SUBSTITUTE FOR

HOUSE BILL NO. 4164

A bill to amend 1961 PA 236, entitled

"Revised judicature act of 1961,"

by amending sections 1985 and 1991 (MCL 600.1985 and 600.1991),
section 1985 as added by 2015 PA 230 and section 1991 as added by
2015 PA 233, and by adding section 1991a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1   Sec. 1985. As used in this chapter:

2   (a) "Authorized court" means a court accepted by the state

3 court administrative office under section 1991 for access to the

4 electronic filing system.

5   (b) "Automated payment" means an electronic payment method

6 authorized by the state court administrative office at the

7 direction of the supreme court, including, but not limited to,

1 payments made with credit and debit cards.

2   (c) "Civil action" means an action that is not a criminal
3 case, a civil infraction action, a proceeding commenced in the
4 probate court under section 3982 of the estates and protected
5 individuals code, ~~1988~~ **1998** PA 386, MCL 700.3982, or a proceeding
6 involving a juvenile under chapter XIIA of the probate code of
7 1939, 1939 PA 288, MCL 712A.1 to 712A.32.

8   (d) "Clerk" means the clerk of the court referenced in the
9 rules of the supreme court and includes the clerk of the supreme
10 court, chief clerk of the court of appeals, county clerk, probate
11 register, district court clerk, **municipal court clerk**, or clerk of
12 the court of claims where the civil action is commenced, as
13 applicable.

14   (e) "Court funding unit" means 1 of the following, as
15 applicable:

16   (*i*) For circuit or probate court, the county.

17   (*ii*) For district court, the district funding unit as that term
18 is defined in section 8104.

19   (*iii*) For the supreme court, court of appeals, or court of
20 claims, the state.

21   (*iv*) **For municipal court, the city in which the municipal court**
22 **is located.**

23   (f) "Electronic filing system" means a system authorized after
24 ~~the effective date of the amendatory act that added this chapter~~
25 **January 1, 2016** by the supreme court for the electronic filing of
26 documents using a portal contracted for by the state court
27 administrative office for the filing of documents in the supreme
28 court, court of appeals, circuit court, probate court, district
29 court, **municipal court**, and court of claims.

1   (g) "Electronic filing system fee" means the fee described in
2   section 1986.
3   (h) "Party" means the person or entity commencing a civil
4   action.
5   (i) "Qualified vendor" means a private vendor selected by the
6   state court administrative office by a competitive bidding process
7   to effectuate the purpose of section 1991(3).
8   Sec. 1991. (1) A court may apply to the supreme court for
9   access to and use of the electronic filing system.
10   (2) If the supreme court accepts a court under subsection (1),
11 the state court administrative office shall use money from the
12 judicial electronic filing fund established under section 176 to
13 pay the costs of technological improvements necessary for that
14 court to operate electronic filing.
15   (3) The supreme court may select a qualified vendor for the
16 electronic filing system.
17   **(4) A court that is not an authorized court must accept the**
18 **filing of documents through email.**
19   **Sec. 1991a. (1) Except as otherwise prohibited by law, by**
20 **January 1, 2023, a court must make available to the public through**
21 **a website the register of actions and a digital image of all**
22 **documents filed after January 1, 2023 in any case in that court.**
23 **Unless a court has previously digitized documents, this section**
24 **does not apply to a court document filed before January 1, 2023.**
25   **(2) The website and information provided under subsection (1)**
26 **must be easily accessible, including, but not limited to, all of**
27 **the following:**
28   **(a) Free of charge.**
29   **(b) Accessible without requiring an individual to register or**

1   establish a user account or password.

2   (c) Accessible without requiring an individual to provide

3   personal identifying information.

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