an employee of the court, law enforcement agency, department of

Duration: From the date the court orders the judgment deferred.	***The existence of records governed by MCL 769.4a[6] or MCR 8.119[D] cannot be acknowledged.***	corrections, or prosecutor's office has violated his or her conditions of employment or whether an applicant meets criteria for employment with the court, law enforcement agency, department of corrections, or prosecutor's office. 2. The courts of this state, law enforcement personnel, and prosecuting attorneys for either of the following purposes: (a) Showing that a defendant in a criminal action under section 81 or 81a of the Michigan penal code, 1931 PA 328, MCL 750.81 and 750.81a, or a local ordinance substantially corresponding to section 81 of that act has already once availed himself or herself of this section. (b) Determining whether the defendant in a criminal action is eligible for discharge and dismissal of proceedings by a drug treatment court under section 1076(5) of the revised judicature act of 1961, 1961 PA 236, MCL 600.1076. 3. The Department of Health and Human Services for enforcing child protection laws and vulnerable adult protection laws or ascertaining the preemployment criminal history of any individual who will be engaged in the enforcement of child protection laws or vulnerable adult protection laws. 4. The Attorney Grievance Commission if access to the record is relevant to a pending investigation pursuant to MCR 9.114(E). B. It shall also be open, with consent of the individual, for use by the Department of Defense, the Department of State, the Department of Transportation, the Office of Personnel Management, the CIA, and the FBI for the purpose of determining eligibility for: 1. access to classified information 2. assignment to or retention in sensitive national security duties 3. acceptance or retention in the armed forces 4. appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the government or performing a government contract. (*5 USCS 9101[a] and [b]*) C. Access for these federal agencies through a contractual arrangement with another entity is allowed. D. If the request is made by a victim in the case, the court may furnish information or records to the victim that would otherwise be closed to public inspection under MCL 780.752a (providing notice to a victim), including information or records related to HYTA participants

		under MCL 762.14. E. A defendant shall be allowed access to his or her court file even if it is being maintained as a nonpublic record. The prosecutor may be furnished a copy of the record indicating the disposition of the case. F. If a defendant is sentenced to probation with a condition for the protection of the victim, and if the victim requests notification, the court shall notify the victim by mail if the court orders that the probation be terminated earlier than previously ordered, including furnishing information or records to the victim that would otherwise be closed to public inspection . *(MCL 780.768b; 780.781a; 780.795a; 780.811b; 780.827b)*
CRIMINAL: Controlled substance crimes. Deferred Cases Only (MCL 333.7411, MCR 8.119[D]) Entire file **Duration**: From the date the court orders the judgment deferred.	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "There is no public record." ***The existence of records governed by MCL 333.7411 and MCR 8.119(D) cannot be acknowledged.***	A. The record is available upon request to: 1. The courts of this state, law enforcement personnel, the department of corrections, and prosecuting attorneys for use only in the performance of their duties or to determine whether an employee of the court, law enforcement agency, department of corrections, or prosecutor's office has violated his or her conditions of employment or whether an applicant meets criteria for employment with the court, law enforcement agency, department of corrections, or prosecutor's office. 2. The Attorney Grievance Commission if access to the record is relevant to a pending investigation pursuant to MCR 9.114(E). 3. The courts of this state, law enforcement personnel, and prosecuting attorneys for either of the following purposes: (a) Showing that a defendant in a criminal action under section 81 or 81a of the Michigan penal code, 1931 PA 328, MCL 750.81 and 750.81a,r a local ordinance substantially corresponding to section 81 of that act has already once availed himself or herself of this section. (b) Determining whether the defendant in a criminal action is eligible for discharge and dismissal of proceedings by a drug treatment court under section 1076(5) of the revised judicature act of 1961, 1961 PA 236, MCL 600.1076. 4. The Department of Health and Human Services for enforcing child protection laws and vulnerable adult protection laws or ascertaining the preemployment criminal history of any individual who will be engaged in the enforcement of child protection laws or vulnerable adult protection laws.

		5. The Michigan commission on law enforcement standards created in section 3 of the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.603, as follows: (a) The court placed the individual on probation after March 25, 2002. (b) If, at the time of the request, the individual is seeking licensure as a law enforcement officer under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615, the Michigan commission on law enforcement standards may use the record to determine whether the individual meets the requirements for licensure as provided in that act. (c) If the individual is licensed or certified as a law enforcement officer under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615, the Michigan commission on law enforcement standards may use the record to determine whether the license or certificate may be revoked as provided in that act. (d) If the individual is seeking admission to a law enforcement training academy, the Michigan commission on law enforcement standards may use the record to determine whether the individual meets the requirements for admission to the academy as provided in the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615. (e) If the individual is seeking a waiver from the law enforcement officer minimum standards regarding training requirements, the Michigan commission on law enforcement standards may use the record to determine whether the individual meets the requirements for the waiver as provided in the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615. B. It shall also be open, with consent of the individual, for use by the Department of Defense, the Department of State, the Department of Transportation, the Office of Personnel Management, the CIA, and the FBI for the purpose of determining eligibility for: 1. access to classified information 2. assignment to or retention in sensitive national security duties 3. acceptance or retention in the armed forces 4. appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by

		the government or performing a government contract. (*5 USCS 9101[a] and [b])* C. Access for these federal agencies through a contractual arrangement with another entity is allowed. D. If the request is made by a victim in the case, the court may furnish information or records to the victim that would otherwise be closed to public inspection under MCL 780.752a (providing notice to a victim), including information or records related to HYTA participants under MCL 762.14. E. A defendant shall be allowed access to his or her court file even if it is being maintained as a nonpublic record. The prosecutor may be furnished a copy of the record indicating the disposition of the case. F. If a defendant is sentenced to probation with a condition for the protection of the victim, and if the victim requests notification, the court shall notify the victim by mail if the court orders that the probation be terminated earlier than previously ordered, including furnishing information or records to the victim that would otherwise be closed to public inspection . *(MCL 780.768b; 780.781a; 780.795a; 780.811b; 780.827b)*
CRIMINAL: CSC and Assault with intent to commit CSC. (MCL 750.520k) Name of victim and actor and details of the alleged offense if so requested by counsel, victim, or actor. **Duration:** Upon request of counsel, the victim, or the defendant until the defendant is arraigned on the information, the charge is dismissed, or the case is otherwise concluded, whichever occurs first.	Relevant information is to be "suppressed." **Court response to inquiries:** "Records regarding the name of the victim and actor and details of the alleged offense are nonpublic at this time pursuant to statute."	None specified.

