

As Reported by the House Civil Justice Committee

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Am. H. B. No. 567

Representatives Stewart, Brown

Cosponsors: Representatives Smith, K., Miller, A., Humphrey, Young, T., LaRe, Lanese, Carfagna, Koehler, Fraizer, Crossman, Manning, Hillyer, Hall, Galonski, Kick, Leland, Merrin, Skindell, White

A BILL

To amend section 2303.12 of the Revised Code to
generally require the clerk of the court of
common pleas to make available the court's
general docket, including documents on each
civil case file, on the clerk of court's web
site.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 2303.12 of the Revised Code be
amended to read as follows:

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Sec. 2303.12. (A) As used in this section:

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(1) "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.

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(2) "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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(B) The clerk of the court of common pleas shall keep at 17
least four books. They shall be called the appearance docket, 18
trial docket and printed duplicates of the trial docket for the 19
use of the court and the officers thereof, journal, and 20
execution docket. ~~He~~ The clerk shall also keep a record in book 21
form or ~~he~~ the clerk may prepare a record by using any 22
photostatic, photographic, miniature photographic, film, 23
microfilm, or microphotographic process, electrostatic process, 24
perforated tape, magnetic tape, or other electromagnetic means, 25
electronic data processing, machine readable media, graphic or 26
video display, or any combination thereof, which correctly and 27
accurately copies or reproduces ~~the~~ every case file and other 28
original document, paper, or instrument in writing. ~~He~~ The clerk 29
shall use materials that comply with the minimum standards of 30
quality for permanent photographic records prescribed by the 31
National Bureau of Standards. ~~He~~ The clerk shall keep an index 32
to the trial docket and to the printed duplicates of the trial 33
docket and of the journal direct, and to the appearance docket, 34
record, and execution docket, direct and reverse. All clerks 35
keeping records and information by the methods described in this 36
section shall keep and make readily available to the public the 37
machine and equipment necessary to reproduce the records and 38
information in a readable form. 39

(C) (1) Subject to division (C) (2) of this section, not 40
later than eighteen months after the effective date of this 41
section, the clerk of court shall make available online on the 42
clerk of court's web site the general docket of the court for 43
remote access and printing by the public of the information in 44
that docket, including all individual documents in each case 45
file, pertaining to civil cases filed on or after the effective 46
date of this section. 47

(2) The clerk of court is not required to make available 48
online under division (C) (1) of this section either of the 49
following: 50

(a) The general docket of the division of domestic 51
relations, the juvenile court, or the probate court; 52

(b) If the court does not have a division of domestic 53
relations, the general docket in civil cases pertaining to 54
domestic relations. 55

(D) Nothing in division (C) of this section shall be 56
construed as making available online any of the following: 57

(1) Internal documents such as notes, emails, drafts, 58
recommendations, advice, or research of judicial officers and 59
court staff; 60

(2) Any document or any information in a case file the 61
public access to which the court has ordered restricted under 62
the Rules of Superintendence for the Courts of Ohio. 63

Section 2. That existing section 2303.12 of the Revised 64
Code is hereby repealed. 65