

Michigan Trial Court Records Management Standards (7/20)

Section 3: Creation, Filing, Maintenance, and Retention

3.3: Case Records

3.3.1.4 Minimum Filing Requirements

Payment of Filing Fees or Request for Fee Waiver:

- At the time of filing, a filing fee must be paid unless fees are waived in accordance with MCR 2.002. MCL 600.880; MCL 600.880a; MCL 600.880b; MCL 600.880c; MCL 600.2529; MCL 600.8371.
- If a fee for commencing a civil action is authorized or required by law, in addition to that fee, the clerk shall also collect an electronic filing system fee in the amount specified in MCL 600.1986, subject to MCL 600.1993. MCL 600.1986.

Document Preparation:

- All documents prepared for filing with Michigan courts (except Uniform Law Citations) must be prepared in accordance with these standards. Deviation from these standards may result in a submitted filing being rejected. MCR 1.109(D) and MCR 8.119(C). See standard rejection reasons and solutions in 3.3.1.5.
- With the exception of redacting protected personal identifying information, these standards do not apply to documents being filed with the court that: 1) the filing party did not create or 2) the filing party created for a reason other than filing with the court. Such documents are typically attached to or accompany a document that the filing party has specifically prepared for filing with the court. Examples include, but are not limited to:
 - leases, bank statements, wills, codicils, trusts, or other testamentary documents;
 - copies of documents from a court file that preceded these standards or a printout of a register of action from a court's records;
 - documents created by local, state, or federal government agencies, such as a local tax bill, marriage license, birth certificate, or death certificate; and
 - documents prepared, executed, acknowledged, or proved outside the state of Michigan, such as a copy of a foreign judgment.
- Attachments the filing party is creating for filing with the court must comply with these standards. Each attachment accompanying a document must be separately attached (connected) and referenced to the lead document to which it relates as follows. For documents that are electronically filed, there are additional requirements regarding attachments; see Additional Requirements of Electronic Documents below:
 - The last page of the lead document to which attachments pertain must contain an index subtitled "Index to Attachments" and must list the title of each attachment and its associated file name(s).
 - Each attachment must be identified as an attachment to the lead document, be numbered, and contain the title as follows: Attachment 1 [title of attachment, e.g., Lease] for [name of lead document, e.g., Complaint for Possession].

Language:

All documents prepared for filing in the courts and all documents prepared by the court for placement in a case file must be legibly printed in ink (preferably black) and in the English

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language. MCR 1.109(D)(1)(a); MCL 600.1427; Michigan Supreme Court Administrative Order No. 1985-5.

Personal Identifying Information

- Personal identifying information protected under MCR 1.109(D)(9) must be provided to the court as required by MCR 1.109(D)(2) in an appropriate SCAO approved method or form. If by form, the form must be completed and filed with the document to which it pertains.
- If a party is required to include protected personal identifying information in a public document filed with the court after January 1, 2021, the party shall file the document with the protected personal identifying information redacted, along with a personal identifying information form approved by the State Court Administrative Office under MCR 1.109(D)(9)(b)(i).

Caption, Titling of Documents (titling does not apply to SCAO-approved forms)

- The caption must comply with specific court rule requirements, including capitalized statements for appellate documents. MCR 1.109(D).
- The title of a motion and subsequent order must be specific. Although not required, it is preferred the motion include the name of the party filing the motion (e.g., Defendant [NAME]'s Motion for Summary Disposition). MCR 2.119.

Case Initiation Information:

A party filing an initiating pleading and a party filing a response, answer, or objection to an initiating pleading shall also provide specified case information in the form and manner established by the State Court Administrative Office. An initiating pleading is the document that commences an action or case. MCR 1.109(D)(2).

Document Size and Quality:

- All documents prepared for filing in the courts of this state must be filed either on good quality paper not exceeding 8 ½ by 11 inch paper or transmitted through an approved electronic means and maintained in a digital image, the output of which is readable by sight and can be printed to 8 ½ x 11 inch paper per single page, without manipulation. MCR 1.109(B); MCR 1.109(D)(1)(a). All other materials submitted for filing shall be prepared in accordance with MCR 1.109(D) and these standards. See also Section 3.1 – Filing, Service, Transmission, and Storage Methods.
- If documents are filed by facsimile as authorized by MCR 2.406, the image shall be legible and shall be on paper not subject to more rapid deterioration than ordinary typewritten material on ordinary paper. Courts may establish a maximum number of pages that may be transmitted by facsimile at one time.
- Any paper attachment, graphic, or photograph larger than 8 ½ x 11 inches must be filed in its original size in paper format unless the judge directs that it can be filed electronically in its original size. MCR 1.109(D)(4), MCR 1.109(G)(3)(c).
- Any attachment, graphic, or photograph smaller than 8 ½ x 11 inches may be filed in its original size.
- 8 ½ x 14 inch attachments that the filer did not create for the express purpose of filing with the court shall not be reduced to fit into an 8 ½ x 11 inch view.

