



## Michigan Supreme Court

State Court Administrative Office

**Field Services Division**

Michigan Hall of Justice

P.O. Box 30048

Lansing, Michigan 48909

Phone (517) 373-4835

### MEMORANDUM

DATE: July 2, 2021

FROM: SCAO Forms Team

RE: Extension of Effective Date of PII Court Rules

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On June 30, 2021, the Michigan Supreme Court entered an [Order](#) extending the effective date of the court rules regarding protecting personal identifying information to January 1, 2022. Since all court forms that previously included protected PII have been reviewed and revised as needed, the State Court Administrative Office has created an [FAQ](#) resource to assist with questions regarding form use through December 31, 2021.

As part of the form changes, SCAO created new forms (MC 97, MC 97a, and MC 97b) under MCR 1.109(D)(9) to allow protected PII to be filed on a SCAO-approved form that would be nonpublic when the court rules become effective. These forms are currently available for individuals to use before the new effective date. If MC 97, MC 97a, or MC 97b is filed before January 1, 2022, the court should maintain the form as a public record. If any of these three forms are filed on or after January 1, 2022, the court should maintain the form as a nonpublic record under the court rules. We are working on modifications to these forms to clarify this issue. The Explanation of Changes document regarding these modified forms can be found [here](#).

Courts that have already completed changes to their processes in conformity with the rules may follow those revised processes. However, note that until January 1, 2022, there is no requirement (or authority) to redact protected PII from court-issued documents, and the previous version of the form should still be accepted. Significantly, courts should also accept forms which have been modified or created in preparation for compliance with the previous July 1, 2021, PII court rules start date. If the 10/20 version of MC 97, MC 97a, and MC 97b are filed before January 1, 2022, we recommend that the statement about the form being nonpublic be redacted (or simply crossed off).