



Ohio Judicial Conference

The Voice of Ohio Judges

Chair Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson, and members of the Committee:

My name is Judge Thomas Capper, and I serve on the Clark County Court of Common Pleas.

I am submitting this testimony today to share my deep concerns with House Bill 305. Specifically, I oppose provisions in the bill that removes a judge's authority to set the amount of the clerks' computerization fee, and to approve expenditures from this fund. As judges, we have the responsibility to set the amounts of the various court costs that are not specifically set by statute. In doing so, we try to strike a balance between ensuring that the fees are sufficient to offset costs that the court incurs, but not so high as to hinder access to justice for all of the citizens that we serve. House Bill 305 removes what is essentially a function of the judges of a court, and gives that authority to the clerk of courts, with no input or oversight from the judge who presides over the very court that the clerk is elected to serve and support.

Equally troubling is the very real possibility that, under these changes contained in HB 305, clerks could make major changes to the functions of the clerk's office without ever consulting or obtaining approval from the judges of the court. Current law requires a court order before clerk computerization funds can be spent, and this process has worked in that it ensures that both the clerk and the judges of the court must consult and collaborate on how to best utilize those funds to update the functions of the clerk's office.

Respectfully, I ask that these provisions in House Bill 305 be removed and that current law be retained as it relates to role of clerks and judges in setting and approving computerization fund fees and spending.

Thank you for your consideration of these concerns.