



# ELIZABETH HUNDLEY LIVINGSTON COUNTY CLERK

CIRCUIT COURT CLERK  
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August 27, 2019

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

Re: ADM File No. 2018-30

Dear Sir/Madam:

We write to express our concern as it relates to the proposed changes to MCR 8.115. Pursuant to the proposed provision (5)(a):

“... Attorneys, parties, and members of the public may use a portable electronic device to reproduce public court documents in a clerk’s office as long as the device leaves no mark or impression on the document and does not unreasonably interfere with the operation of the clerk’s office.”

One of our concerns is damage to files. Once a customer has a file, they would necessarily bend the file jackets and pleadings on the prongs, likely damaging the documents, in an effort to expose as much of the pleading as possible for their electronic photograph. In order to protect the file, our staff would need to take the paperwork from the prongs and pass it back through the window, which would not only be inconvenient, but would create havoc in maintaining the court’s file in accordance with the Case File Management Standards.

Another factor to be considered is the confidential information contained in older files. When an older file is requested, we currently have an opportunity to redact social security numbers and other confidential information before we copy the requested documents. We will lose that ability if the customer is able to photograph documents before we have a chance to redact.

Therefore, we are respectfully requesting that you delete the above referenced sentence from the proposed amendment to MCR 8.115.

Thank you,

Elizabeth Hundley  
Livingston County Clerk

Kristi Cox  
Chief Deputy County Clerk