CRIMINAL: Infectious disease testing (MCL 333.5129[6], [7]); Sexual and controlled substance offenses Examination results and any other medical information pertaining to infectious disease testing. **Duration:** Upon receipt of the information.	Information shall be "confidential." **Court response to inquiries:** "Records regarding the examination results and any other medical information pertaining to infectious disease testing are nonpublic pursuant to statute."	Information shall be disclosed only to: (a) the defendant, (b) the local health department, (c) the Department of Community Health, or (d) the victim or other person required to be informed of the results (or the victim's or other person's parent, guardian, or person in loco parentis if the victim or other person is a minor or otherwise incapacitated). If the defendant is placed in the custody of the Department of Corrections, the court shall transmit a copy of the defendant's examination and test results and other medical information to the Department of Corrections.
SEARCH WARRANT: Affidavit. (MCL 780.651[8]) **Duration:** From the time the search warrant is issued until the 56th day following issuance, unless before the 56th day after it is issued a peace officer or prosecuting attorney obtains a suppression order from a judge upon a showing under oath that suppression of the affidavit is necessary to protect an ongoing investigation or the privacy or safety of a victim or witness. Access is restricted until the expiration of the suppression order.	The affidavit in a court file or court record retention system is not public. **Court response to inquiries:** "The affidavit is nonpublic pursuant to statute."	None specified.
SEARCH WARRANT: Tabulation of items seized through search under warrant if the court orders the tabulation suppressed. (MCL 780.655) **Duration:** From the time of entry of the court order until the final disposition of the case unless otherwise ordered.	Relevant tabulations are "suppressed." **Court response to inquiries if tabulation is ordered suppressed:** "The tabulation is nonpublic pursuant to court order."	None specified.

JUVENILE WAIVER REIMBURSEMENT ORDERS: **(MCL 712A.28) Information on action taken against parents or adults for not abiding by a reimbursement order (unless parents or adults are found guilty of contempt).** **Duration:** From the time the court begins proceedings against parents or adults.	Relevant information should be maintained to ensure it is not subject to public inspection. **Court response to inquiries:** "This information is nonpublic pursuant to statute."	The court shall furnish the department of human services and a county juvenile agency with reports of the administration of the court in a form recommended by the Michigan association of probate and juvenile court judges. Copies of these reports shall, upon request, be made available to other state departments by the department of human services. Information shall not be released for publicity.
Firearms Records: **MCL 28.421b** **Firearms records are confidential, are not subject to disclosure under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246, and shall not be disclosed to any person.** **Duration:** From their creation.	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** Firearms records are confidential pursuant to statute.	Firearms records may only be made available to a peace officer or authorized system user for the following purposes: (a) The individual whose firearms records are the subject of disclosure poses a threat to himself or herself or other individuals, including a peace officer. (b) The individual whose firearms records are the subject of disclosure has committed an offense with a pistol that violates a law of this state, another state, or the United States. (c) The pistol that is the subject of the firearms records search may have been used during the commission of an offense that violates a law of this state, another state, or the United States. (d) To ensure the safety of a peace officer. (e) For purposes of this act. (f) A peace officer or an authorized user has reason to believe that access to the firearms records is necessary within the commission of his or her lawful duties. The peace officer or authorized system user shall enter and record the specific reason in the system in accordance with the procedures in section 5e.

Nonpublic and Limited-Access Court Records		
CIRCUIT COURT FAMILY DIVISION – FRIEND OF THE COURT – FRIEND OF THE COURT RECORDS ARE NONPUBLIC		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
FOC RECORDS ARE Not Subject to Subpoena from Michigan Courts (MCR 3.218[A]). FOC records are not subject to a subpoena from Michigan courts.	**Court response to inquiries:** "FOC records are not subject to a subpoena issued pursuant to Michigan Court Rules, under MCR 3.218(A)."	1. Unless release is otherwise prohibited by law, a FOC office must provide access to all confidential records to the following entities: A The Department of Human Services, as necessary to report suspected abuse or neglect or to allow the DHS to investigate or provide services to a party or child in the case. B. Other agencies and individuals as necessary for the friend of the court to implement the state's plan under Title IV, Part D of the Social Security Act, 42 USC 651 *et seq.* or as required by the court, state law, or regulation that is consistent with this state's IV-D plan. C. Other agencies that provide services under Title IV, Part D of the Social Security Act, 42 USC 651, *et. seq.* D. Auditors from state and federal agencies, as required to perform their audit functions with respect to a friend of the court matter. E. Corrections, parole, or probation officers, when, in the opinion of the friend of the court, access would assist the office in enforcing a provision of custody, parenting time, or support order. F. Michigan law enforcement personnel who are conducting a civil or criminal investigation related directly to a friend of the court matter, and federal law enforcement officers pursuant to a federal subpoena in a criminal or civil investigation. 2. A Citizen's Advisory Committee established under the Friend of the Court act, MCL 552.501 *et seq*., may be given access by court order. 3. Any person who is denied access to friend of the court records or confidential information may file a motion for an order of access with the judge assigned to the case or. if none, the chief judge.
FOC FILES: Information from DHS child protective services unit or information included in any reports to protective services from a friend of the court office. (MCR 3.218[A][3][b])	Reports should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "Information from DHS child protective	1. Unless release is otherwise prohibited by law, a FOC office must provide access to all confidential records to the following entities: A. The Department of Human Services, as necessary to report suspected abuse or neglect or to allow the DHS to investigate or provide services to a party or child in the case.

