



## Michigan Supreme Court

State Court Administrative Office

**Court Services Division**

Michigan Hall of Justice

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Jennifer Warner  
Director

### MEMORANDUM

DATE: February 13, 2020

TO: All Judges  
cc: Trial Court Administrators

FROM: Stephanie Beyersdorf, Management Analyst

RE: Closure of Holmes Youthful Trainee Proceedings

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The Michigan Court of Appeals previously determined that all proceedings, including hearings, in a case where the defendant has been granted youthful trainee status pursuant to the Holmes Youth Trainee Act<sup>1</sup> (HYTA) are nonpublic.<sup>2</sup> The court recently reaffirmed that all hearings held pursuant to HYTA should be closed to the public with its published opinion in [People v GR, Mich App \(2020\)\(Docket No. 346418\)](#).

The State Court Administrative Office (SCAO) has issued guidance in the past on the nonpublic status of deferred judgment cases, including HYTA cases.<sup>3</sup> A case, including its records and any hearings, becomes nonpublic at the entry of the Assignment to Youthful Trainee Status (SCAO form [MC 242](#)) or other order entered by the court. If the court revokes HYTA status and enters a judgment of conviction against the individual, then the individual's case file is no longer nonpublic and all subsequent hearings are open to the public.<sup>4</sup>

Courts may find additional guidance on access to court records in the [Nonpublic and Limited-Access Court Records Chart and Security Matrix](#), among other items, on SCAO's [Records Management webpage](#). Please contact Stephanie Beyersdorf at 517-373-0122 or at [trialcourtservices@courts.mi.gov](mailto:trialcourtservices@courts.mi.gov) if you have questions about this subject.

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<sup>1</sup> [MCL 762.11 et seq](#)

<sup>2</sup> *People v. Bobek*, 217 Mich App 524 (1996)

<sup>3</sup> [Trial Court Services Memo dated January 16, 2014](#)

<sup>4</sup> [MCL 762.14\(4\)](#)