



Ohio Clerk of Courts

**Ohio House
Judiciary Committee
May 21, 2025
Interested Party Testimony on HB 5**

Good morning, Chair Thomas, Vice Chair Mathews, Ranking Member Isaacsohn, and members of the House Judiciary Committee. I am Branden Meyer, the Fairfield County Clerk of Court and Legislative Co-chair of the Ohio Clerk of Courts Association. Thank you for the opportunity to provide written testimony as an interested party on House Bill 5. As a reminder, the Clerk of Common Pleas Court (“Clerk”) receives and processes documents for filings in the General and Domestic Relations Divisions of the Common Pleas Court. This includes filings for civil cases of \$15,000 or more in dispute, felony criminal cases, and for the cases handled by the Domestic Relations Division. Clerks are the “keeper of records” for the entirety of the Common Pleas Court. We urge the committee to consider two recommendations:

1. Clarifying that the sentencing court, not the Clerk of Common Pleas is responsible for identifying which offenders are eligible to receive notice for record sealing.

House Bill 5 requires the sentencing court to notify the offender, the prosecutor, the victim, and the victim’s representative that the offender is eligible to have their record sealed 90 days prior to their eligibility. If the sentencing court finds that the eligibility criteria are met, the sentencing court shall issue a sealing order. Currently, Clerks receive a sealing order from the court and seal all relevant documents. We respectfully request that the sealing notification process proposed in House Bill 5 mirror the current process by requiring the sentencing court to determine eligibility. This clarification will ensure the sealing process is accurate and efficient by allowing the appropriate court to issue the appropriate order for the Clerk to act upon.

2. Require the offender to maintain current contact information with the Clerk, including alternative notice methods such as email and text messaging.

When an offender is determined to be eligible and is provided with notification, there are logistical concerns with the notification process. Due to the passage of time between an offender’s sentencing and their eligibility, circumstances, such as addresses, may change. Therefore, we respectfully request that the offender be required to maintain updated contact information with the court in order for the Clerk to provide adequate notice to the offender. This will save the Clerk time and money by not having to send notices via letter only for those notices to be sent back to the Clerk as undeliverable.

Thank you for the opportunity to provide interested party testimony and do not hesitate to reach out with any questions.

Branden Meyer
Fairfield County Clerk of Courts
branden.meyer@fairfieldcountyohio.gov

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