Nonpublic and Limited-Access Court Records		
CIRCUIT COURT FAMILY DIVISION – FRIEND OF THE COURT – FRIEND OF THE COURT RECORDS ARE NONPUBLIC		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
Duration: From receipt of the report.	services unit or information included in any reports to protective services from a friend of the court office.are nonpublic pursuant to court rule."	B. Other agencies and individuals as necessary for the friend of the court to implement the state's plan under Title IV, Part D of the Social Security Act, 42 USC 651, *et. seq.* or as required by the court, state law, or regulation that is consistent with this state's IV-D plan. C. Other agencies that provide services under Title IV, Part D of the Social Security Act, 42 USC 651, *et. seq.* D. Auditors from state and federal agencies, as required to perform their audit functions with respect to a friend of the court matter. E. Corrections, parole, or probation officers, when, in the opinion of the friend of the court, access would assist the office in enforcing a provision of custody, parenting time, or support order. F. Michigan law enforcement personnel who are conducting a civil or criminal investigation related directly to a friend of the court matter, and federal law enforcement officers pursuant to a federal subpoena in a criminal or civil investigation. 2. A Citizen's Advisory Committee established under the Friend of the Court act, MCL 552.501 *et seq*., may be given access by court order. 3. Any person who is denied access to friend of the court records or confidential information may file a motion for an order of access with the judge assigned to the case or. if none, the chief judge.
FOC FILES: Records from alternative dispute resolution processes. (MCR 3.218[A][3][c]) **Duration:** From receipt of the report.	Alternative Dispute Resolution records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "Formal alternative dispute records are nonpublic pursuant to court rule."	1. Unless release is otherwise prohibited by law, a FOC office must provide access to all confidential records to the following entities: A. The Department of Human Services, as necessary to report suspected abuse or neglect or to allow the DHS to investigate or provide services to a party or child in the case. B. Other agencies and individuals as necessary for the friend of the court to implement the state's plan under Title IV, Part D of the Social Security Act, 42 USC 651 et seq. or as required by the court, state law, or regulation that is consistent with this state's IV-D plan. C. Other agencies that provide services under Title IV, Part D of the Social Security Act, 42 USC 651, et. seq.

Nonpublic and Limited-Access Court Records		
CIRCUIT COURT FAMILY DIVISION – FRIEND OF THE COURT – FRIEND OF THE COURT RECORDS ARE NONPUBLIC		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
		D. Auditors from state and federal agencies, as required to perform their audit functions with respect to a friend of the court matter. E. Corrections, parole, or probation officers, when, in the opinion of the friend of the court, access would assist the office in enforcing a provision of custody, parenting time, or support order. F Michigan law enforcement personnel who are conducting a civil or criminal investigation related directly to a friend of the court matter, and federal law enforcement officers pursuant to a federal subpoena in a criminal or civil investigation. 2. A Citizen's Advisory Committee established under the Friend of the Court act, MCL 552.501 *et seq*., may be given access by court order. 3. Any person who is denied access to friend of the court records or confidential information may file a motion for an order of access with the judge assigned to the case or. if none, the chief judge.
FOC FILES: **Any information, when a court order prohibits its release** **(MCR 3.218[A][3][f])** **Duration:** From receipt of the information.	Information made confidential by court order should be maintained to ensure it is not subject to public inspection. **Court response to inquiries:** "This information is nonpublic pursuant to court rule and a court order."	1. Unless release is otherwise prohibited by law, a FOC office must provide access to all confidential records to the following entities: A. The Department of Human Services, as necessary to report suspected abuse or neglect or to allow the DHS to investigate or provide services to a party or child in the case. B. Other agencies and individuals as necessary for the friend of the court to implement the state's plan under Title IV, Part D of the Social Security Act, 42 USC 651 et seq. or as required by the court, state law, or regulation that is consistent with this state's IV-D plan. C. Other agencies that provide services under Title IV, Part D of the Social Security Act, 42 USC 651, et. seq. D. Auditors from state and federal agencies, as required to perform their audit functions with respect to a friend of the court matter. E. Corrections, parole, or probation officers, when, in the opinion of the friend of the court, access would assist the office in enforcing a provision of custody, parenting time, or support order. F. Michigan law enforcement personnel who are conducting a civil or criminal investigation related directly to a friend of the court

Nonpublic and Limited-Access Court Records		
CIRCUIT COURT FAMILY DIVISION – FRIEND OF THE COURT – FRIEND OF THE COURT RECORDS ARE NONPUBLIC		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
		matter, and federal law enforcement officers pursuant to a federal subpoena in a criminal or civil investigation. 2. A Citizen's Advisory Committee established under the Friend of the Court act, MCL 552.501 *et seq*., may be given access by court order. 3. Any person who is denied access to friend of the court records or confidential information may file a motion for an order of access with the judge assigned to the case or. if none, the chief judge.may file a motion for an order of access with the judge assigned to the case or. if none, the chief judge
FOC FILES: Communications from minors. (MCR 3.218[A][3][d]) **Duration:** From receipt of the communication.	Communications from minors should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "Communications from minors are nonpublic pursuant to court rule."	1. Unless release is otherwise prohibited by law, a FOC office must provide access to all confidential records to the following entities: A. The Department of Human Services, as necessary to report suspected abuse or neglect or to allow the DHS to investigate or provide services to a party or child in the case. B. Other agencies and individuals as necessary for the friend of the court to implement the state's plan under Title IV, Part D of the Social Security Act, 42 USC 651 et seq. or as required by the court, state law, or regulation that is consistent with this state's IV-D plan. C. Other agencies that provide services under Title IV, Part D of the Social Security Act, 42 USC 651, et. seq. D. Auditors from state and federal agencies, as required to perform their audit functions with respect to a friend of the court matter. E. Corrections, parole, or probation officers, when, in the opinion of the friend of the court, access would assist the office in enforcing a provision of custody, parenting time, or support order. F. Michigan law enforcement personnel who are conducting a civil or criminal investigation related directly to a friend of the court matter, and federal law enforcement officers pursuant to a federal subpoena in a criminal or civil investigation. 2. A Citizen's Advisory Committee established under the Friend of the Court act, MCL 552.501 *et seq*., may be given access by court order.

