

STATE OF MICHIGAN
RETENTION AND DISPOSAL SCHEDULE
GENERAL SCHEDULE #14 - PROBATE COURTS

Item #	Series Title	Series Description	Retention Period	Approval Date
14.000 - CASE RECORDS - MCR 8.119(D)				
14.001 -	Estate and Trust Indices, Register of Actions, and Case Files	These records include the estate and trust case history created as described in MCR 8.119(D)(1)(a) and related case files created as described in MCR 8.119(D)(1)(b). Note: These records must be offered to the Archives of Michigan before they can be destroyed.	RETAIN UNTIL: Date closed PLUS: 50 years THEN: Offer to Archives of Michigan and destroy if not accepted	8/1/2017
14.002 -	Conservatorship, Protective Orders, and Guardianship Indices and Register of Actions	These records include the conservatorship, protective order, and guardianship case history created as described in MCR 8.119(D)(1)(a). Note: These records must be offered to the Archives of Michigan before they can be destroyed.	RETAIN UNTIL: Date closed PLUS: 30 years THEN: Offer to Archives of Michigan and destroy if not accepted	8/1/2017
14.003 -	Mental Health Code Proceedings Indices and Register of Actions	These records include the mental health code proceedings case history created as described in MCR 8.119(D)(1)(a). Note: These records must be offered to the Archives of Michigan before they can be destroyed.	RETAIN UNTIL: Date of latest disposition PLUS: 10 years THEN: Offer to Archives of Michigan and destroy if not accepted	8/1/2017
14.004 -	Delayed Registration of Birth (State and Foreign) Indices and Register of Actions	These records include the delayed registration of birth (state and foreign) case history created as described in MCR 8.119(D)(1)(a). Note: These records must be offered to the Archives of Michigan before they can be destroyed.	RETAIN UNTIL: Order is entered PLUS: 100 years THEN: Offer to Archives of Michigan and destroy if not accepted	8/1/2017
14.005 -	Miscellaneous Proceedings Indices, Register of Actions, and Case Files	These records include the miscellaneous proceedings case history created as described in MCR 8.119(D)(1)(a).	RETAIN UNTIL: Date of latest dispositive order PLUS: 10 years THEN: Destroy	8/14/2018
14.006 -	Conservatorship, Protective Orders, and Guardianship Case Files	These records include all case files created as described in MCR 8.119(D)(1)(b) for conservatorships of adults and minors; protective orders; and guardianships of developmentally disabled persons, legally incapacitated individuals, and minors.	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.) PLUS: 30 years THEN: Destroy	8/1/2017
14.007 -	Mental Health Code Proceedings Case Files	These records include all case files created as described in MCR 8.119(D)(1)(b) for mental health code proceedings.	RETAIN UNTIL: Date of latest disposition PLUS: 10 years THEN: Destroy	8/1/2017
14.008 -	Delayed Registration of Birth (State and Foreign) Case Files	These records include all case files created as described in MCR 8.119(D)(1)(b) for petitions and orders on denial of application for delayed registration of birth and motions and orders for delayed registration of foreign birth.	RETAIN UNTIL: Order is entered PLUS: 100 years THEN: Destroy	8/1/2017
14.009 -	Statutory Demands/Requests for Notice	These records include demands for notice under MCL 700.3205 and requests for notice under MCL 700.5104 that are not subsequently placed in an estate case file or a guardianship file.	RETAIN UNTIL: Date filed PLUS: 3 years THEN: Destroy	8/1/2017

