

TO: Senate Judiciary Committee

FROM: Gary Daniels, Chief Lobbyist, ACLU of Ohio

DATE: April 23, 2024

RE: House Bill 305 – Proponent Testimony (Written Only)

To Chairman Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson, and members of the Senate Judiciary Committee, thank you for this opportunity to provide written proponent testimony on House Bill 305, a bipartisan bill that passed the House 87-0



As you know, passage of HB 305 would provide crucial progress towards modernizing many of Ohio's individual courts, and the overall court system in our state. HB 305 allows for and accommodates the electronic filing of pleadings and documents with sensitivity to the current capabilities and sizes of those courts.

After HB 305 hopefully passes and is implemented, the ACLU of Ohio believes our state can look forward to more transparent, accessible, convenient, and efficient courts and court processes, among other benefits to your constituents and all involved.

We do, however, have one suggestion to further improve HB 305. We believe this bill's language could be more explicit about people who cannot afford filing fees. Currently, people who are indigent are, with a finding from the court, able to waive filing fees so as to not keep low-income folks from accessing legal recourse. They do so with an affidavit of indigency.

We think HB 305's language regarding a payment requirement can be improved with language resembling the following at around Lines #112-115 of the current bill.

Current bill language (starting at Line #112) - *The clerk shall not require that any fee for the filing of pleadings or documents in electronic format be paid before the filing, unless the clerk has provided for an electronic payment system for such filing.*

Suggested addition - *If the clerk provides for electronic payment and requires payment of fees before filing, the clerk shall also permit the waiver of fees pursuant to R.C. 2323.311 where applicable.*

We hope you agree with our suggestion to make HB 305 even more effective. House Bill 305 is broadly supported, much needed, and the ACLU of Ohio believes it is worthy of this committee's favorable consideration.

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