



## MACC LEGISLATIVE COMMITTEE

August 29, 2019

Michigan Supreme Court  
Post Office Box 30052  
Lansing, Michigan 48909

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

Dear Sir or Madam:

County Clerks are charged with the care and custody of Circuit Court records. Several members of the Michigan Association of County Clerks have expressed strong opposition to the proposed rule change that would permit the photography of documents contained in Circuit Court files. Specifically, we are concerned that this may result in the release of confidential and non-public information.

The last sentence of Proposed Rule 8.115(C)(5)(a) should be stricken entirely. In other words:

Allowed uses: Attorneys, parties, and members of the public may use a portable electronic device in a courtroom to retrieve or to store information (including notetaking), to access the Internet, and to send and receive text messages or information. ~~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.~~

We respectfully request that County Clerks be involved, if they are not already, in the drafting of amendments and policies that touch on Circuit Court Clerk's Offices. We, as Clerks of the Circuit Court, could provide helpful feedback, resulting in better policies and procedures.

For the reasons above, we respectfully recommend striking the last sentence of Proposed Rule 8.115(C)(5)(a) in its entirety.

Please feel free to contact us if we may ever be of assistance.

Sincerely,

Barb Byrum  
Ingham County Clerk

Justin Roebuck  
Ottawa County Clerk

Elizabeth Hundley  
Livingston County Clerk