

**THE COURT WEBSITE GUIDEBOOK**  
**YOUR-COURT.GOV:**  
**CHOOSING, BUILDING AND MAINTAINING A LOCAL WEB SITE**

**PRODUCED BY THE SUPREME COURT OF OHIO ADVISORY  
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## **Letter from Chief Justice Thomas Moyer**

One of my many goals as Chief Justice is to improve the quality and the conditions in which courts operate in Ohio. We continually seek out mechanisms that will support and enhance your court processes.

Migrating into the electronic age can be daunting especially when creating a web site. Over the last two years, we have developed The Court Website Guidebook. This guidebook represents many hours of effort from both in-house staff and volunteers who represent a sampling of the courts in Ohio.

The Court Website Guidebook is designed to give you insight into developing a web presence for your court. This document's primary focus is those courts who are entering the arena of internet web sites as a tool providing additional services for their courts. For those who have an established web site, there are sections that will help you enhance your existing web site offerings.

Please, after reading this document, share it with others in your court. You will find success lies in a cooperative effort.

My hope is to have a publication that truly meets the needs of your court. Let us know if you have questions or wish to offer suggestions.

I pledge to you that we will continue to seek out resources that will allow you to incorporate best practices through the use of technology. I wish you well as you embrace this tremendous resource to the courts of Ohio.

Thomas Moyer

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## **Introduction**

Taking the leap into the technological age can be challenging with its complexity and dynamic nature. Upholding the law is our primary responsibility as guardians of the legal process. This guidebook assists both the novice and the expert in understanding key issues of how to develop and maintain local court Web sites.

This document assists local courts in planning a Web site. The accessibility guidelines and the guidebook will inform decision-makers in a local Court setting about the risks and advantages of the internet. This will ease the incorporation of Web technology locally, and reduce the duplication of effort among local courts building Web sites.

This guidebook is simply that, a guide. Herein you will find suggestions and anecdotes that reflect the experiences of the workgroup involving websites. The World Wide Web is such a diverse and constantly evolving structure that it would be foolhardy for anyone to say “this is the way you must do what you want to do” The “website police” won’t swoop down upon you if you decide to follow your own path in creating a website (unless of course you use the “Smurf Song” as a background for your site and then we’ll think about it) but what we’ve tried to reflect here are things that you might want to consider in the planning (or replanning) of a website.

This guidebook is structured to present the process of planning and implementing a website from the perspective of court personnel who have previously done so. The guidebook is laid out to present the decision-making process from thinking about building a website through acquiring the staffing and skills to create a site for your court. In each section, you will find a discussion of the core issue, recommendations for local policy, and in some cases, resources.

The guidebook also presents case study information. This anecdotal information is presented in a sidebar format to illustrate the issues addressed in the section.

As a final introductory note, we have also made sure to define and discuss the difference between a local court Web site and a statewide judicial information portal.

### **“So You Want to Have a Web site?”**

*Information is only as useful as it is available*

This section provides you with methods of identifying the possible impacts of a local Web site to your internal and external constituents. Effective communication with your staff and solid business requirements will provide a foundation for a system that will offer timely access to local judicial information.

Like all public offices, courts and clerk’s offices face the question of whether or not to create a Web site. More and more government offices, at all levels, are finding a home on the Internet, not only to provide information to the public, but also to provide services of all types to many audiences.

*As arbiters of the public record, courts and clerks have an opportunity to provide the public with access to those records via the Internet.*

However, the Internet brings as many questions as it does solutions, so an informed decision needs to be made concerning initiating an online presence. Not every Court may want, or be able

to provide, a full range of services and information on the Web. Before you start planning how your Web site will look, you need to answer the questions “Do we need a Web site?” and “What will we provide once it is launched?”

It is easier to implement a project if the people making the decisions are supportive, but the project needs to have merits of its own, other than a general feeling of obligation. As the decision maker (or the person who assists the decision makers), your sense of either obligation or excitement should not be the only deciding factor. A Web site might be of great help to your Court and constituency.

### **Things a Web site will allow you to do**

*As we live in an increasingly transient and interconnected society, the Internet helps to make everything local.*

The Internet is becoming the starting point when people are looking for information or directions. A basic court Web site can provide the following information to persons who search the Web:

- Location of the Courthouse
- Mailing address for fines or other correspondence
- Hours of operation
- Basic Court Schedules (*i.e.*, Traffic court on Tuesdays and Thursdays, Juvenile Court on Wednesdays after four, etc.)
- Contact information (phone numbers, email addresses)
- Basic policies and decorum for the Courthouse
- Frequently Asked Questions (Deputy Bailiff Smith handles evictions, Deputy Clerk Doe does marriage licenses)

These represent hundreds of inquiries every day in many courthouses in the state of Ohio. The people answering these questions have many other things to do to better serve the public and help the Courthouse to run smoothly.

