



State Representative Brian Stewart (OH-78) &
State Representative Richard D. Brown (OH-20)

Joint-Sponsor Testimony, House Bill 567

November 15th, 2022

Rep. Stewart: Good afternoon Chairman Manning, Vice-Chair McColley, Ranking Member Thomas, and all of the other members on the Judiciary Committee. Thank you for giving us the opportunity to provide sponsor testimony in favor of House Bill 567, which will require the Clerk of the Court of Common Pleas to make the court's general civil docket available for viewing online, and printing, from the Clerks' websites.

Currently, 37 counties in Ohio have already embraced this technology and the requirements of this bill and made their dockets, with associated images, available online. An additional 47 counties make a list of docket entries available online, but do not provide for viewing the pleadings themselves. Only 3 counties have neither an online docket, nor images, online.

This bill has been developed in close consultation with the Ohio Clerk of Courts Association and will increase transparency and customer service for the public, while also enhancing efficiency for legal practitioners and the clients they serve. Rather than having to visit the courthouse, or burden government staff with burdensome requests, these public records will be available to each requester at their own expense and effort. Every indication we have received to date is that the cost for this implementation is very nominal and will be an easily absorbed cost of doing business for those counties who have not yet made this move already. This is evident from the fact that many of the counties which have already implemented the requirements of this bill include counties with some of the smallest budgets in Ohio, including Coshocton, Meigs, Fayette, Jackson, Meigs, Mercer, and Perry counties, just to name a few. Coupled with the significant federal monies disbursed to counties

over the last 2 years, we are confident that complying with this legislation will pose no material burden to any county.

House Bill 567 passed the House with overwhelming bipartisan support (84 Yes, 1 No). We also want to mention that we have submitted some technical amendments to this bill at the request of the Ohio Clerk of Courts Association which are designed to harmonize the Ohio Revised Code with the Ohio Rules of Superintendence. My colleague Rep. Brown will now describe a bit more of what the bill would accomplish.

Rep. Brown: Once enacted, House Bill 567 would give 18 months after the effective date for the clerk of court to make available online on the clerk of court's website the general docket of the court for remote access and printing by the *public* of the information in that docket, including all individual documents in each case file, pertaining to civil cases filed on or after the bills effective date. Additionally, the clerk of court may but is not required to make available online the general docket of domestic relation or the probate court.

It is also important to mention that internal documents such as notes, emails, drafts, recommendations, advice, or research of judicial officers and court staff, or any document or any information in a case file the public access to which the court has ordered restricted under the Rules of Superintendence for the Courts of Ohio is not required to be made public online. Stated another way, any sensitive information which a judge has ordered to be sealed, will not be available online.

House Bill 567 will allow the public to access the general dockets entries along with pleading images, which can save time, resources, and money for the staff that work in the clerk of courts. Additionally, this bill will streamline the process for every county and ensure everyone is meeting the same basic standards of service.

We want to thank the co-sponsors of this legislation, and thank you for your time and consideration, and we will now attempt to answer any questions you may have.
