

Public Record Update September 2016



Missouri Criminal Record Search Fee to Increase Soon

Effective October 1, 2016, the fee for a name-based criminal record check processed through the Missouri State Highway Patrol CJIS Division will increase from \$12.00 to \$13.00 per record

The state fee for a fingerprint based check will remain the same, however the FBI fee will decrease to \$12.00 per applicant and to \$10.75 for volunteers.

Note that if ordering a [criminal record request electronically](#), a processing service fee is added when using a credit or debit card. The fee is based on volume, not on a per transaction basis. For example, if the transaction total is under \$50.00 the fee is \$1.25, if \$50.01 to \$75.00 then \$1.75 is added, if \$75.01 to \$100.00 then \$2.15 is added. Anything over \$100.00 incurs a 2.15% surcharge fee.



Motor Vehicle Record News

Driving Record & Vehicle Record Fee Increase Coming Soon in Michigan

Effective 10-1-2016, the fee to obtain a driving record or a vehicle record (such as title or registration) will increase by \$3.00 from \$8.00 to \$11.00. This fee increase affects both over-the-counter and electronic access methods.

Colorado Driving Record Fee Increased For Manually Processed Records

Effective July 1, 2016, the fee for a driving record obtained in person or by mail increased from \$2.60 to \$9.00. A certified record increased from \$3.20 to \$10.00. Note the fee for an accident report also increased to \$9.00 and \$10.00 if certified.

The fee for electronic driving records did not increase, at least for now, and remains at \$2.00 per record. Also the record fee for vehicle title and registration records did not increase and remains at \$2.20 per record or \$2.70 if certified.

Online or Onsite? Which Fee is Higher?

Here are some interesting statistics comparing the fee of a driving record obtained electronically versus obtained manually (mail or onsite) within the same state.

- in 23 states the online fee is higher

- in 12 states the online fee is lower
- li 16 states the fee is the same

Beware of vendors who will charge the higher price, regardless of which access method is used. To view a list of current fees with a breakdown if online, onsite, or by mail see:

www.mvrdecoder.com/content/drvlicfees.aspx



Massachusetts Modifies (Slightly) Restrictive Policy on Electronic Access to Criminal Court Records

Per a press release issued August 10, 2016, the Massachusetts Supreme Judicial Court has approved [Trial Court Rule XIV, Uniform Rules on Public Access to Court Records](#), which governs access to court records in the trial courts. Rule XIV includes a new provisional approval within the section of the rule that governs remote access by attorneys through the Attorney Portal. See Section **5(b)**. Also, the Court will revisit this section later this fall.

This provisional reinstatement of remote access by attorneys is the result of concerns and objections to the recent closure of the Attorney Portal which was also used heavily by the news media. Per the new rule, licensed attorneys in Massachusetts who have registered with the Massachusetts Trial Court, will gain access to a portal providing remote access to all cases in which they have entered an appearance, and a calendar of scheduled events in such cases, subject to the terms and conditions per Court Rule XIV. Per the Massachusetts Supreme Judicial Court's Press Release:

"The Justices asked the Chief Justice of the Trial Court to address the concerns that were raised and to make a recommendation no later than the end of October 2016 on whether changes should be made in Section 5(b). Meanwhile, consistent with Rule XIV, the Trial Court is expanding the information that can be viewed remotely through the Public Internet Portal to include searchable criminal docket information, beginning with the Superior Court. The Trial Court plans to make criminal docket information in other court departments available on the Internet over the coming months."

Regarding criminal case searches by the general public, per **Rule 5(a)(2)**, regarding criminal case searches by the general public:

"...as a matter of policy, the committee has determined that criminal case searches will be limited to case number. Therefore, search by defendant name shall not be permitted on the internet portal for criminal cases."

Also approved are amendments to [Rule 1:24](#) which governs personal identifiers found in court documents. Per this rule, personal identifying information means a Social Security number, taxpayer identification number, driver's license number, state -issued identification card number, or passport number, a parent's birth surname if identified as such, a financial account number, or a credit or debit card number. The date of birth is not mentioned.

Both of these new rules become effective on November 1, 2016.

Note that access to Massachusetts trial court **civil, probate, family, and housing records** are already available electronically to the public at <https://www.masscourts.org/eservices/home.page.2>.

Local Recording and Certification Fees to Increase in Michigan

Effective October 1, 2016, the State of Michigan is changing the fee structure for recording a document at the county level to a flat rate basis, regardless of the number of pages. Per the law, the new fee to record a document will be \$30.00. This fee includes the Michigan Remonumentation and Register of Deeds Automation fees. For a document that assigns or discharges more than 1 instrument there will be a \$3.00 for each instrument assigned or discharged in addition to the \$30.00 flat fee.

The effect of the new law is that it will increase the recording fees for many documents that consist of fewer than eight pages, and decrease fees for documents containing eight pages or more.

The certification fee will increase from at least \$1.00 (may be higher in some counties) to \$5.00. The copy fee remains at \$1.00 per page. Search fees remain at 50 cents for each year searched with a minimum of \$5.00 - except for tract index searches.

Recording fees are set by the Michigan Legislature. Public Acts 224 through 232 of 2016 set the new fees, see www.legislature.mi.gov and click on the Public Act MCL Search on the left edge.

Four Private Sector Resources for Tracking Candidate Contributions, PACs, and Lobbyists

With election time looming, there is increased interest in who is supporting who - including donations, PAC money, and data about lobbyists. The text about these recommended private resources is taken from the upcoming 4th edition of [The Manual to Online Public Records](#).

1. OpenSecrets.org is an extremely useful site. Per their web page "...is the nation's premier research group tracking money in U.S. politics and its effect on elections and public policy. Nonpartisan, independent and nonprofit, the organization aims to create a more educated voter, an involved citizenry and a more transparent and responsive government."
2. Another recommended site is FollowTheMoney.org which is maintained by the National Institute on Money in State Politics. The Institute provides a searchable database with substantive profiles on candidates and issues, insightful reports and

reliable data for all 50 states. This excellent web page also has many, many other database searches available on a subscription basis only.

3. Also, a great searchable directory of lobbying firms is found at LobbyData.com. Search by name, the agency involved or by issue.
4. The VoteSmart site tracks many facts about candidates including campaign contributions; however, data may be lacking for local politicians. The site includes voting records and evaluations by special interest groups.

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