

# Order

Michigan Supreme Court  
Lansing, Michigan

September 30, 2008

Clifford W. Taylor,  
Chief Justice

ADM File No. 2007-28

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly

Amendment of Rule 3.901  
of the Michigan Court Rules

Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

Adoption of New Rule 3.930 of  
the Michigan Court Rules

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On order of the Court, notice of the proposed amendment of Rule 3.901 and new Rule 3.930 of the Michigan Court Rules and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Rule 3.901 and new Rule 3.930 of the Michigan Court Rules are adopted, effective January 1, 2009.

[Additions are indicated by underline, and deletions by strikethrough.]

## Rule 3.901 Applicability of Rules

(A) [Unchanged.]

(B) Application. Unless the context otherwise indicates:

(1) MCR 3.901-~~3.928~~3.930, 3.980, and 3.911-3.933 apply to delinquency proceedings and child protective proceedings;

(2)–(5)[Unchanged.]

## Rule 3.930 Receipt and Return or Disposal of Exhibits in Juvenile Proceedings

(A) Receipt of Exhibits. Exhibits introduced into evidence at or during court proceedings shall be received and maintained as provided by the Michigan Supreme Court Case File Management Standards.

(B) Return or Disposal of Exhibits. At the conclusion of a trial or hearing, exhibits may be retrieved by the parties who submitted them except that any weapons and

- (C) drugs shall be returned to the confiscating agency for proper disposition. If the exhibits are not retrieved by the parties within 56 days after conclusion of the trial or hearing, the court may properly dispose of the exhibits without notice to the parties.
- (C) Confidentiality. If the court retains an exhibit after a hearing or trial and the exhibit is confidential as provided by MCR 3.903(A)(3), the court must continue to maintain the exhibit in a confidential manner.

Staff Comment: These amendments allow the court to return or destroy exhibits within 56 days of the completion of the trial or hearing in a juvenile proceeding. In addition, the court must maintain confidential documents that are admitted as exhibits in accordance with MCR 3.903(A)(3).

The staff comment is not an authoritative construction by the Court.



I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 30, 2008

*Corbin R. Davis*

Clerk