Nonpublic and Limited-Access Court Records		
CIRCUIT COURT FAMILY DIVISION – FRIEND OF THE COURT – FRIEND OF THE COURT RECORDS ARE NONPUBLIC		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
		3. Any person who is denied access to friend of the court records or confidential information may file a motion for an order of access with the judge assigned to the case or. if none, the chief judge.
FOC FILES: Information classified as confidential by laws and regulations of Title IV, part D of the Social Security Act. . (MCR 3.218[A][3][h]) **Duration**: From receipt of the information.	IV-D confidential information should be maintained to ensure it is not subject to public inspection. **Court response to inquiries:** "IV-D confidential information is nonpublic pursuant to court rule."	1. Unless release is otherwise prohibited by law, a FOC office must provide access to all confidential records to the following entities: A) The Department of Human Services, as necessary to report suspected abuse or neglect or to allow the DHS to investigate or provide services to a party or child in the case. B) Other agencies and individuals as necessary for the friend of the court to implement the state's plan under Title IV, Part D of the Social Security Act, 42 USC 651 et seq. or as required by the court, state law, or regulation that is consistent with this state's IV-D plan. C) Other agencies that provide services under Title IV, Part D of the Social Security Act, 42 USC 651, et. seq. D) Auditors from state and federal agencies, as required to perform their audit functions with respect to a friend of the court matter. E) Corrections, parole, or probation officers, when, in the opinion of the friend of the court, access would assist the office in enforcing a provision of custody, parenting time, or support order. F) Michigan law enforcement personnel who are conducting a civil or criminal investigation related directly to a friend of the court matter, and federal law enforcement officers pursuant to a federal subpoena in a criminal or civil investigation. 2. A Citizen's Advisory Committee established under the Friend of the Court act, MCL 552.501 *et seq*., may be given access by court order. 3. Any person who is denied access to friend of the court records or confidential information may file a motion for an order of access with the judge assigned to the case or. if none, the chief judge.
FOC GRIEVANCE: Grievances filed by opposing party and responses. (MCR 3.218[A][3][e])	Grievances and responses should be maintained to ensure they are not subject to public inspection.	1. Unless release is otherwise prohibited by law, a FOC office must provide access to all confidential records to the following entities: A) The Department of Human Services, as necessary to report suspected abuse or neglect or to allow the DHS to investigate or

Nonpublic and Limited-Access Court Records		
CIRCUIT COURT FAMILY DIVISION – FRIEND OF THE COURT – FRIEND OF THE COURT RECORDS ARE NONPUBLIC		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
Duration: From receipt of the grievance or response.	**Court response to inquiries:** " Friend of the Court grievance records are nonpublic pursuant to court rule."	provide services to a party or child in the case. B) Other agencies and individuals as necessary for the friend of the court to implement the state's plan under Title IV, Part D of the Social Security Act, 42 USC 651 *et seq.* or as required by the court, state law, or regulation that is consistent with this state's IV-D plan. C) Other agencies that provide services under Title IV, Part D of the Social Security Act, 42 USC 651, et. seq. D) Auditors from state and federal agencies, as required to perform their audit functions with respect to a friend of the court matter. E) Corrections, parole, or probation officers, when, in the opinion of the friend of the court, access would assist the office in enforcing a provision of custody, parenting time, or support order. F) Michigan law enforcement personnel who are conducting a civil or criminal investigation related directly to a friend of the court matter, and federal law enforcement officers pursuant to a federal subpoena in a criminal or civil investigation. 2 A Citizen's Advisory Committee established under the Friend of the Court act, MCL 552.501 *et seq*., may be given access by court order. 3 Any person who is denied access to friend of the court records or confidential information may file a motion for an order of access with the judge assigned to the case or. if none, the chief judge.
FOC FILES: Except as provided in MCR 3.219, any information for which a privilege could be claimed, or that was provided by a government agency subject to the express written condition that it remain confidential (MCR 3.218[A][3][G]) **Duration:** From receipt of the information	Relevant information should be maintained to ensure it is not subject to public inspection. **Court response to inquiries:** "These Friend of the Court records are nonpublic pursuant to court rule."	1 Unless release is otherwise prohibited by law, a FOC office must provide access to all confidential records to the following entities: A) The Department of Human Services, as necessary to report suspected abuse or neglect or to allow the DHS to investigate or provide services to a party or child in the case. B) Other agencies and individuals as necessary for the friend of the court to implement the state's plan under Title IV, Part D of the Social Security Act, 42 USC 651 et seq. or as required by the court, state law, or regulation that is consistent with this state's IV-D plan. C) Other agencies that provide services under Title IV, Part D of the

Nonpublic and Limited-Access Court Records		
CIRCUIT COURT FAMILY DIVISION – FRIEND OF THE COURT – FRIEND OF THE COURT RECORDS ARE NONPUBLIC		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
		Social Security Act, 42 USC 651, et. seq. D) Auditors from state and federal agencies, as required to perform their audit functions with respect to a friend of the court matter. E) Corrections, parole, or probation officers, when, in the opinion of the friend of the court, access would assist the office in enforcing a provision of custody, parenting time, or support order. F) Michigan law enforcement personnel who are conducting a civil or criminal investigation related directly to a friend of the court matter, and federal law enforcement officers pursuant to a federal subpoena in a criminal or civil investigation. 2 A Citizen's Advisory Committee established under the Friend of the Court act, MCL 552.501 *et seq*., may be given access by court order. 3 Any person who is denied access to friend of the court records or confidential information may file a motion for an order of access with the judge assigned to the case or. if none, the chief judge.
FOC STAFF NOTES: Staff notes. (MCR 3.218[A][3][a]) **Duration:** From creation of the notes.	Notes should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "Friend of the Court staff notes are nonpublic pursuant to court rule."	1 Unless release is otherwise prohibited by law, a FOC office must provide access to all confidential records to the following entities: A) The Department of Human Services, as necessary to report suspected abuse or neglect or to allow the DHS to investigate or provide services to a party or child in the case. B) Other agencies and individuals as necessary for the friend of the court to implement the state's plan under Title IV, Part D of the Social Security Act, 42 USC 651 et seq. or as required by the court, state law, or regulation that is consistent with this state's IV-D plan. C) Other agencies that provide services under Title IV, Part D of the Social Security Act, 42 USC 651, et. seq. D) Auditors from state and federal agencies, as required to perform their audit functions with respect to a friend of the court matter. E) Corrections, parole, or probation officers, when, in the opinion of the friend of the court, access would assist the office in enforcing a provision of custody, parenting time, or support order.

