



SCAO UPDATES & RECORDS RETENTION

MPJRA CONFERENCE

05/15/2026

Erica Clark

Court Analyst,
SCAO Field Services

Jeff Johnson

Court Analyst,
SCAO Juvenile Justice Services

Alexandra Sommer

Court Analyst,
SCAO Juvenile Justice Services

AGENDA

Court Rule Updates

Legislative Updates

Forms

Noteworthy Cases

Records Retention & Destruction





COURT RULE UPDATES

JUVENILE COURT RULE UPDATES – ENACTED / SCHEDULED FOR HEARING

2023-23 – [Amendment Of MCR 3.942](#)

- Issued: 03/25/2026
- Effective: 05/01/2026
- Requires the court, in delinquency proceeding bench trials, to make findings of fact and conclusions of law and allow for the equivalent of a directed verdict.

2022-34 – [Proposed Amendment Of MCR 3.992](#)

- Issued: 10/01/2025
- Comment Period Expired: 02/01/2026
- Scheduled for Administrative Hearing: 05/20/2026
- Would require courts to consider a motion for postjudgment relief when the underlying order was entered follow a referee's recommendation and before the time for filing judicial review under 3.991 has elapsed.

2019-40 – [Proposed Adoption of AO 2026-X, Proposed Recission of AO 2012-7, and Proposed Amendments of MCR 2.407 and 8.110](#)

- Issued: 12/26/2025
- Comment Period Expired: 04/01/2026
- Scheduled for Administrative Hearing: 05/20/2026
- Would clarify when, from where, and how a judicial officer (including referees) may participate remotely in proceedings.

JUVENILE COURT RULE UPDATES – PROPOSED

2024-04 – [Proposed Amendment Of MCR 3.981](#)

- Issued: 03/04/2026
- Comment Period Expired: 07/01/2026
- Would require courts to advise minor PPO respondents of their right to appeal following the issuance of an order that is appealable by right, and would clarify that appointment of appellate counsel in these cases is controlled by MCR 3.993(D)(5)

2023-23 – [Proposed Amendment of MCR 3.972](#)

- Issued: 03/25/2026
- Comment Period Expires: 07/01/2026
- Would require the court, in child protective proceeding bench trials, to make findings of fact and conclusions of law and allow for the equivalent of an involuntary dismissal.

PROBATE COURT RULE UPDATES

- 2022-31 – [Amendment of MCR 2.106](#)
 - ❑ Effective: May 1, 2026
 - ❑ The Amendment of MCR 2.106 updates the definition of “Newspaper” for Notice by Publication. See also MCL 691.1051.

- 2025-04 – [Amendment of MCR 3.613 - Change of Name](#)
 - ❑ Effective: January 1, 2026
 - ❑ The Amendment of MCR 3.613 realigns the rule with recent amendments of MCL 711.1 and MCL 711.3 regarding name change proceedings.



LEGISLATIVE UPDATES

JUVENILE – HOUSE BILLS - UPDATES

HB 4018 – Transportation with Adults

- Introduced: 01/22/2025
- Amends the Juvenile Code to allow for a juvenile to be transported with an adult, in certain circumstances, when taken into custody at the same time.
- No movement since 03/13/2025

HB 4070 – MIDC Fund

- Introduced: 02/12/2025
- Amends Michigan Indigent Defense Commission Act to include representation for juveniles.
- No movement since 03/12/2025

HB 4174 – Self-incriminating Juvenile Statements

- Introduced: 03/06/2025
- Amends the Juvenile Code that any self-incriminating statements made by juveniles during deceptive police practices are involuntary and inadmissible.
- No movement since 03/11/2025

HB 4396 – Diversion Information Sharing with Researchers

- Introduced: 04/29/2025
- Amends Diversion Act to allow a researcher to submit a request for a juvenile diversion record.
- Passed House 06/25/2025 and introduced in Senate where it has had no movement.

