



Michigan Supreme Court

State Court Administrative Office

Field Services Division

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Ryan P. Gamby
Field Services Director

MEMORANDUM

DATE: April 6, 2023

TO: Authorized Individuals under MCR 1.109(D)(9)(b)(v)(B)

FROM: Ryan Gamby, Field Services Director

RE: MiCOURT Case Search & Automatically Set Aside Convictions

This memo describes new functionality available in the MiCOURT Case Search for Judicial Information Services (JIS) courts in Michigan. This memo also summarizes amendments to the Setting Aside Convictions Act (MCL 780.621 *et seq.*) that become effective on April 11, 2023, and the temporary impact it may have on case searches completed by authorized individuals under MCR 1.109(D)(9)(b)(v).

Date of Birth – MiCOURT Case Search

We are excited to announce a new functionality that will allow authorized individuals to access date of birth information in the [MiCOURT Case Search](#). Authorized individuals can now create a username and password that will, once logged in, allow access to date of birth information for individuals directly through the Case Search. Please note the following regarding this new functionality.

- **Consent is Still Required:** Pursuant to MCR 1.109(D)(9)(b)(v), authorized individuals must still have written consent of a person to access their date of birth information **before** searching for the person under their MiCOURT Case Search account.
- **Exact Search Results:** Authorized individuals will only receive information on public cases that exactly matches the first name, last name, and date of birth entered on the search screen.
- **Fewer CAPTCHA Tests:** Once logged in, CAPTCHA tests will be less frequent, allowing for more uninterrupted work.

- **Proof of Insurance Renewals:** Proof of professional liability insurance must now only be updated with SCAO upon the expiration or termination of the insurance policy. The previous requirement to submit an updated insurance policy each year between December and January is eliminated.
- **Individualized Accounts:** User accounts are assigned to individual users—not companies—and require a unique email address for each person. If an authorized individual is an employee of multiple companies that search court records, the authorized individual must create a user account for **each company** where they are employed and must have a separate email account at each company that corresponds to and can only be used by the authorized individual. Authorized individuals must ensure that case searches assigned by a company are completed under the individual account that lists that company as the employer.
- **JIS Courts:** This case search functionality is limited to JIS courts in Michigan that display their case information online. Not all Michigan courts can be searched in this database.

While we hope this new functionality will increase your case search efficiency, establishing a MiCOURT Case Search account does not confer upon the authorized individual any right, title, interest, or license in the MiCOURT Case Search or its continued use. The MiCOURT Case Search is provided as a courtesy to authorized individuals and the SCAO reserves all rights to terminate or discontinue user accounts without notice at any time, with or without reason.

Automatic Clean Slate

MCL 780.621g, effective April 11, 2023, implements what has been colloquially referred to as “automatic clean slate.” Subject to certain eligibility requirements, individuals will have up to two felonies; four misdemeanors punishable by 93 days or more; and an unlimited number of misdemeanor convictions punishable by 92 days or less set aside. Eligible misdemeanor convictions will be automatically set aside **seven years** after sentencing and eligible felony convictions will be set aside **ten years** after sentencing or their release from the Michigan Department of Corrections, whichever occurs later. MCL 780.621g. These set asides occur by operation of law, meaning defendants do not need to take any action to have their convictions set aside.

With limited exceptions, a set aside conviction means the defendant “for purposes of the law, is considered not to have been previously convicted” of the offense. MCL 780.622(1). Authorized individuals working for private companies are not permitted to access or view set aside convictions under MCL 780.623.

- **Initial Update Period:** Automatically setting aside convictions is an enormous undertaking involving millions of cases and convictions. Given the sheer volume of initial set aside convictions, JIS can only update case management systems (CMS) for

individual courts in batches. This work cannot begin until April 11, 2023, and will likely take several weeks to fully update every court.

- **MiCOURT Case Search:** During this transition, the [MiCOURT Case Search](#) will temporarily only display search results for JIS courts on cases that are less than seven years from sentencing. Cases older than seven years will not be displayed. Since cases are not eligible for an automatic set aside until at least seven years after sentencing, this restriction will ensure that set aside convictions are not improperly displayed. The case search will resume displaying all publicly available criminal convictions as soon as all case management systems are updated.

Additionally, the SCAO requested all JIS courts to only use the MiCOURT Case Search when offering a public access terminal in the courthouse. Some courts have previously offered legacy components of the JIS CMS with an “inquiry only” session. These components display similar information as the MiCOURT Public Case Search, but will not be supported or updated after April 11, 2023.

- **Non-JIS Courts:** This case search information only applies to JIS courts. You will need to contact non-JIS courts directly to determine any changes to their public case searches.

What We Need From You

If you are an authorized individual requesting a user account to access the new case search functionality, you must email CVR@courts.mi.gov with the following information:

1. **Name/Employer:** Include your full name and employer/hiring entity (as they appear on the List of Authorized Individuals).
2. **Account Request:** State that you are requesting a user account as an authorized individual.
3. **Email Address:** Identify the individual email address to be associated with your user account. Only one user account may be associated with an email address. If you conduct searches for multiple companies, advise how many accounts you are creating and which email address will be associated with each company.

SCAO staff anticipates an influx of initial requests and will process user accounts as expeditiously as possible. You will receive an email from OneCourt ID Support and will need to follow the instructions within the email to activate your account. Please check your junk/spam folders if you do not receive a registration email. User accounts will be offered to new authorized individuals at the time of registration for placement on the list.

Please email CVR@courts.mi.gov with any questions.