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14.010 -	Wills Delivered After Death of Testator	These records include wills delivered to the probate court after the death of a testator. Note: Wills delivered after death of testator that are not placed in an estate file must be offered to the Archives of Michigan at the end of the retention period before they can be destroyed.	RETAIN UNTIL: Date filed PLUS: 100 years THEN: Offer to Archives of Michigan and destroy if not accepted	8/1/2017
14.011 -	Civil Indices and Register of Actions	These records include the civil case history created as described in MCR 8.119(D)(1)(a). Note: If the Archives of Michigan does not accept case files (record series 14.012), the case history must be retained by the court for 100 years.	RETAIN UNTIL: Date filed PLUS: 30 years THEN: Transfer to the Archives of Michigan If case files not accepted by Archives of Michigan, then retain 100 years	8/1/2017
14.012 -	Civil Case Files	These records include all case files created as described in MCR 8.119(D)(1)(b) for civil cases. It does not include the documents in records series 14.011. Note: These records must be offered to the Archives of Michigan before they can be destroyed. If the Archives of Michigan does not accept case files, the case history must be retained by the court for 100 years.	RETAIN UNTIL: Date filed PLUS: 30 years THEN: Offer to Archives of Michigan and destroy if not accepted	8/1/2017
14.013 -	Civil Post-judgment Filings	These records include all postjudgment civil documents filed or created for purposes of postjudgment collection efforts, including requests, orders, proofs of service, and other similar documents relevant to garnishment, seizure of property, and lien. After entry of case history information as described in MCR 8.119(D)(1)(a), some of these documents can be stored in batches separately from the case files for ease of destruction.	RETAIN UNTIL: Date of postjudgment filing or order, whichever is later PLUS: 1 year THEN: Destroy	8/1/2017
14.100 - OTHER CASE RECORDS (CONFIDENTIAL) - MCR 8.119(E)				
14.101 -	Case Evaluations	These records are maintained separately from case files and include case evaluations, acceptances, rejections, and awards. The retention period is based on the statute of limitations for a contract, which is 6 years. MCR 2.403(N)(4).	RETAIN UNTIL: Evaluation is completed PLUS: 6 years THEN: Destroy	8/1/2017
14.102 -	Wills Filed for Safekeeping and Receipts of Return of Will to Testator	These records include all wills filed with the probate court for safekeeping under MCL 700.2515. MCR 5.133, MCR 8.302. Note: If a will filed for safekeeping remains unsealed at the end of this retention period, it shall be opened and offered to the Archives of Michigan.	RETAIN UNTIL: Date filed PLUS: 100 years THEN: Offer to the Archives of Michigan and destroy if not accepted	8/14/2018
14.200 - COURT RECORDING RECORDS - MCR 8.119(F)				
14.201A1 -	Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs - All Cases Except Admission of Person Found Not Guilty by Reason of Insanity	Recordings of all probate cases except for admission of person found guilty by reason of insanity. Includes jury seating charts. Note: Jury verdict forms are maintained in the case files.	RETAIN UNTIL: Date created PLUS: 10 years THEN: Destroy	8/1/2017

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Item #	Series Title	Series Description	Retention Period	Approval Date
14.201A2 -	Untranscribed Notes, Tapes, Recordings (video/audio/digital), Logs - Admission of Person Found Not Guilty by Reason of Insanity	All records pertaining to recordings of admission of mentally ill defendant found guilty by reason of insanity. Includes jury seating charts. Note: Jury verdict forms are maintained in the case files.	RETAIN UNTIL: Date created PLUS: 10 years OR: As long as the person is in the relevant hospital or facility, whichever is longer THEN: Destroy	8/1/2017
14.201B -	Transcribed Notes, Tapes, Recordings (video/audio/digital), Logs	One year after a transcript of a note, tape, or recording is filed with the court, the court may order the destruction of the note, tape, or recording. The actual transcripts are filed in the case files and are maintained in accordance with the retention periods for those case files. Note: Jury verdict forms are maintained in the case files.	RETAIN UNTIL: Transcript is filed with the court PLUS: 1 year THEN: Destroy	8/1/2017
14.300 - ADMINISTRATIVE AND FISCAL RECORDS - MCR 8.119(G)				
14.301 -	Accounting Records	Accounting records for probate courts, such as receipts (including summary receipt reports, individual receipts, and transmittal/deposit advices); disbursement records (including check registers, bank records, bank statements, bank reconciliations, and deposit slips); bond and trust records (including open bond and trust reports and bond and trust check registers); vouchers and payments (including attorney fee payments, time book of jurors/juror payments, and witness payments); requisitions; e-Filing and related payment transactions.	RETAIN UNTIL: End of the fiscal year PLUS: 6 years THEN: Destroy	8/1/2017
14.302 -	Used Checkbooks and Cancelled Checks	Unused checks are not records and should be destroyed in a manner that renders them unusable when they are no longer of use. The court should keep a record of the check numbers destroyed and the date they were destroyed; this record should be kept with the checkbooks and retained for the period specified in this records series.	RETAIN UNTIL: End of the fiscal year PLUS: 6 years THEN: Destroy	8/1/2017
14.303 -	Audit Reports	Financial and procedural audit reports performed by outside entities (court contracted or Treasury audits).	RETAIN UNTIL: End of the fiscal year PLUS: 6 years THEN: Destroy	8/1/2017
14.304 -	Personnel Files		RETAIN UNTIL: Employment ends PLUS: 7 years THEN: Destroy	8/14/2018
14.305 -	Job Applications (hired and not hired)		RETAIN UNTIL: Position is filled PLUS: 3 years THEN: Destroy	8/1/2017
14.306A -	Judicial Assignments - Case-Specific	The order of disqualification and the assignment to a specific case are filed in the case file and retained for the retention period of the case.	RETAIN UNTIL: Retention period for the case expires THEN: Destroy	8/1/2017
14.306B -	Judicial Assignments - Not Case-Specific	Blanket assignment requests and the blanket assignment are retained until termination or expiration.	RETAIN UNTIL: assignment terminates or expires PLUS: 1 year THEN: Destroy	8/1/2017