HB 4530 – Mental Health records release for Abuse/Neglect Investigations

- Introduced: 06/03/2025
- Amends MCL 330.1748a by providing a deadline for Mental Health providers to release records pertinent to child abuse or neglect investigations within 7 days.
- Tie Bar with HB 4531
- Passed House 02/18/2026 and moved to Senate where it has had no movement

HB 4531 – Mandated Reporter Continuing Education

- Introduced: 06/03/2025
- Amends MCL 722.629 by requiring mandated reporters training developed by MDHHS in recognizing child abuse and neglect once every 3 years.
- Tie Bar with HB 4530
- No movement since it was introduced

HB 4750 – Foster Care Youth Benefits

- Introduced: 07/29/2025
- Amends MCL 722.968f by requiring MDHHS to screen any child in foster care for potential eligibility benefits and rescreen yearly.
- Passed House 09/17/2025 and moved to Senate where it has had no movement

HB 4844 – Jurisdiction Involving Minors

- Introduced: 09/04/2025
- Amends MCL 712A.2 by adding that the court can take jurisdiction over a juvenile whose parent or legal custodian has lost or given up custody and a petition is filed to terminate parental rights.
- No movement since introduction

JUVENILE – HOUSE BILLS - UPDATES

HB 5011 – Expunction of Crimes

- Introduced: 09/18/2025
- Amends MCL 712A.18e by expanding juvenile criminal procedure to include expunction of crimes resulting from being a victim of human trafficking.
- No movement since introduction

HB 5012 – Safe Harbor Protections for Minor Sex or Labor Trafficking Victims

- Introduced: 09/18/2025
- Amends MCL 750.451 by modifying certain requirements for safe harbor protections for minors who are the victims of sex and labor trafficking.
- No movement since introduction

HB 5015, 5017, 5018, 5019, 5024, 5026

- Introduced: 09/18/2025
- Modifies the various applicable acts regarding references to prostitute and prostitution, changing to “commercial sexual activity” or “child sexually abusive activity” where applicable.
- 5015: Youth Rehabilitation Services Act
- 5017: DNA Identification Profiling System Act
- 5018: Juvenile Code
- 5019: Juvenile Facilities Act
- 5024: Child Protection Law
- 5026: Sex Offender Registration Act
- Tie Barred with each other
- No movement since introduction

JUVENILE – HOUSE BILLS - INTRODUCED

[HB 5163 – Exceptions to the definition of child neglect](#)

- Introduced 10/29/2025
- Amends MCL 722.622 to provide an exception to the definition of child neglect to not include by refusing a recommended treatment plan, unless it would result in imminent harm to the child's health and welfare
- No movement since introduction

[HB 5220 – Continuing Education for Mandated Reporters](#)

- Introduced 11/05/2025
- Amends MCL 722.623b to require a mandated reported of child abuse and neglect to complete the MDHHS training for mandated reporters every 3 years.
- Passed House 02/18/2026 where it moved to Senate and has had no movement

[HB 5514 – Prohibition of Certain Restraints in Transportation](#)

- Introduced 02/05/2026
- Creates new act (the Preventing Restraints in Youth Transport Act) that would prohibit youth transportation companies from using visual impairment, mechanical restraints or physical restraints during transport to certain QRTP's.
- Passed House 04/28/2026

[HB 5445 – Modification of Family Division Judgeships](#)

- Introduced 12/23/2025
- Amends MCL 600.1003 et seq. by creating permanent Family Division of the Circuit Court Judgeships designations tied to that seat.
- No movement since introduction

[HB 5723 – Establish Child Care Provider Advisory Council](#)

- Introduced 03/17/2026
- Amends MCL 722.111-722.128 by creating a Child Care Provider Advisory Council to review proposed contracts, renewals, material amendments to current/existing child caring institutions or child placing agencies, and review department-issued RFP's and NOFO's
- No movement since introduction

[HB 5724 – Observation of Treatment Plans](#)

- Introduced 03/17/2026
- Adds MCL 712A.18u by requiring that if a court-ordered treatment plan includes referring a child to placement in a residential treatment program, the department shall ensure the child is placed no more than 14 days after the referral.
- No movement since introduction

PROBATE – HOUSE BILLS - INTRODUCED

HB 5739 - Mandating Conservator Bond

- Introduced: 3/18/2026
- Amends MCL 700.5410 & 700.5423 to modify powers and duties of guardians and conservators, require bond.
- 4/28/2026 – Passed vote - Referred to Rules Committee.

