

HOUSE BILL NO. 4164

February 04, 2021, Introduced by Reps. Berman, Breen and Steven Johnson and referred to the Committee on Oversight.

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

1 electronic filing system.

2 (b) "Automated payment" means an electronic payment method
3 authorized by the state court administrative office at the
4 direction of the supreme court, including, but not limited to,
5 payments made with credit and debit cards.

6 (c) "Civil action" means an action that is not a criminal
7 case, a civil infraction action, a proceeding commenced in the
8 probate court under section 3982 of the estates and protected
9 individuals code, ~~1988~~**1998** PA 386, MCL 700.3982, or a proceeding
10 involving a juvenile under chapter XIIA of the probate code of
11 1939, 1939 PA 288, MCL 712A.1 to 712A.32.

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

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

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

21 (ii) For district court, the district funding unit as that term
22 is defined in section 8104.

23 (iii) For the supreme court, court of appeals, or court of
24 claims, the state.

25 (iv) **For municipal court, the city in which the municipal court**
26 **is located.**

27 (f) "Electronic filing system" means a system authorized after
28 ~~the effective date of the amendatory act that added this chapter~~
29 **January 1, 2016** by the supreme court for the electronic filing of

1 documents using a portal contracted for by the state court
2 administrative office for the filing of documents in the supreme
3 court, court of appeals, circuit court, probate court, district
4 court, **municipal court**, and court of claims.

5 (g) "Electronic filing system fee" means the fee described in
6 section 1986.

7 (h) "Party" means the person or entity commencing a civil
8 action.

9 (i) "Qualified vendor" means a private vendor selected by the
10 state court administrative office by a competitive bidding process
11 to effectuate the purpose of section 1991(3).

12 Sec. 1991. (1) A court may apply to the supreme court for
13 access to and use of the electronic filing system.

14 (2) If the supreme court accepts a court under subsection (1),
15 the state court administrative office shall use money from the
16 judicial electronic filing fund established under section 176 to
17 pay the costs of technological improvements necessary for that
18 court to operate electronic filing.

19 (3) The supreme court may select a qualified vendor for the
20 electronic filing system.

21 (4) **A court that is not an authorized court must accept the**
22 **filing of documents through electronic mail if the court accepts**
23 **the filing of documents through facsimile.**

24 **Sec. 1991a. Except as otherwise prohibited by law, a court**
25 **must allow an attorney to access, through a website, the register**
26 **of actions and a digital image of all documents filed in any case**
27 **in that court. A court or a court funding unit must not charge a**
28 **fee for access to the website under this section.**