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Item #	Series Title	Series Description	Retention Period	Approval Date
14.307 -	Juror Personal History Questionnaires and Jury Summonses	The completed questionnaires must be maintained for 3 years from the time they are completed. MCR 2.510(C)(3). Juror Qualification Questionnaires are not court records, but if the court maintains these records for the jury board, then the court must follow the county's record retention and disposal schedule.	RETAIN UNTIL: Date returned PLUS: 3 years THEN: Destroy	8/1/2017
14.308 -	Juror Panel and Pool Lists	First and second jury lists are not court records, but if the court maintains these records for the jury board, then the court must follow the county's record retention and disposal schedule.	RETAIN UNTIL: Date created PLUS: 3 years THEN: Destroy	8/1/2017
14.309 -	Non-Case Records	These records are not part of a case record series. They may include appointments to the Soldiers and Sailors Relief Commission, Tax Allocation Board, State Boundary Commission, and Election Commission; filling of vacancies in certain offices; petitions and orders for discovery subpoenas for out-of-state cases; commissons to take oath, approval of bond for examination/survey of land under the Railroad Code of 1993; filing of disclaimers under MCL 700.2906, and other similar records.	RETAIN UNTIL: Date created PLUS: 6 years THEN: Destroy	8/1/2017
14.310 -	Operational Records	These records document the functional responsibilities and operations of the courts (including problem-solving courts). They may include local administrative orders, internal policies and procedures, memoranda of understanding, directives from judges regarding internal practices, internal and external correspondence regarding operations, minutes from staff meetings, and other similar records.	RETAIN UNTIL: Superseded, rescinded, or of no further value THEN: Destroy	8/1/2017
14.311 -	Statistical Reports, Correspondence, and Calendars	This series includes caseload and delay reports, internally generated reports such as annual reports, court daily calendars, annual statutory reviews, and related correspondence.	RETAIN UNTIL: Records are of no further value, but not less than 1 year THEN: Destroy	8/1/2017
14.312 -	Order to Dispose Court Records	This record consists of the orders entered by the chief judge authorizing the probate register to dispose of the court records. The original is maintained in the office of the court administrator and a copy is maintained in the office of the probate register.	Permanent	8/1/2017
14.313 -	Marriage Records Log	A person authorized to solemnize a marriage shall keep proper records as required by MCL 551.104. MCL 551.7(2). The magistrate (judge) shall keep an accurate record of all marriages solemnized in a book used expressly for that purpose. MCL 551.104.	RETAIN UNTIL: Date created PLUS: 6 years THEN: Destroy	8/1/2017
14.314 -	Secret Marriage Files	This record series includes all documentation pertaining to secret marriages.	RETAIN UNTIL: Date filed PLUS: 100 years THEN: Destroy	8/1/2017
14.400 - NON-RECORD MATERIALS				
14.401 -	Copies/Duplicates	Extra copies of correspondence and other documents preserved only for reference, such as reading, tickler, or follow-up files; employee time sheets and other payroll records; copies of documents maintained in the same office; and outdated copies of printed or processed materials of which official copies have been retained for record purposes.	RETAIN UNTIL: Records are of no further reference value THEN: Destroy	8/1/2017

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Item #	Series Title	Series Description	Retention Period	Approval Date
14.402 -	Personal Records	Materials neither made nor received pursuant to statute nor in connection with the functional responsibilities of the office, such as privately purchased material or correspondence of a personal nature kept at the office for convenience, notice of employee meetings, etc.	RETAIN UNTIL: Records are of no further reference value THEN: Destroy	8/1/2017
14.403 -	Drafts and Informational Items	File copy request forms, preliminary drafts of letters, preliminary reports (including printouts of database queries* and other preliminary information used to assist in preparing reports), data provided in response to a public query that has no value-added information (electronic or paper)**; and memoranda that do not represent significant basic steps in preparing records. *A record created by accessing a database can be destroyed at the convenience of the court provided the record can be regenerated in its original form and the retention requirements for the database meet or exceed the retention period for the record that is created. **While data provided in response to a public query is considered a non-record, there are instances where the court may want to keep the information for at least 1 year.	RETAIN UNTIL: Records are of no further reference value THEN: Destroy	8/1/2017
14.404 -	Routing Slips	Routing and other interdepartmental records that do not add any significant information about the activity concerned.	RETAIN UNTIL: Records are of no further reference value THEN: Destroy	8/1/2017
14.405 -	Reference Materials for Case Files	LEIN records, warrant information, judges' notes/day sheets, and other similar records that are filed with or created by the court for use with specific cases, but which are not part of the court record.	RETAIN UNTIL: Records are of no further reference value THEN: Destroy	8/1/2017
14.406 -	Exhibits Offered Into Evidence	Exhibits received and accepted into evidence are not court records. Note: The original of an exhibit log is placed in the case file and is maintained in accordance with the retention period for that case file.	RETAIN UNTIL: 56 days after conclusion of the trial if not retrieved by the parties as directed by MCR 2.518(B) THEN: Destroy	8/1/2017
14.500 - OBSOLETE RECORDS				
14.501 -	Acknowledgments of Paternity	These records are no longer processed in probate courts.	RETAIN UNTIL: Date filed PLUS: 100 years THEN: Destroy	8/1/2017

