
JUDICIARY/SUPREME COURT

Online availability of criminal general dockets

- Requires the common pleas court clerk to make available online the court's general docket pertaining to criminal cases.

Probate general docket – online availability

- Requires that the general docket of each probate court be made available online on the clerk of court's website.

Reduction of fees for computerization of court

- If a common pleas court fails to make civil, criminal, and probate dockets available online, the bill reduces the fees that the clerk of courts can charge for deposit into the computerization fund by 50%.
- Delays effective date for six months after the bill's 90-day effective date.

Clerk of the court of common pleas

- Requires clerk of the common pleas court to determine and implement the best means and methods for storing, maintaining, and retrieving all papers delivered to the clerk.

Special projects funds

- Prohibits fees collected by municipal, county, common pleas, and appeals courts for special projects of the court from being used for training or education that takes place outside of the state.

Payment for acting judges

- Removes the requirement that county and municipal courts submit quarterly requests to the Administrative Director of the Supreme Court for reimbursements of per diem compensation paid to acting judges.

Online availability of criminal general dockets

(R.C. 2303.12)

The common pleas clerk is required to keep records as indicated by the Rules of Superintendence for the Courts of Ohio. These records are called the appearance docket, trial docket, and printed duplicates of the trial docket. The records are used by the court and its officers and for the journal and execution docket.

Not later than 18 months after this provision's effective date, the bill requires the clerk of court make available on the clerk of court's website the "general docket" of the court pertaining to criminal cases. The public must be able to remotely access and print the information in that docket, including all individual documents in each "case file," pertaining to criminal and probate cases filed on or after this provision's effective date. Under current law, the common pleas clerk

is already required to make available on the clerk of court's website the general docket of the court pertaining to civil cases.

The bill provides that the clerk of court is not required to make available online the general docket of the juvenile court.

Definitions

The bill modifies the definition of "case file" to include criminal and probate actions or proceedings. "Case file" means the compendium of original documents filed in a civil, criminal, or probate 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, and case files in relation to those dockets and journal.

Probate general docket – online availability

(R.C. 2101.11)

The bill requires the general docket of each probate court to be made available on the clerk of court's website not later than 18 months after the bill's effective date. The public must be able to remotely access and print the information in that docket, including all individual documents in each case file, pertaining to probate cases filed on or after the bill's effective date. This requirement does not apply to any of the following documents:

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

Reduction of fees for computerization of court

(R.C. 2303.201; Section 820.90)

Online availability of general dockets

Under current law, a clerk of the common pleas court is required to make available online the court's general docket pertaining to civil cases. Under the bill, the clerk of the common pleas court is also required to make available online the court's general docket pertaining to criminal and probate cases (see "**Online availability of criminal and probate general dockets**," above).

Computerization of the common pleas court

If a common pleas court fails to make civil, criminal, and probate dockets available online, the bill reduces the fees that the clerk of courts can charge for deposit into the computerization fund by 50%.

The common pleas court of any county may determine that for the efficient operation of the court, additional funds are required to computerize the court, to make available computerized legal research services, or to do both. Upon making the determination that additional funds are required for either or both of those purposes, the bill requires the court to do one of the following:

- If the common pleas court has complied with the requirement to make available online the court's general docket pertaining to criminal and probate cases, the court must authorize and direct the clerk of the common pleas court to charge one additional fee, not to exceed \$6, on the filing of each specified cause of action or appeal (current law allows this additional fee for civil cases).
- If the common pleas court has not complied with the requirement to make available online the court's general docket pertaining to civil, criminal, and probate cases, the court must authorize and direct the clerk of the common pleas court to charge one additional fee, not to exceed \$3, on the filing of each specified cause of action or appeal.

Computerization of the clerk of the common pleas court

The clerk of the common pleas court of any county may determine that for the efficient operation of the office of the clerk of the common pleas court, additional funds are required to make technological advances in or to computerize the office of the clerk of the court. Upon making that determination, the court must do one of the following:

- If the common pleas court has complied with the requirement to make available online the court's general docket pertaining to criminal and probate cases, the court must authorize and direct that an additional fee, not to exceed \$20, on the filing of each specified cause of action or appeal, on the filing, docketing, and endorsing of each certificate of judgment, or on the docketing and indexing of each aid in execution or petition to vacate, revive or modify a judgment and not to exceed \$1 for specified services, be charged (current law allows this additional fee for civil cases).
- If the common pleas court has not complied with the requirement to make available online the court's general docket pertaining to civil, criminal, and probate cases, the court must authorize and direct that an additional fee, not to exceed \$10, on the filing of each specified cause of action or appeal, on the filing, docketing, and endorsing of each certificate of judgment, or on the docketing and indexing of each aid in execution or petition to vacate, revive or modify a judgment and not to exceed 50¢ for specified services, be charged.

Effective date

The bill delays the effective date of these provisions until six months after the bill's 90-day effective date.

Clerk of the court of common pleas

(R.C. 2303.26)

The bill specifies that the clerk of the common pleas court is responsible for determining and implementing the best means and methods for storing, maintaining, and retrieving all papers delivered to the clerk, whether delivered in writing or electronic form. The clerk must do so in furtherance of the performance of the duties enjoined upon the clerk by statute, common law, and the Rules of Superintendence of the Courts of Ohio, and in compliance with Rule 26 of the Rules of Superintendence of the Courts of Ohio.

Special projects funds

(R.C. 1901.26, 1907.24, 2303.201, and 2501.16)

The bill prohibits fees collected by municipal, county, common pleas, and appeals courts for special projects of the court from being used for training or education that takes place outside of the state.

Payment for acting judges

(R.C. 1901.123 and 1907.143)

The bill removes the requirement that county and municipal courts submit quarterly requests to the Administrative Director of the Supreme Court for reimbursements of per diem compensation paid to acting judges.