

Legislative Analysis



MODIFY STORAGE REQUIREMENTS FOR RECORDING OF HEARING INVOLVING MINOR

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Senate Bill 705

Sponsor: Sen. Rick Jones

House Committee: Judiciary

Senate Committee: Judiciary

Complete to 6-4-14

A SUMMARY OF SENATE BILL 705 AS PASSED BY THE SENATE 1-23-14

Under Senate Bill 705, in a case involving a minor in which a record of the hearing is kept by a recording device, the recording of the hearing would be maintained as prescribed by rules of the Michigan Supreme Court.

Currently, Section 17a of Chapter XIA of the Probate Code (Jurisdiction, Procedure, and Disposition Involving Minors) requires the tape of the hearing to be stored "as a permanent record of the court." However, Public Act 199 of 2013 amended the Revised Judicature Act to require the State Court Administrative Office to establish and maintain records management policies and procedures for the courts, including a records retention and disposal schedule, in accordance with Michigan Supreme Court rules.

The bill also makes a technical clarifying amendment. Section 17a specifies that in a case in which a record of the hearing is kept by a recording device, "no transcription need be made" of the hearing in the absence of a request by an interested party. This provision would be rewritten to say that "a transcription of the hearing need not be made" in the absence of a request by an interested party.

MCL 712A.17a

FISCAL IMPACT:

The bill would not appear to have a fiscal impact on state or local government.

Legislative Analyst: Susan Stutzky

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