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Type Face and Font

- Type face must be without ornament, serif or sans serif. Preferred are: Arial, Calibri, Constantia, Georgia, Tahoma, and Times New Roman. Limit use of font attributes such as italics, capitalization, and bolding.
- Font must be 12 or 13 point for body text and no less than 10 point for footnotes, except with regard to forms approved by the State Court Administrative Office. MCR 1.109(D)(1). MCR 1.109(D)(1)(a); MCR 2.406(C).

Margins

- One-inch top and bottom margins; one-half inch side margins; side margins for date and time stamps; top margin for other court-use-only stamps; bottom margin of SCAO-approved court forms for form number, revision date, cites, and other details. These margin standards do not apply to transcripts.
- Two and one-half inch top margin for documents prepared for recording by the register of deeds. MCL 565.201.
- No text or image shall be placed in the margin except a court's date and time stamp.

Line and Paragraph Spacing

- Except as otherwise provided by court rule, one and one-half or double line spacing, except with regard to forms approved by the State Court Administrative Office, quotes, and footnotes.

Document Volume/Number of Pages

- Motion Practice - combined length of motion and brief cannot exceed 20 pages, double spaced, exclusive of attachments or exhibits. MCR 2.119.
- Case Evaluation Summary - cannot exceed 20 pages, exclusive of attachments, unless otherwise permitted by the court. MCR 2.403.
- Motion for Relief from Judgment - combined motion and any memorandum of law cannot exceed 50 pages exclusive of attachments or exhibits. MCR 6.502(C).

Signature:

- Every document of a party represented by an attorney shall be signed by at least one attorney of record. A party who is not represented by an attorney must sign the document. If a document is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the party. MCR 1.109(E).
- There is no statutory or court rule requirement that a document prepared for filing in the court must be an "original" signature.
- There are additional signature requirements for documents filed in probate proceedings. MCR 1.109(E)(2)(b).
- The signature requirement includes a signature transmitted by facsimile communication equipment.
- Electronic signatures, including use of /s/ followed by the printed name of the signer, are authorized. MCR 1.109(E).

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- This standard does not apply to signatures of judges, magistrates, referees, clerks, and other court staff. See 3.3.1.11 - Case Records Electronically Issued/Served/Transmitted by the Court.

Additional Requirements of Electronic Documents:

In addition to the other minimum filing requirements, electronic documents must also comply with the following:

- File Format, Quality, Metadata, Orientation
 - Documents must be searchable/Optical Character Recognition (OCR) PDF and capable of being printed.
 - When the filing party has control of the creation of a document, the document must be converted to PDF directly from the program used to create the document. A scanned image of a document is prohibited except for documents the filing party did not create electronically or when a required signature on the document was signed by hand.
 - Scanned documents must be a minimum 300-400 dpi (dots per inch), black/white mode.
 - Permissible formats are PDF, DOC and DOCX, RTF, TIFF, TXT, JPG, PNG.
 - Each page of a document must be oriented so that the text is not upside down or sideways and can be read without manipulation.
 - Multiple documents (including attachments) cannot be combined into a single document unless authorized in these standards. In summary proceedings case types (LT and SP), a document with attachments must be combined in the same file with the lead document.
 - Each document must contain no blank pages.
 - Color photographs or graphics must be filed in color.
 - All metadata must be removed from the document, including information referencing drafters, reviewers, javascript, or macros.
 - Bar codes affixed by a filer are permissible provided they are within the prescribed margins.
- File Size; Multiple-Part Documents
 - File size shall not exceed 25 MB. Files larger than 25 MB may be filed electronically in separate 25 MB (or smaller) segments. The filer is responsible for dividing the document into appropriately-sized parts and labeling each segment (e.g., 1 of 3, 2 of 3, 3 of 3).
- File Name
 - The file name must identify the title of the document.
 - There is a 100 character limit.
 - Abbreviations are permitted.
 - Do not use special characters.
- Attachments (previously referred to as exhibits)
 - Each attachment must conform to the file size limit. To the extent an attachment exceeds the size limitation, each portion must be separately described as being a portion of the whole attachment (e.g., Attachment 1 [title of attachment] for [name of lead document] Part 1 of 3;

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Attachment 1 [title of attachment] for [name of lead document] Part 2 of 3; Attachment 1 [title of attachment] for [name of lead document] Part 3 of 3).

- Multiple attachments can only be combined as a single attachment when the documents are of a like kind (e.g., multiple account statements that span a period of time).
 - Exception for Summary Proceedings (LT and SP) Cases: If a document has attachments, the document and all attachments must be combined into a single document.
- Hyperlinks
 - Each filed document must be self-contained. Hyperlinks embedded within a document must link only to information within the same document.
 - Embedded audio or video files are prohibited.