HB 5740 - Fiduciary Requirements Upon Discovery of Assets

- Introduced: 3/18/2026
- Amends MCL 700.5106, 5314 & 5319 to add requirements for guardians and conservators upon discovery of certain assets.
- 4/28/2026 – Passed Vote - Referred to Rules Committee.

HB 5404 – Priority of Appointment and Requirements

- Introduced: 12/18/2025
- Amends MCL 700.5104, 5106, 5313 & 5409 which adds requirements prior to appointment and amends the priority of appointment.
- No movement since introduction.

HB 5701 - Electronic Signatures for Wills

- Introduced: 3/10/2026
- Amends MCL 700.2502 to provide for the electronic signing of a will.
- No movement since introduction.

JUVENILE – SENATE BILLS - UPDATES

[SB 24 – Juvenile Diversion Information Sharing with Researchers](#)

- Introduced: 01/23/2025
- Amends the Diversion Act to allow a researcher to submit a request for a juvenile diversion record.
- Passed Senate 03/05/2025 and introduced in the House, no movement since.

[SB 81 – MIDC Fund](#)

- Introduced: 02/12/2025
- Amends the Michigan Indigent Defense Commission Act to include representation for juveniles within the jurisdiction of the court.
- Passed Senate 03/18/2025 and introduced in the House, no movement since.

[SB 218 – Reinstatement Of Parental Rights](#)

- Introduced: 04/17/2025
- Amends the Juvenile Code to allow for the petition of and reinstatement of parental rights after 3 years for a youth over the age of 14 where adoption and guardianship are no longer the permanency goal.
- No movement since introduction.

[SB 522 – Grounds For Termination](#)

- Introduced: 09/04/2025
- Amends MCL 712A.19b by adding human trafficking as a form of abuse for grounds to which parental rights can be terminated.
- No movement since introduction.

[SB 523 – Authority over Human Trafficking Violations](#)

- Introduced: 09/04/2025
- Amends MCL 722.638 by expanding the child protection law to include human trafficking as grounds to submit a petition to have authority and jurisdiction over a juvenile.
- No movement since introduction.

JUVENILE – SENATE BILLS - INTRODUCED

SB 605 – Availability of Confidential Records

- Introduced: 10/09/2025
- Amends MCL 722.627 by adding to the list of approved individuals who may receive confidential child welfare documentation: An individual who is a state legislature at the time of the request; A member of the media
- No movement since introduction.

SB 626 – Modification to the Central Registry

- Introduced: 10/23/2025
- Amends MCL 722.622 by adding manslaughter, the death of a child, and sexual abuse to the definition of “confirmed serious abuse or neglect.” Would require MDHHS to notify individuals named as perpetrators of child abuse or neglect instead of the current requirement to notify individuals named as perpetrators of *confirmed* child abuse or neglect.
- Substitute S-1 passed Senate 04/21/2026

SB 735 – Definition of Child Neglect

- Introduced: 12/10/2025
- Amends MCL 722.622 by specifying the definition of child neglect would not include instances in which a child endangered themselves in independent activities outside of parent supervision, such as traveling to/from school or nearby location, playing outdoors, or remaining at home for a reasonable period of time.
- Substitute S-1 reported favorably on 03/25/2026

SB 831 – Parental Consent for Minor Informants

- Introduced: 03/11/2026
- Creates new act to regulate the use of minors as law enforcement participants and informants which includes written consent of a parent or legal guardian.

