

STATE OF MICHIGAN 27 <sup>TH</sup> JUDICIAL CIRCUIT NEWAYGO COUNTY <u>Family Division</u>	<b>POLICY REGARDING REQUEST          FOR FRIEND OF THE COURT          RECORDS</b>	Case No.
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1092 Newell, White Cloud, MI 49349

(231) 689-7252

Plaintiff:  <div style="text-align: center;"> <input type="checkbox"/> Party making request         </div> <hr/> Attorney:
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Defendant:  <div style="text-align: center;"> <input type="checkbox"/> Party making request         </div> <hr/> Attorney:
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This form is designed to provide the rights of parties who request information from their Friend of the Court file. It is designed to cover instances where parties request copies of information within their file, and where parties request to view their file. This form will specify the procedure to be followed by Friend of the Court staff in producing information requested and to outline what information is not to be disclosed. This form is to be used by both Friend of the Court staff and by the requesting party.

Non-confidential information contained within Friend of the Court records should be produced to a requesting party who is a party in the case requested. Non-parties may not be given access to Friend of the Court records. Attorneys may be provided information pursuant to the same guidelines, and only upon verification of their representation (proof that an Appearance was filed) of the party. Types of information that are considered confidential, and therefore will not be provided include the following (MCR 3.218 (A)):

- a. staff notes from investigations, mediations, and settlement conferences;
- b. Family Independence Agency protective services reports;
- c. Formal mediation records;
- d. Communications from minors;
- e. Friend of the Court grievances filed by the opposing party and responses;
- f. A party's address or other information if release is prohibited by a court order;
- g. Any written communications from the other party;
- h. Except as provided in MCR 3.219, any information for which a privilege could be claimed, or that was provided by a governmental agency subject to the express written condition that it remain confidential; and All information classified as confidential by the laws and regulations of title IV, part D of the Social Security Act, 42 USC 651, et seq.

Any other requested records and information will be addressed on a case by case basis by Friend of the Court staff. Any questions, complaints or comments will be dealt with as quickly as possible, as it pertains to the above guidelines. If a party is denied any record or information that has been requested, and they wish to receive further determination or information regarding the classification of the information as confidential, an appointment shall be scheduled with the Deputy Friend of the Court or the Circuit Court Director/Friend of the Court as soon as possible. If a further determination is requested beyond the above procedures, the party who was denied requested information must file a motion with the Court. Information and records determined to be confidential will not be released without a court order.

Whether you wish to obtain copies of records or to review records, you will need an appointment. Custody and parenting time requests will be scheduled with the Dispute Resolution Mediator. Child Support requests will be scheduled with the assigned Enforcement Officer. Copies will not be made or given out until one of the Enforcement Officers above has reviewed and approved the copies to be given. A Friend of the Court staff person shall audit the file in advance of the appointment to ensure that confidential information is not accessible by the client. All copies are charged at \$1.00 per page, which fee is to be paid at the time the information is provided, or in advance if a large volume of copies are being requested. Requests will not be processed or allowed within one year from a previous request.

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Plaintiff:

Party making request

\_\_\_\_\_

Attorney:

Defendant:

Party making request

\_\_\_\_\_

Attorney:

Information requested: \_\_\_\_\_

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Reason for request: \_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_ Party Requesting Friend of the Court records

Friend of the Court use only:

Documents/records copied/viewed: \_\_\_\_\_

\_\_\_\_\_

Friend of the Court staff signature: \_\_\_\_\_

Form last revised: May 4, 2006