

Message Regarding Circuit Court Records Filing Policies and Procedures from the Bar Association Board of Directors:

In response to concerns about Circuit Court Record's policy to no longer accept email filings as of July 1, 2021, the board would like to share the following information from its follow up with Circuit Court Records:

While Circuit Court Records recognizes that filing by email was convenient for attorneys and assistants, it was an emergency solution to the Courthouse closures caused by COVID 19 and never intended to be a permanent option for filing. Unfortunately, due to filing errors, the process was extremely time-consuming and cumbersome for Circuit Court records clerks. Some of these errors, which made it unreasonable to keep the process in place at this time include, but are not limited to:

1. Failure to attach documents in PDF format. Many documents were unreadable as scanned or were poor-quality cell phone photos;
2. Documents filed with pages out of order-- One attachment often included multiple documents, or one document was sent as multiple attachments;
3. Failure to include the case number in the Subject line;
4. Failure to include copies of receipts with pleadings;
5. Use of the e-filing email as a means to communicate with Circuit Court Records, a use for which it was not intended (examples include emails to check document status, correspond with attorneys, etc.); and
6. Duplicate filings caused by mailing and emailing the pleadings.

The statewide E-filing system, called MI-File is currently in its pilot phase in many counties across Michigan. Muskegon is expected to be included in the next phase of the rollout, but like most things, this rollout was delayed due to COVID 19. The increased filing fees are being collected to implement the statewide filing system and integrate it with OnBase, which is the statewide Electronic Content Document Management System. While Circuit Court cannot yet predict an onset date for this e-filing system, it will keep the Bar Association informed of updates.

If you have suggestions for improvements to the current filing system that could be implemented in the meantime, please do not hesitate to contact the board. We will be happy to discuss these suggestions with Circuit Court Records.

In response to an additional question raised by many attorneys, Friend of the Court will continue to send its Orders and Recommendations by email only. You will not receive these by mail. This is in response to and in accordance with SCAO AO 2020-9, which was extended by SCAO AO 2020-19, and temporarily amends MCR 2.017(C) as follows:

Because people may not be physically present to receive mail at a particular location, all service of process under this rule must be performed using electronic means (e-Filing where available, email, or fax, where available) to the greatest extent possible. Email transmission does not require agreement by the other party(s) during the effective period of this order, but should otherwise comply as much as possible with the provisions of MCR 2.107(C)(4).

Sincerely,

Sarah Rocco

MCBA President