

# Notice Regarding Filing Confidential Documents

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Effective January 1, 2020, Michigan Court Rule 3.229(A) has been amended to indicate that if a party or interested party files any of the following items with the Court, **the party must identify the document as confidential and serve the document on the other party.** If this is done, the Court will maintain the document in a nonpublic file. The documents affected are:

- 1) Verified statements and disclosure forms under MCR 3.206(B);
- 2) Child protective services reports;
- 3) Psychological evaluations;
- 4) Custody evaluations;
- 5) Medical, mental health, and academic records of a minor;
- 6) Any part of a confidential file under MCR 3.903(A)(3);
- 7) Any item designated as confidential or nonpublic by statute or court rule; and
- 8) Any other document which, in the court's discretion, should not be part of the public record.

As of January 1, 2020, if a party or attorney wishes for any of the above documents to remain confidential, the following must occur:

1. Anyone filing any document identified above, must:
  - a) Submit the document under a separate cover sheet marked **“Confidential Records”** to the original Clerk copy.
  - b) If the confidential document is a **CPS** report or records, it must be submitted separately under a separate cover sheet marked **“Confidential Records-CPS Report”**.
  - c) All confidential materials, intended for the assigned Judge, must be attached to the original filing and designated as such when presented to the Wayne County Clerk's Office, Room 201. (i.e., submission of confidential documents to the Judge copy of a Motion is prohibited.)

**Failure to adhere to these requirements waives any right to confidentiality of the filed documents/exhibits.**

Hon. Kathleen M. McCarthy  
Presiding Judge- Family Division