SB 885 – Indigent Defense Parent and Child Legal Representation Commission

- Introduced: 03/25/2026
- Creates new act to create a parent and child legal representation commission and office of parent and child legal representation, which also prescribes the commission’s and office’s powers and duties.

PROBATE – SENATE BILLS

[SB 585 – Appraisal Requirements for Sale of Real Property](#)

- Introduced: 9/25/2025
- Amends MCL 700.5423 to require appraisals prior to court hearing on sale of real property.
- 12/18/2025 – Referred to Committee on Judiciary.

[SB 586 - Relocation of Ward Requirements](#)

- Introduced: 9/25/2025
- Amends MCL 700.5306 and MCL 700.5314 to require court approval prior to relocating a ward. Court must place on record why relocation is in the best interest of the ward.
- 12/18/20285 – Referred to Committee on Judiciary.

A photograph of a shipping yard. In the foreground, there are several tall stacks of intermodal containers in various colors including blue, red, orange, and teal. A red forklift is positioned in the middle ground, facing right. The background shows more stacks of containers and a clear blue sky with some light clouds. A red banner with white text is overlaid across the center of the image.

COURT FORMS UPDATES

JUVENILE COURT FORMS UPDATES

JC 14a – [Order of Disposition, In-Home, Delinquency Proceedings](#)

- Revised to address amendments to MCR 3.942, effective 05/01/2026. New version may be used starting 05/01/2026 and must be used starting 08/02/2026.

JC 14b – [Order of Disposition, Out-of-Home, Delinquency Proceedings](#)

- Revised to address amendments to MCR 3.942, effective 05/01/2026. New version may be used starting 05/01/2026 and must be used starting 08/02/2026.

JC 59 – [Order of Adjudication, Delinquency Proceedings](#)

- Revised to address amendments to MCR 3.942, effective 05/01/2026. New version may be used starting 05/01/2026 and must be used starting 08/02/2026.

[Michigan Trial Court Records Management Standards – Case Type Codes](#) (rev. 09/25)

- Addition of **RS** – Assisted Reproduction and Surrogacy Parentage Act case code for proceedings to determine parentage under the Assisted Reproduction and Surrogacy Parentage Act.
- Family Division – Miscellaneous Proceedings*

PROBATE COURT FORMS UPDATES

- **PC 637** [Order Following Review of Guardianship](#)
- **PC 599** [Memorandum of Administrative Closing](#)
- **PCM 201** [Petition for Mental Health Treatment](#)
- **PCM 214** [Initial Order After Hearing on Petition For Mental Health Treatment](#)
- **PCM 219** [Second Order for Mental Health Treatment](#)
- **PCM 219a** [Continuing Order for Mental Health Treatment](#)
- **MC 20** [Fee Waiver Request](#)
- **MC 100** [Request for Exemption From Use of MIFILE and Order](#)
- **PC 50** [Publication of Notice Of Hearing Regarding Petition for Name Change](#)
- **PC 50d - *NEW FORM*** [Publication of Notice of Proceeding for Name Change](#)
- **PC 52 -** [Order Following Hearing Regarding Petition for Name Change](#)
- **PC 161 -** [Order Regarding Ex Parte Request for Nonpublication and Confidential Record](#)
- **PC 163 -** [Order After Hearing Regarding Denial of Ex Parte Request for Nonpublication and Confidential Record](#)



NOTEWORTHY COURT CASES

COURT CASES - JUVENILE

Termination of Parental Rights – Best Interests

COA [#376583](#) – In re L.L. Gentry, Minor

- ☐ Published, 03/18/2026
- ☐ Affirmed TC's best-interest determination
- ☐ [Dissent](#) would vacate TC's best interest determination and remand for further consideration of best interests in light of relative placement

Termination of Parental Rights – Indian Tribe Membership & Physical Injury or Abuse

COA [#371631](#) – In re L.A. Ledee, Minor

- ☐ Affirmed TC's order terminating rights
- ☐ Published, 03/23/2026
- ☐ ICWA does not apply when Indian Tribe is not recognized as eligible for services provided to Indians by the Secretary of the Interior.

