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## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Rep. Stewart and Brown

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### SUMMARY

- Requires the clerk of the court of common pleas, not later than 18 months after the bill's effective date, to make available online on the clerk's website the court's general docket for remote access by the public of the information in that docket, including all documents in each case file, pertaining to civil cases filed on or after that effective date.
- Provides that nothing in the above requirement is to be construed as making available online internal documents of judicial officers and court staff or any document or 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.
- Permits the clerk of court to make available online the general docket of the domestic relations division or the probate court.

### DETAILED ANALYSIS

#### Background

Continuing law requires the clerk of the court of common pleas to keep at least four books, called the appearance docket, trial docket and printed duplicates of the trial docket for the use of the court and its officers, journal, and execution docket.<sup>1</sup>

#### Online availability of general docket

The bill generally requires that not later than 18 months after its effective date, the clerk of court 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

<sup>1</sup> R.C. 2303.12(B).

all individual documents in each “case file,” pertaining to civil cases filed on or after that effective date.<sup>2</sup> (Terms in quotation marks are defined in “**Definitions.**”) The clerk of court may, but is not required to, make available online, as provided above, the general docket of the division of domestic relations or the probate court.<sup>3</sup>

### **Exceptions**

The bill provides that nothing in the above provision is to be construed as making available online any of the following:<sup>4</sup>

- Internal documents such as notes, emails, drafts, recommendations, advice, or research of judicial officers and court staff;
- 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.

### **Record of documents**

The bill modifies current law by requiring the clerk to keep a record in book form or permitting the clerk to prepare a record by using any photostatic, photographic, miniature photographic, film, microfilm, or microphotographic process, electrostatic process, perforated tape, magnetic tape, or other electromagnetic means, electronic data processing, machine readable media, graphic or video display, or any combination of them, which correctly and accurately copies or reproduces *every case file* (added by the bill) and other original document, paper, or instrument in writing.<sup>5</sup>

### **Definitions**

The bill defines the following terms:<sup>6</sup>

“**Case file**” means the compendium of original documents filed in a civil action or proceeding in the court of common pleas, including the pleadings, motions, orders, and judgments of the court on a case-by-case basis.

“**General docket**” means the appearance docket, trial docket, journal, execution docket, and case files in relation to those dockets and journal.

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<sup>2</sup> R.C. 2303.12(C)(1).

<sup>3</sup> R.C. 2303.12(C)(2).

<sup>4</sup> R.C. 2303.12(D).

<sup>5</sup> R.C. 2303.12(B).

<sup>6</sup> R.C. 2303.12(A).

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## HISTORY

Action	Date
Introduced	02-09-22

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