Nonpublic and Limited-Access Court Records		
CIRCUIT COURT FAMILY DIVISION – FRIEND OF THE COURT – FRIEND OF THE COURT RECORDS ARE NONPUBLIC		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
		F) Michigan law enforcement personnel who are conducting a civil or criminal investigation related directly to a friend of the court matter, and federal law enforcement officers pursuant to a federal subpoena in a criminal or civil investigation. 2. A Citizen's Advisory Committee established under the Friend of the Court act, MCL 552.501 *et seq*.., may be given access by court order. 3. Any person who is denied access to friend of the court records or confidential information may file a motion for an order of access with the judge assigned to the case or. if none, the chief judge.

Nonpublic and Limited-Access Court Records		
CIRCUIT COURT FAMILY DIVISION – JUVENILE		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
DESIGNATED CASE: Immunity (MCL 767A.8) Documents related to prosecutor-sought immunity (including petitions and orders for immunity and transcripts of testimony delivered to witnesses pursuant to grants of immunity). **Duration:** From the time the prosecutor seeks immunity, until the time immunity is not granted (if any).	Relevant documents shall not be available for public inspection or copying and shall not be divulged. **Court response to inquiries:** "Documents related to prosecutor-sought immunity (including petitions and orders for immunity and transcripts of testimony delivered to witnesses pursuant to grants of immunity) are nonpublic pursuant to statute."	Relevant documents shall not be divulged to any person.
DESIGNATED CASE: Protective orders. (MCR 6.201[E]) Record of hearing on issuance of a protective order if the court grants the protective order. **Duration:** Provisionally upon the start of the hearing, and then permanently from the granting of the protective order.	Record must be sealed (and preserved for review in the event of an appeal). **Court response to inquiries:** "Record of hearing on issuance of a protective order if the court grants the protective order is nonpublic pursuant to court rule."	None specified.
DESIGNATED CASE: Excision of discovery materials. (MCR 6.201[D]) Record of hearing on excision of portions of material under discovery if the court grants the excision. **Duration:** Provisionally upon the start of the hearing, and permanently from the granting of the order.	Record must be sealed (and preserved for review in the event of an appeal). **Court response to inquiries:** "Record of hearing on excision of portions of material under discovery if the court grants the excision is nonpublic pursuant to court rule."	None specified.

Nonpublic and Limited-Access Court Records		
CIRCUIT COURT FAMILY DIVISION – JUVENILE		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
FINGERPRINTS AND PHOTOGRAPHS: Fingerprints and photographs taken when required by statute or permitted by the court. (MCL 28.243; MCR 3.923[C]) **Duration:** From creation until they are forwarded to MSP or they are destroyed.	Fingerprints and photographs must be placed in the confidential files, capable of being located and destroyed on court order. **Court response to inquiries:** "Fingerprints and photographs taken when required by statute or permitted by the court are nonpublic pursuant to statute and court rule."	Only persons found by the court to have a legitimate interest considering the nature of the proceedings, the welfare and safety of the public, the interest of the minor, and any restriction imposed by state or federal law. (MCR 3.925[D])
JUVENILE DELINQUENCY: Consent Calendar Records. (MCR 3.925[E][3][b]) Entire file. **Duration:** A petition that is not authorized by the court is a non-record and does not exist as a public record. The case is closed upon successful completion of the consent calendar case plan and maintained in accordance with MCR 3.925(E)(2)(b).	Relevant information should be maintained to ensure it is not subject to public inspection. **Court response to inquiries:** "There is no public record." ***The existence of consent calendar records cannot be acknowledged.***	Relevant documents shall not be divulged to any person. If a formal calendar case is transferred to the consent calendar and a register of actions exists, the register of actions must be maintained as a nonpublic record. Consent calendar records may not be disclosed to federal agencies and military recruiters because they are not "formal criminal charges." 5 USC 9101 (a)(2)
JUVENILE DELINQUENCY: Diversion records. (MCL 722.827-722.828 722.829) **Duration:** From the decision by the court to divert the juvenile.	The court shall keep a "separate diversion record" for the minor. **Court response to inquiries:** "There is no public record." ***The existence of diversion records cannot be acknowledged.***	A record required to be kept under this act shall be open to a law enforcement agency or court intake worker only for the purpose of deciding whether to divert a minor. (MCL 722.828) A diversion record shall also be open only by order of the court to persons having a legitimate interest. (MCL 722.829) Diversion records may not be disclosed to federal agencies and military recruiters. Petitions are not authorized in diversion records, and they are not "formal criminal charges." 5 USC 9101 (a)(2)