Termination of Parental Rights – Reasonable Efforts Toward Reunification and Aggravated Circumstances

COA [#374775/6](#) – In re Berryman/Hurd/Morgan/Morgan-Hurd, Minors and In re: M.K. Berryman, Minor

- ☐ Published, 03/23/2026
- ☐ Vacate TC's termination order and remand for further proceedings
- ☐ Termination at initial disposition not warranted as statutory exceptions were not found to exist

Honorable Mention:

COA [#372619](#), In re EAM, Minor and #375359, IME v MNIM, and Prospective Adoptive Parents

- ☐ Appeals concerns a direct placement adoption of the child of two minors and a paternity action.

PROBATE CASES: PUBLISHED

Adult Guardianship & Conservatorship:

- Published: 10/24/2025
- Clear and convincing evidence/ Insufficient evidence / MCL 700.5306(1)/ MCL 700.5406(7)
- ([COA #373743 IN RE GUARDIANSHIP OF GM](#))

Minor Guardianship:

- Published: 10/17/2025
- Special Immigrant Juvenile Status/Interpreter Request/ Temporary Guardianship vs. Full Guardianship
- ([COA # 375449 IN RE GUARDIANSHIP OF DARL](#))

PROBATE CASES: PUBLISHED

- **Trust Matter:**

- Published: 3/10/2026
- Attorney Fees and Costs / MCL 700.7904(1)
- ([COA #372846 IN RE ROBERT W. ASHCRAFT TRUST](#))

- **Decedents Estate:**

- Published: 4/27/2026
- Items devised in a will/ General Devise vs. Specific Devise
- ([COA # 368054 IN RE ESTATE OF NEAL D. NIELSEN](#))

- **Conservatorship Minor(s):**

- Published: 10/17/2025
- Guardian Ad Litem Report – MCR 5.121(D)(2)(a)
- ([COA # 371518/COA # 371519/COA #371523 IN RE CONSERVATORSHIP\(S\) OF GT, DT AND JT MINOR\(S\)](#))

The background of the slide is an abstract, marbled pattern. It features swirling, organic shapes in various shades of teal, turquoise, and light blue, interspersed with darker, more saturated red and purple tones. The overall effect is reminiscent of liquid paint or ink being mixed together, creating a complex, textured visual.

