



OAKLAND COUNTY CLERK/REGISTER OF DEEDS

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LISA BROWN
COUNTY CLERK/REGISTER OF DEEDS

JENNIFER HOWDEN
CHIEF DEPUTY COUNTY CLERK

August 22, 2019

Michigan Supreme Court
Clerk of the Court
P.O. Box 30052
Lansing, MI 48909

Re: ADM File No. 2018-30
Proposed Amendment of Rule 8.115 of the Michigan Court Rules

To Whom It May Concern:

I am writing to express the opinion of the Oakland County Clerk of the Court on the proposed court rule change regarding electronic devices and their use within a courthouse. While we fully understand the inconvenience of not allowing portable electronic devices in a courthouse, we believe cellphones and other devices would be a disruption to the judicial process. It also has the potential for jury tampering, witness coercion, etc. Phone ringers, alerts, and notifications would become a common occurrence in courtrooms and clerk offices.

There are many situations in which it would be beneficial for individuals to have their devices with them. Many courthouses include other departments and public offices that make conducting business sometimes difficult due to the current cellphone restriction. A concern with the proposed court rule is the ability to monitor appropriate usage for electronic devices.

Proposed 8.115 (C)(5)(a) allows for members of the public, attorneys, and parties to use their devices to reproduce public court documents. We strongly oppose this proposal. Aside from a revenue loss, clerks are responsible for removing social security numbers from documents before providing copies. This portion of the proposed court rule would allow SSNs and other personal information to be inappropriately obtained.

In Oakland County court records are not available for sale as bulk data. There is a concern that allowing individuals to capture images of court records would promote data mining. Permitting individuals to take pictures of documents would mitigate the

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dissemination of copies. The dissemination of copies is part of the clerk of the court's responsibility with respect to maintaining court records.

Thank you in advance for your consideration.

Jennifer Howden
Chief Deputy County Clerk
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