JUVENILE DELINQUENCY: Setting aside an adjudication. (MCL 712A.18e[13]; Entire file where adjudication has been set aside. **Duration:** From the entry of the order setting aside the adjudication.	Records should be maintained to ensure they are not subject to public inspection. A person who knows or should know that an adjudication was set aside and who divulges, uses, or publishes information concerning an adjudication set-aside is guilty of a misdemeanor. **Court response to inquiries:** "There is no public record." ***The existence of records setting aside a conviction cannot be acknowledged.***	A. This nonpublic record is only open to: (a) a court of competent jurisdiction, (b) an agency of the judicial branch of state government, (c) a federal, state, and local law enforcement agency, (d) a prosecuting attorney, (e) the attorney general, or (f) the governor, upon request and only for the purpose of: 1. consideration of a licensing function conducted by an agency of the judicial branch of state government 2. consideration by a law enforcement agency if a person whose adjudication has been set aside applies for employment with that agency 3. to show that a person who has filed an application to set aside an adjudication has previously had one set-aside under this subsection 4. the court's consideration in determining the sentence to be imposed upon conviction for a subsequent offense that is punishable as a felony or by imprisonment for more than one year 5. consideration by the governor if a person whose adjudication has been set aside applies for a pardon for another offense. (MCL 712A.18e[13]) B. It shall also be open, ***with consent of the individual***, for use by the Department of Defense, the Department of State, the Department of Transportation, the Office of Personnel Management, the CIA, and the FBI for the purpose of determining eligibility for: 1. access to classified information 2. assignment to or retention in sensitive national security duties 3. acceptance or retention in the armed forces 4. appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the government or performing a government contract. (5 USC 9101[a] and [b]) C. Access for these federal agencies through a contractual arrangement with another entity is allowed.

JUVENILE DELINQUENCY: Infectious disease testing. (MCL 333.5129[6], [7]); Sexual and controlled substance offenses Examination results and any other medical information pertaining to infectious disease testing. **Duration:** Upon receipt of the information.	Information shall be "confidential." **Court response to inquiries:** "There is no public record." ***The existence of infectious disease records cannot be acknowledged.***	Information shall be disclosed only to: A. the defendant or child B. the local health department C. the Department of Community Health D. the victim or other person required to be informed of the results (or the victim's or other person's parent, guardian, or person in loco parentis if the victim or other person is a minor or otherwise incapacitated). E. Information can also be disclosed upon written authorization of the defendant or the child, or the child's parent, guardian, or person in loco parentis. F. If the juvenile is placed in the custody of a person related to the child or a public or private agency, institution, or facility, the court shall transmit a copy of the juvenile's examination results to the person related to the juvenile or the director of the agency, institution, or facility.
JUVENILE DELINQUENCY: Victim information (MCL 780.784) The separate statement of the victim(s)'s name(s), address(es), and phone number(s) submitted by the investigating agency when they file a petition or complaint. **Duration:** From the time the information is received.	Information shall be on a statement "separate" from the petition or complaint and shall not be a matter of public record. **Court response to inquiries:** "Victim home and work addresses and telephone numbers are nonpublic pursuant to statute	None specified.
JUVENILE DELINQUENCY: Minor in possession. (MCL 436.1703[3]) Entire file **Duration:** From the time the proceedings are deferred and the individual is on probation and if there is a discharge and dismissal	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "There is no public record."." ***The existence of records governed by MCL 436.1703(3) cannot be acknowledged.***	The nonpublic record shall be furnished to any of the following: A. to a court, prosecutor, or police agency upon request for the purpose of determining if an individual has already utilized the subsection B. to the Department of Corrections, a prosecutor, or a federal, state, and local law enforcement agency, upon request, subject to the following conditions: 1. at the time of the request, the individual is an employee of the Department of Corrections, the prosecutor, or the law enforcement agency or an applicant for employment with the Department of Corrections, the prosecutor, or the law enforcement agency

		2. the record is used by the Department of Corrections, the prosecutor, or the law enforcement agency ***only*** to determine whether an employee has violated his or her conditions of employment or whether an applicant meets the criteria for employment. (MCL 436.1703[3]) C. The nonpublic record shall also be open, ***with consent of the individual***, for use by the Department of Defense, the Department of State, the Department of Transportation, the Office of Personnel Management, the CIA, and the FBI ***only*** for the purpose of determining eligibility for: 1. access to classified information 2. assignment to or retention in sensitive national security duties 3. acceptance or retention in the armed forces 4. appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the government or performing a government contract. (5 USCS 9101[a] and [b]). D. Access for these federal agencies through a contractual arrangement with another entity is allowed. E. A defendant shall be allowed access to his or her court file even if it is being maintained as a nonpublic record. F. The prosecutor may be furnished a copy of the record indicating the disposition of the case. G. If a defendant is sentenced to probation with a condition for the protection of the victim, and if the victim requests notification, the court shall notify the victim by mail if the court orders that the probation be terminated earlier than previously ordered, including furnishing information or records to the victim that would otherwise be closed to public inspection . *(MCL 780.768b; 780.781a; 780.795a; 780.811b; 780.827b)*
JUVENILE DELINQUENCY: Drug court. (MCL 600.1076[10]) Drug court case files become a nonpublic record at the time the court orders the deferred judgment. This is applicable only to those individuals who enter an admission of responsibility to an offense that is not a traffic offense and who may be	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "There is no public record."	A. The nonpublic record shall be open to the following individuals and entities for the purposes noted: 1. The courts of this state, law enforcement personnel the department of corrections, and prosecuting attorneys for use only in the performance of their duties or to determine whether an employee of the court, law enforcement agency, department of corrections, or prosecutor's office has violated his or her conditions of employment or whether an applicant meets criteria for employment with the court, law enforcement agency,

eligible for discharge or dismissal upon successful completion of the drug treatment court program. **Duration**: From the date the court orders the judgment deferred.		department of corrections, or prosecutor's office. 2. The courts of this state, law enforcement personnel, and prosecuting attorneys for the purpose of showing that a defendant has already once availed himself or herself of this section. 3. The department of human services for enforcing child protection laws and vulnerable adult protection laws or ascertaining the preemployment criminal history of any individual who will be engaged in the enforcement of child protection laws or vulnerable adult protection laws. B. The nonpublic record shall also be open, ***with consent of the individual,*** for use by the Department of Defense, the Department of State, the Department of Transportation, the Office of Personnel Management, the CIA, and the FBI ***only*** for the purpose of determining eligibility for: 1. access to classified information 2. assignment to or retention in sensitive national security duties 3. acceptance or retention in the armed forces 4. appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the government or performing a government contract. (5 USCS 9101[a] and [b]). C. Access for these federal agencies through a contractual arrangement with another entity is allowed. D. A defendant shall be allowed access to his or her court file even if it is being maintained as a nonpublic record. E. The prosecutor may be furnished a copy of the record indicating the disposition of the case. F. If a defendant is sentenced to probation with a condition for the protection of the victim, and if the victim requests notification, the court shall notify the victim by mail if the court orders that the probation be terminated earlier than previously ordered, including furnishing information or records to the victim that would otherwise be closed to public inspection . *(MCL 780.768b; 780.781a; 780.795a; 780.811b; 780.827b)*