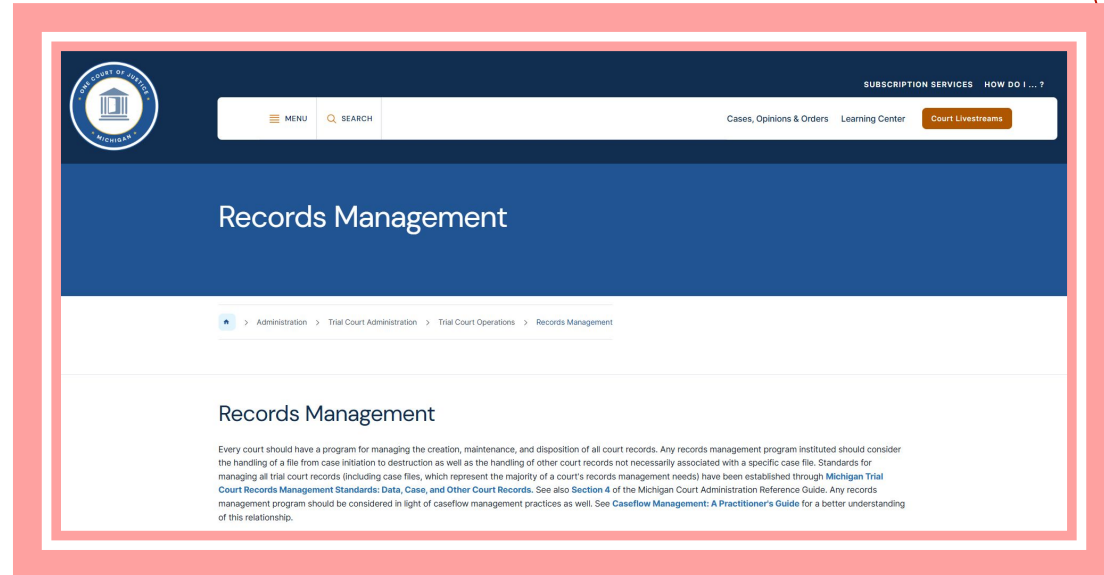
RECORDS RETENTION

RETENTION SCHEDULE AND ORDERS

To locate the official record retention schedules, go to the [Records Management](#) portion of the One Court of Justice website.

This page includes all retention-related resources.

At the top of the page, you will see templates, training materials, and summary documents. Scroll to the bottom of the page to access the complete retention schedules and related orders, which should be used when determining retention and destruction.



PROCESS FOR DESTRUCTION OF FILES

Phase 1:

Identifying
Records for
Destruction

Phase 2:

Determine
Resource
Needs

Phase 3:

Process
Records for
Disposal

Phase 4:

Destruction

Phase 5:

Transfer

CIRCUIT COURT: JUVENILE (GENERAL SCHEDULE #15)

ADOPTION RECORDS

Adoption: Indices, Register of Actions, and Case Files (#15.008)

- ✓ Retain until date filed +100 years; then destroy
- ✓ These records do not include releases of parental rights under the adoption code and adoption-related documents where no underlying adoption cases exist

SAFE DELIVERY (NB)

Safe Delivery of Newborn Indices, Register of Actions, and Case Files (#15.020)

- ✓ Retain until child becomes age 18, +2 years; then destroy
- ✓ Only applies to NB case prior to becoming an adoption case, AG case files fall under Adoption Records schedule

CHILD PROTECTIVE PROCEEDINGS (NA)

Child Protective Records: Petitions Not Authorized (#15.009)

- ✓ Retain until court's denial to authorize petition, +2 years; then destroy

Child Protective Indices, ROA, and Legal Case Files – Petitions Authorized (#15.010A)

- ✓ Retain until 1) jurisdiction over the last child is terminated and the last child in the case is 21 years of age, or 2) if the case is otherwise closed when the last child in the case is 21 years of age; then destroy

Child Protective Financial Register of Actions (#15.010B)

- ✓ Retain until reimbursement is paid in full or waived by the court, whichever is earliest; then destroy

Child Protective Postjudgment Documents Filed After Destruction of Child Protective Case Files (#15.010C)

- ✓ Retain until disposition date, +1 year; then destroy

Child Protective Social Files (confidential) (#15.010D)

- ✓ Retain until 1) an order terminating jurisdiction over the last child is entered or the petition is dismissed, or in the alternative 2) per item #15.010A (legal files); then destroy

CIRCUIT COURT: JUVENILE (GENERAL SCHEDULE #15)

JUVENILE GUARDIANSHIP

Juvenile Guardianship: Indices, Register of Actions, and Case File (#15.016A)

- ✓ Retain until 21 years from the of the order appointing a juvenile guardian, or until the juvenile becomes age 21, whichever is earlier; then destroy

Juvenile Guardianship: Order of Appointment (#15.016B)

- ✓ Retain until order date, +50 years; then destroy

YOUNG ADULT VOLUNTARY FOSTER CARE (YAVAC)

Young Adult Voluntary Foster Care Indices, Register of Actions, and Case Files (#15.022)

- ✓ Retain until date filed, +6 years; then destroy

JUVENILE (TRAFFIC)

Juvenile Traffic and Local Ordinance Indices and Register of Actions – Uniform Law Citations (#15.017A)

- ✓ Retain until case is satisfied, until 10 years after the date of filing is satisfied, or the case is unsatisfied, on the date license suspension is purged from the Secretary of State, unless the curt re-suspends; then destroy