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14.502 -	Adoption Indices, Register of Actions, and Case Files	<p>These records are no longer processed in probate courts pursuant to creation of the family division of circuit court. 1996 PA 388, effective January 1, 1998. They include case history created as described in MCR 8.119(D)(1)(a) and case files created as described in MCR 8.119(D)(1)(b) for adoption cases until creation of the family division of circuit court, effective January 1, 1998.</p> <p>Note: Adoption records created after December 31, 1997 are under the jurisdiction of the family division of the circuit court and are to be disposed in accordance with General Schedule #15 - Circuit Courts.</p>	<p>RETAIN UNTIL: Date filed PLUS: 100 years THEN: Destroy</p>	8/1/2017
14.503 -	Name Change Indices, Register of Actions, and Case Files	<p>These records are no longer processed in probate courts pursuant to creation of the family division of circuit court. 1996 PA 388, effective January 1, 1998. They include case history created as described in MCR 8.119(D)(1)(a) and case files created as described in MCR 8.119(D)(1)(b) for name change cases until creation of the family division of circuit court, effective January 1, 1998.</p> <p>Note: Name change records created after December 31, 1997 are under the jurisdiction of the family division of the circuit court and are to be disposed in accordance with General Schedule #15 - Circuit Courts.</p> <p>Note: These records must be offered to the Archives of Michigan before they can be destroyed.</p>	<p>RETAIN UNTIL: Date of disposition PLUS: 100 years THEN: Offer to the Archives of Michigan</p>	8/1/2017
14.504 -	Waiver of Parental Consent Case Files	<p>These records are no longer processed in probate courts pursuant to creation of the family division of circuit court. 1996 PA 388, effective January 1, 1998. They include case files maintained under the jurisdiction of the probate court until creation of the family division of circuit court, effective January 1, 1998.</p> <p>Note: Waiver of parental consent records created after December 31, 1997 are under the jurisdiction of the family division of the circuit court and are to be disposed in accordance with General Schedule #15 - Circuit Courts.</p>	<p>RETAIN UNTIL: Approval date of this schedule THEN: Destroy</p>	8/1/2017

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Item #	Series Title	Series Description	Retention Period	Approval Date
14.505 -	Other Obsolete Probate Case Records	<p>These records include case history created as described in MCR 8.119(D)(1)(a) and case files and other records pertaining to abstracts of taxable inheritance, afflicted adult files, crippled or afflicted children, custodian files, escheats, emancipations, infectious diseases, libers of orders, mother's pension files, power of attorney records, sterilization, and 3-day marriage waivers are no longer maintained by the probate court. They also include records pertaining to emancipations and infectious diseases that were maintained under the jurisdiction of the probate court until creation of the family division of circuit court, effective January 1, 1998.</p> <p>Note: Emancipation and infectious disease records created after December 31, 1997 are under the jurisdiction of the family division of the circuit court and are to be disposed in accordance with General Schedule #15 - Circuit Courts.</p>	<p>RETAIN UNTIL: Approval date of this schedule THEN: Transfer to the Archives of Michigan</p>	8/1/2017
NOTE:		<p>If the probate court maintains records for any of the following circuit court family division cases created after December 31, 1997, it shall maintain all records associated with those cases in accordance with General Schedule #15 - Circuit Courts:</p> <ul style="list-style-type: none"> Adoption Cases Child Protective Proceedings Emancipation of Minor Cases Infectious Diseases Cases Juvenile Delinquency Proceedings and Traffic/Local Ordinance Cases Juvenile Guardianship Cases Name Change Cases Personal Protection Proceedings Against a Minor Safe Delivery of Newborn Cases Waiver of Parental Consent Cases 		8/1/2017
<p>This document provides required records retention periods and disposal methods only. Courts must also comply with the Michigan Trial Court Records Management Standards.</p>				