JUVENILE DELINQUENCY: Drug court. (MCL 600.1064[4]) Statements or information obtained as a result of participating in a preadmission screening and evaluation assessment under MCL 600.1064(3). Duration: From the time of the preadmission screening.	Records should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "There is no public record." ***The existence of drug court records cannot be acknowledged.***	Statements and information obtained as a result of participating in a preadmission screening and evaluation assessment under MCL 600.1064(3) are confidential and exempt from disclosure under the Freedom of Information Act and shall not be used in criminal prosecution unless it reveals criminal acts other than or inconsistent with personal drug use. If a defendant is sentenced to probation with a condition for the protection of the victim, and if the victim requests notification, the court shall notify the victim by mail if the court orders that the probation be terminated earlier than previously ordered, including furnishing information or records to the victim that would otherwise be closed to public inspection . *(MCL 780.768b; 780.781a; 780.795a; 780.811b; 780.827b)*
REIMBURSEMENT ORDERS: Child protective, designated, juvenile delinquency, and juvenile waiver cases. (MCL 712A.28) Information on action taken for not abiding by a reimbursement order (unless parents or adults found guilty of contempt). **Duration:** From the time the court begins proceedings against the parents or adults.	Relevant information should be maintained to ensure it is not subject to public inspection. **Court response to inquiries:** "This information is nonpublic pursuant to statute." ***The existence of records governed by MCL 712A.28 cannot be acknowledged.***	The court shall furnish the department of human services and a county juvenile agency with reports of the administration of the court in a form recommended by the Michigan association of probate and juvenile court judges. Copies of these reports shall, upon request, be made available to other state departments by the department of human services. Information shall not be released for publicity.
SOCIAL FILE: Entire file. (MCR 3.903[3]; 3.925[D]) **Duration:** From the creation of the record or document.	Relevant information should be maintained to ensure it is not subject to public inspection. **Court response to inquiries:** "Social files are nonpublic pursuant to court rule".	Only persons found by the court to have a legitimate interest considering the nature of the proceedings, the welfare and safety of the public, the interest of the minor, and any restriction imposed by state or federal law. (MCR 3.925[D])

Juvenile Competency Evaluations. (MCL 330.2070) After adjudication or if the juvenile is found to be unable to regain competence, the court shall order all the reports that are submitted according to sections 1062 to 1068 to be sealed.	Reports should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "Records are sealed pursuant to statute (MCL 330.2070) and court order."	(1)The court may order that the reports be opened only as follows: (a) For further competency or criminal responsibility evaluations. (b) For statistical analysis. (c) If the records are considered to be necessary to assist in mental health treatment ordered under this act. (d) For data gathering. (e) For scientific study or other legitimate research. (2) If the court orders reports to be open for the purposes of statistical analysis, data gathering, or scientific study according to subsection (5), the reports shall remain confidential. (3) Any statement that a juvenile makes during a competency evaluation, or any evidence resulting from that statement, is not subject to disclosure.

Nonpublic and Limited-Access Court Records		
CIRCUIT COURT FAMILY DIVISION – ADOPTIONS, ETC.		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
ADOPTION: Entire file. (MCL 710.67-68) Duration: From the creation of the file. **ADOPTION- Delayed Registration of Foreign Birth: Entire File (MCL 333.2830) MCR 3.617** **Duration:** From the creation of the file.	Adoption records shall be kept in "separate locked files" and shall not be open to inspection or copy except upon order of a court of record for good cause shown expressly permitting inspection or copy. **Court response to inquiries:** "Adoption files are nonpublic pursuant to statute."	1. A person in charge of adoption records shall not disclose the names of the biological or adoptive parents of an adopted person, unless ordered to do so by a court of record or as provided in subsection (4) or in MCL 710.68, except to meet requirements of the director of public health for the purpose of creating a new certificate of birth in the adoptive name and sealing the original certificate of birth. 2. After an order of adoption has been entered under MCL 710.56, the court shall permit the children's ombudsman to inspect closed adoption records in connection with an investigation authorized under the children's ombudsman act, Act No. 204 of the Public Acts of 1994, being sections 722.921 to 722.935 of the Michigan Compiled Laws. The ombudsman shall not disclose information obtained by an inspection under this subsection. If the children's ombudsman requires further information from an individual whose identity is protected in closed adoption records, the ombudsman shall contact the individual discreetly and confidentially. The ombudsman shall inform the individual that his or her participation in the ombudsman's investigation is confidential, is strictly voluntary, and will not alter or constitute a challenge to the adoption. The ombudsman shall honor the individual's request not to be contacted further. As used in this subsection, "children's ombudsman" or "ombudsman" means the ombudsman appointed pursuant to section 3 of Act No. 204 of the Public Acts of 1994, being section 722.923 of the Michigan Compiled Laws, or his or her designee. 3. A court with continuing jurisdiction, including an office of the friend of the court, is an interested party pursuant to MCL 710.24a and can be notified of the final order of adoption.