Juvenile Traffic and Local Ordinance Uniform Law Citations and Related Files (#15.017B)

- ✓ Retain until paid, dismissed, waived, or purged from the Secretary of State (MCL 257.321a), +3 years; then destroy

CIRCUIT COURT: JUVENILE (GENERAL SCHEDULE #15)

JUVENILE DELINQUENCY (DL)

Juvenile Delinquency Records: Indices, Register of Actions, and Case File – Denied or Referred for Services (#15.014A)

- ✓ Retain until juvenile becomes age 21, +2 years; then destroy

Juvenile Delinquency: Indices and Register of Actions (includes consent Calendar) – Pre 1988 (#15.015A1)

- ✓ Can Destroy now

Juvenile Delinquency: Indices and Register of Actions (includes Consent Calendar) – Post 1987 (#15.015A2)

- ✓ Retain until juvenile becomes age 21, +100 years; then destroy

Juvenile Delinquency Financial Register of Action (includes Consent Calendar) (#15.015B)

- ✓ Retain until court-ordered financial obligations are paid in full or waived by the court, whichever is earliest; then destroy

Juvenile Delinquency Order of Adjudication – Post 1987 (#15.015C)

- ✓ Retain until juvenile becomes age 21, +75 years; then destroy

JUVENILE DELINQUENCY (DL) DIVERTED & CONSENT CALENDAR

Juvenile Delinquency Records Indices, Register of Actions, and Case Files – Diverted (#15.014B)

- ✓ Retain until juvenile becomes age 18, plus no more than 28 days; then destroy

Juvenile Delinquency Legal and Social Case Files – Consent Calendar and Authorized Petitions – Pre 1988 (#15.015D1)

- ✓ Can Destroy now

Juvenile Delinquency legal and Social Case Files – Consent Calendar and Authorized Petitions – Post 1987 (#15.015D2)

- ✓ Retain until juvenile becomes age 21; then destroy

Juvenile Delinquency Postjudgment Documents Filed After Destruction of Case Files (#15.015E)

- ✓ Retain until date of postjudgment filing or order, whichever is later, +1 year; then destroy

CIRCUIT COURT: JUVENILE

(GENERAL SCHEDULE #15)

DESIGNATED JUVENILE (DJ)

Designated Juvenile: Indices and Register of Actions (#15.011A)

- ✓ Retain until disposition date, +100 Years; then transfer to Archives

Designated Juvenile Financial Register of Actions (#15.011B)

- ✓ Retain until court-ordered financial obligations are paid in full or waived by the court, whichever is earliest; then destroy

Designated Juvenile Case Final Judgement/Orders (#15.011C)

- ✓ Retain until order dated, +100 years; then transfer to Archives

Designated Juvenile Legal Case Files (#15.011D)

- ✓ Retain until adjudication or conviction (disposition) date, +30 years, then destroy

Designated Juvenile Postjudgment Documents Filed After Destruction of Designated Case Files (#15.011E)

- ✓ Retain until date of postjudgment filing or order, whichever is later, +1 year; then destroy

Designated Juvenile Social Files (#15.011F)

- ✓ Retain until juvenile becomes 21; then destroy

PROBATION FILES

Juvenile Delinquency, Designated Juvenile, Juvenile Traffic, Juvenile Local Ordinance: Probation Files (#15.103)

(Does Not Include Consent Calendar)

- ✓ Retain until juvenile becomes 21; then destroy

PROBATE COURT - SUMMARY

(GENERAL SCHEDULE #14)

Type of Record	Old Retention Schedule	New Retention Schedule
Estates and Trusts: Indices, ROA, and Case Files	Permanent; may transfer to Archives when over 50 years old.	Retain until date closed + 50 years; then offer to Archives and destroy if not accepted. Item #: 14.001
Statutory Demands/Requests for Notice	Creation + 6 years; Destroy.	Retain until date filed + 3 years; then destroy. Item #: 14.009
Wills Delivered After Death of Testator	Permanent; may transfer to Archives when over 50 years old.	Retain until date filed + 100 years; then offer to Archives and destroy if not accepted. Item #: 14.010
Wills Filed For Safekeeping and Receipts of Return of Will to Testator	Permanent; may transfer to Archives when over 50 years old Probate Court Receipt of Return of Will to Testator: Permanent.	Retain until date filed + 100 years; then retain in accordance with Wills Delivered After Death of Testator (offer to Archives and destroy if not accepted). Item #: 14.102

