**Local Government, Public Safety and Veterans Affairs Committee**

**Sub. House Bill 125 Proponent Testimony**

**Lori M. Tyack, Franklin County Municipal Court Clerk**

**September 19, 2017**

My name is Lori M. Tyack and I have served as the Clerk of Court for Franklin County Municipal Court for the last 12 years.

Chairman Uecker, Members of the Local Government, Public Safety and Veterans Affairs Committee, thank you for providing me an opportunity to offer proponent testimony on Sub. House Bill 125. I would also like to thank Representatives Craig and Seitz for sponsoring this legislation.

This legislation is about fairness, accountability and due process. As you are aware, in 2013 the 129th General Assembly passed legislation that abolished mayor’s courts for villages with a population of less than 200 residents. As a result of this legislation, 908 cases were transferred to the Franklin County Municipal Court Clerk’s Office between March and December of 2013. One Central Ohio Village, who transferred their cases, provided incomplete files and payments which were not properly documented – some were even recorded on post it notes with no formal accounting system. Originally, these files were to be transferred within a few months, but they trickled in until the end of 2013.

In 2014, the same Central Ohio Village filed 59 cases with my office. From January 1, 2015 to date, only 44 cases have been filed in the Franklin County Municipal Court Clerk’s Office – all of which were filed under the Ohio Revised Code except for one case that was filed under a Village Ordinance for speeding.

After observing what appeared to be a significant difference between fines and costs charged by the Village, my staff performed comparison of fines and costs using the Ordinance passed by the Village, the Ohio Revised Code and the Columbus City Code for the same or similar infractions. The fines and costs assessed by the Village for civil citations far exceeded the fines and costs assessed by the Franklin County Municipal Court with no option to appeal a conviction.

In contrast, the City of Columbus has a two-step process in place for civil citations issued as a result of a Red Light Photo Camera infraction. The process begins with a scheduled hearing date which appears on the citation. Depending upon the decision, the defendant may then file an appeal with the Franklin County Municipal Court.

This legislation is smart and timely as it limits the maximum fines and costs that can be assessed using the schedule of fines and costs established by local municipal and county courts in Ohio. It also preserves the defendant’s right to an appeal.

In closing, I would again like to thank Representatives Craig and Seitz for sponsoring this legislation. House Bill 125 will ensure fairness, accountability and due process for the citizens of Ohio.