NAME CHANGE: If the court orders the name change to be confidential, the entire file. (MCL 711.3; MCR 3.613[E]) **Duration:** From the entry of the order.	Records must be maintained in a sealed envelope marked "confidential" and placed in a private file. **Court response to inquiries:** "Name change files are nonpublic pursuant to statute and court rule."	Except as otherwise ordered by the court, only the original petitioner may gain access to the confidential record. A court officer, employee, or agent who divulges, uses, or publishes, beyond the scope of his or her duties with the court, information from a record made confidential under this section is guilty of a misdemeanor.
WAIVER OF PARENTAL CONSENT FOR ABORTION: Entire file. (MCR 3.615[B][3]); *In Re F. G., Minor, 264Mich App 413; 691 NW2d 465 (2004).* **Duration:** From the creation of the file.	**See MCR 3.615(B)(2) for the procedure to insure confidentiality** **Court response to inquiries:** "There is no public record." ***The existence of waiver of consent records cannot be acknowledged.***	The file shall be inspected only by "the judge, the minor, her attorney, her next friend, the guardian ad litem, and any other person authorized by the minor." "After the proceedings are completed, the file may be opened only by order of the court for good cause shown and only for a purpose specified in the order of the court."
SAFE DELIVERY OF NEWBORNS Hearings and records of proceedings. (MCL 712.2a). **Duration:** From the creation of the file.	Relevant information should be maintained to ensure it is not subject to public inspection. **Court response to inquiries:** "There is no public record." ***The existence of hearings and records of proceedings governed by MCL 712.2a cannot be acknowledged.***	"A hearing under this chapter is closed to the public. A record of a proceeding under this chapter is confidential, except that the record is available to any individual who is a party to that proceeding." "An individual who discloses information made confidential under subsection (1) or (2) without a court order or specific authorization under federal or state law is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than $100.00, or both. An individual who discloses information made confidential under subsection (1) or (2) without a court order or specific authorization under federal or state law is civilly liable for damages proximately caused by disclosure of that information."
YOUNG ADULT VOLUNTARY FOSTER CARE: Entire file. MCR 3.616(G) **Duration:** From the filing of the petition and the opening of the file.	**Court response to inquiries:** "There is no public record."	The Department of Human Services and the youth are entitled to access to the records contained in the file, but otherwise, the file is confidential.

Nonpublic and Limited-Access Court Records		
PROBATE COURT		
Record Having Limited Access and Length of Duration	**Filing and Court Access Requirements**	**Possibilities for Access to Court Records**
CONSERVATORSHIP: Confidential settlement of lawsuit where the settlement amount is relevant to the conservatorship. All documents pertaining to the settlement are confidential. **Duration:** From receipt of the information.	The papers concerning a confidential settlement should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "Confidential settlement information is nonpublic pursuant to court order."	If the settlement provides that the settlement must not be made public, the court may provide that the papers concerning the trust or settlement may not be subject to public inspection.
DECEDENT'S ESTATE: Confidential settlement of lawsuit where the settlement amount is relevant to the decedent's estate. All documents pertaining to the settlement are confidential. **Duration:** From receipt of the information.	The papers concerning a confidential settlement should be maintained to ensure they are not subject to public inspection. **Court response to inquiries:** "Confidential settlement information is nonpublic pursuant to court order."	If the settlement provides that the settlement must not be made public, the court may provide that the papers concerning the trust or settlement may not be subject to public inspection.
GUARDIANSHIP FOR DEVELOPMENTALLY DISABLED INDIVIDUAL: Report to accompany initial petition. (MCL 330.1612[4]) **Duration:** From receipt or the report.	A report of a physician, psychologist, or other evaluator shall not be made part of the public record of the proceedings. A report is available to the court or to an appellate court to which the proceedings may be appealed. **Court response to inquiries:** "The accompanying report is nonpublic pursuant to statute."	The report is to be available only to the respondent, the petitioner, their attorneys, and to other individuals as the court directs.

GUARDIANSHIP OF MINOR: Social History Form PC 670. (MCR 5.404[A][4]) **Duration:** From receipt or the Social History.	The Social History Form for minor guardianship is confidential, and is not to be released, except on order of the court, to the parties or the attorneys for the parties. **Court response to inquiries:** "The social history is nonpublic pursuant to court rule."	The social history form may only be released by court order.
GUARDIANSHIP FOR LEGALLY INCAPACITATED INDIVIDUAL: Report to accompany initial petition. (MCL 700.5304[1]) **Duration:** From receipt of the report.	A report of a physician or mental health professional shall not be made part of the public record of the proceedings. A report is available to the court or to an appellate court to which the proceedings may be appealed. **Court response to inquiries:** "The accompanying report is nonpublic pursuant to statute."	The report is to be available only to the alleged incapacitated individual, the petitioner, their attorneys, and to other individuals as the court directs.
SECRET MARRIAGE: Entire file (which includes an application for a secret marriage license, the license itself, and a secret marriage certificate). (MCL 551.203-551.204) **Duration:** From creation of the file.	Secret marriage documents shall be placed in a "private file." All knowledge of facts involved in marriage is "privileged communication," and "violation of the confidence" is criminally punishable. **Court response to inquiries:** "There is no public record." ***The existence of secret marriage records cannot be acknowledged.***	The file can be opened to inspection either though written request and proper proof of identification of one or both partners to the marriage or through written order of a circuit court judge.

WILLS FILED FOR SAFEKEEPING: The court shall receive and safely keep the will and give a certificate of the deposit of the will. (MCL 700.2515) **Duration:** From delivery of the will until the death of the testator.	A will in writing that is enclosed in a sealed wrapper on which is endorsed the testator's name, address, and social security number *(optional)* may be deposited with the court in the county where the testator resides. **Court response to inquiries:** "All wills filed for safekeeping under MCL 700.2515 are sealed until the testator's death."	During the lifetime of the testator, the will shall be delivered only to the testator or to some person authorized by the testator in writing. After the death of the testator and at the first session of the court after the court receives notice of the testator's death, the will shall be publicly opened and retained by the court.
PETITIONS REQUESTING COURT DETERMINATION WHETHER SERVICES ARE NECESSARY FOR A MINOR (MCL 330.1266): A minor's parent or person in loco parentis to a minor may petition the court requesting the court's determination as to whether treatment and rehabilitation services are necessary for the minor. **Duration:** From the filing of the petition.	**Court records maintained under this section are confidential and open only by order of the court to persons having a legitimate interest.** **Court response to inquiries:** "There is no public record"	Persons seeking access must request a court order.