PROBATE COURT - SUMMARY

(GENERAL SCHEDULE #14)

Type of Record	Old Retention Schedule	New Retention Schedule
Conservatorship, Protective Orders, and Guardianship: Indices and ROA	Permanent.	Retain until date closed + 30 years; then offer to Archives and destroy if not accepted. Item #: 14.002
Conservatorship, Protective Orders, and Guardianship: Case Files	Permanent.	Retain until date closed (the case is closed when the guardianship is terminated, the ward dies, the minor reaches age 18, or the case is otherwise closed pursuant to statute or court rule, whichever occurs first) + 30 years; then destroy. Item #: 14.006
Mental Health Code Proceedings: Indices and ROA	Permanent.	Retain until date of latest disposition + 10 years; then offer to Archives and destroy if not accepted. Item #: 14.003
Mental Health Code Proceedings: Case Files	Permanent.	Retain until date of latest disposition + 10 years; then destroy. Item #: 14.007

PROBATE COURT

(GENERAL SCHEDULE #14)

Type of Record	Old Retention Schedule	New Retention Schedule
Delayed Registration of Birth (State and Foreign): Indices and ROA	Permanent; transfer to Archives.	Retain until order is entered + 100 years; then offer to Archives and destroy if not accepted. Item #: 14.004
Delayed Registration of Birth (State and Foreign): Case Files	Active + 25 years; transfer to Archives.	Retain until order is entered + 100 years; then destroy. Item #: 14.008
Miscellaneous Proceedings: Indices, ROA, and Case Files	ROA and Indices: Permanent; may transfer to Archives when over 50 years old. Miscellaneous Proceedings Files: Active + 25 years; destroy. Probate Court Inventory of Safe Deposit Box: Creation + 1 year; destroy. Condemnation Proceedings Files: Permanent; may transfer to Archives when over 50 years old.	Retain until date of latest dispositive order + 10 years; then offer to Archives and destroy if not accepted. Item #: 14.005

PROBATE COURT - SUMMARY

(GENERAL SCHEDULE #14)

Type of Record	Old Retention Schedule	New Retention Schedule
Civil: Indices and ROA	Permanent.	Retain until date filed + 30 years; then transfer to Archives; if case files are not accepted by Archives, then retain 100 years. Item #: 14.011
Civil: Case Files	Active + 25 years; destroy.	Retain until date filed + 30 years; then offer to Archives and destroy if not accepted. Item #: 14.012
Civil: Post-Judgment Filings	X	Retain until date of post-judgment filing or order, whichever is later + 1 year; then destroy. Item #: 14.013
Marriage Records Log	Creation + 6 years; destroy.	Retain until date filed + 6 years; then destroy. Item #: 14.313
Secret Marriage Files	Permanent.	Retain until date filed + 100 years; then destroy. Item #: 14.314

PROBATE RETENTION SCHEDULE - INFORMATION

- Retention schedules are recommended by SCAO. While destruction of records is not mandated it is strongly encouraged.
- [SCAO 72](#) form must be used when destroying records.
- [Probate Retention Schedule - Summary](#)
- [Probate Court Record Retention and Disposal Schedule #14 - Full](#)
- [Records Management Site](#)
- [Probate Records FAQ](#)

THANK YOU

Erica Clark
Probate Court Analyst
ClarkeE@courts.mi.gov

Jeff Johnson
JJS Court Analyst
JohnsonJ@courts.mi.gov

Alexandra Sommer
JJS Court Analyst
SommerA@courts.mi.gov

