



Michigan Supreme Court

State Court Administrative Office

Court Services Division

Michigan Hall of Justice

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MEMORANDUM

DATE: March 23, 2021

TO: Family Division Judges
Family Division Administrators
Circuit Court Administrators
District Court Judges
District Court Magistrates
District Court Administrators

FROM: Tanya Morrow, Management Analyst

RE: Public Act 362 – Nonpublic Status of Juvenile Records

[Public Act 362 of 2020 - Nonpublic Status of Juvenile Records](#) was signed into law on January 4, 2021, as part of *The Clean Slate for Kids* package. The amendments are effective March 24, 2021. This memo provides a summary of the act, as well as initial guidance in implementing the changes.

Public Act 362 of 2020 amends [MCL 712A.28](#) to make all records of a case brought before the family division of circuit court nonpublic except to those persons having a “legitimate interest.” Records for the following case types under the Juvenile Code ([MCL 712A.2](#)) are included in the new limitation:

- DL (Delinquency Proceedings)
- NA (Child Protective Proceedings)
- DJ (Designated Juvenile Offenses)
- JG (Juvenile Guardianship)
- PJ (Personal Protection Actions Brought Under the Juvenile Code)
- VF (Voluntary Foster Care)
- TL (Traffic and Local Ordinance)

The amendments to MCL 712A.28 do not affect access to records for cases brought in district court where the circuit and district courts have entered into an agreement under MCL 712A.2e by which the circuit court waives or limits its jurisdiction over civil infractions committed by

juveniles to district court. Where there is no waiver agreement (or where any such agreement has been rescinded) and the family division of the circuit court handles civil infractions committed by juveniles, records of those cases will be nonpublic as provided by the new statutory language.

The nonpublic nature of these cases must be reflected in the court's case management system (CMS). Effective March 19, 2021, Judicial Information Services (JIS) has updated all of its case management systems making any existing cases and petitions for the affected case types non-public, whether in open, adjudicated, or closed status. The Probate Court System (PCS) application has also been updated to ensure any future cases and petitions entered are non-public. JIS will communicate any other system updates when they are released to the courts. In the interim, each court is responsible for ensuring that cases entered are flagged as non-public. For those courts with a non-JIS CMS vendor, the court will need to work with that vendor to ensure that these cases are nonpublic.

See also the [updated FAQ](#) and the [JIS release \(BLOG\)](#)