As we dig a little deeper, the next level of Web content could contain the following:

- Current Local Court Rules
- Current Downloadable Forms
- Daily Schedule of Events
- Jury Instructions

These functions can help make things run more efficiently, and save the Court (and ultimately the taxpayers) money.

Providing forms on your Web site, for example, allows them to be downloaded and printed from any computer, anywhere; or these forms may be automated for users to fill out on their computers and send in electronically. When forms are designed to be completed online, they are much more accurate and legible, and your staff will spend less time trying to decipher handwriting when the case is filed. In the case of printing forms from your Web site, attorneys and the public can access the forms, as they need them, lessening the number of wasted forms on the Court’s end when the forms inevitably change.

Making the Local Court Rules available online in their most updated form ensures the Court does not have to print up and mail out copies to practitioners and interested parties every time a change occurs. Attorneys and other interested parties desire copies of the daily court schedule, filing lists, and other documents that the Court can create once and then distribute via their Web site without having to print copies for everyone who comes in.

Going one step further, these following functions could also be accomplished via a Web site:

- Online “public access” to your court records (could include imaged/scanned documents).
- Online payment of fines, costs, and fees.
- Streaming audio and video access to Court proceedings.

These functions require a greater degree of investment in resources, time and technological sophistication, but as the costs of technology decrease and the technologies involved become both more stable and accessible, they are not beyond the grasp of any governmental Web site.

As an example of a functional court website, the Hamilton County Probate Court has generously provided their website templates free of charge for all courts to use. Any court can use these templates as a launching point for developing their own websites. A CD with a copy of these templates is available upon request from the Technology Services section at the Supreme Court of Ohio.

### **If you build it, they *won't* come (to the Courthouse)**

One of the key benefits that a Web site provides is that it lessens foot traffic and telephone calls to the Courthouse for routine information and paperwork.

In today’s world, physical security is a very real concern for all public offices. More Courts are faced with increased security concerns. While the services we provide to the community are necessary and beneficial, sometimes the environment in courtrooms (both civil and criminal) tends to be charged with emotion. Eliminating some of the foot traffic to the Courthouse by providing answers and or paperwork via the Internet will allow your security personnel to focus on those individuals who have to be present in the Courthouse. It will also decrease the number of those waiting to get into the facility during key hours of the day, and reduce the presence of unnecessary individuals if an incident should occur.

Waiting in a line, whether to get through the security screeners at the Courthouse or in voicemail limbo to get a question answered compounds the stress and irritation that people feel regarding the justice system. Eliminating this stress trigger can help to keep both staff and the public calmer and more positive about the courthouse environment.

### **Determination of need**

#### **Questions to Consider**

The following questions are a good place to start when considering a Web site:

- Does your staff answer many of the same questions repeatedly?
- Have you ever wanted a way to provide information to a large number of people without having to tell each one individually?
- Have you sought ways to reduce the costs of printing or reproducing basic forms and documents?
- Do you find your staff performing triage, trying to guess which people at the counter or on the phone need to file paperwork and who wants to know when traffic court begins?
- Does every third visitor ask for your Web address?

If you can answer “Yes” to any of the questions above, then a basic Web site might help alleviate some of the problems.



## **Assessing the need for a Web site**

One of the easiest ways to determine whether or not a Web site would be of benefit to your operations is to keep track of the number of times a day/week/month personnel at the Courthouse perform functions that could be accomplished via the Internet. This inventory could prove to be a valuable tool in recognizing and ameliorating redundant or repetitive processes your staff struggles with-- processes that could easily be streamlined by having a local Web site.

Your court may want to create a checklist to allow your personnel to keep track of those items that a Web site could accomplish. Even if you're not considering jumping in all the way with online public access or payments, getting a baseline feel for what transactions are being conducted, and whether or not those customers could access the courthouse via the Internet, will help you make your initial decisions about creating a Web site and help with future expansions.

An informal survey of whether or not your constituents have access to the Internet is helpful as well.

*Currently in the state of Ohio, all schools and libraries are connected to the internet. That means that anyone visiting a public library has free access to the internet, and by extension, your court website. Additionally, the US Census Bureau reports that over 50% of Ohioans have internet access in their homes.<sup>1</sup>*

Ten years ago, Web sites were a curiosity, now they are becoming more and more essential at all levels. From the Supreme Court of Ohio to small town mayor's courts, varying degrees of Internet presence are cropping up in the court landscape here in Ohio and across the nation. The Internet is a tool to provide improved customer service and public access to the workings of the Courts. Moreover, they are becoming an expected part of doing business.

If Mrs. Rowley's Kindergarten Class in Danville, Ohio has found the need to establish a presence on the World Wide Web (<http://www.treca.org/schools/danville/elem/rowley/kdg10.html>) then it is possible that your court or clerk's office could benefit from a Web presence also.

## **Dealing with public information requests**

### **Individual Inquiries**

The public is becoming more sophisticated in its expectations of retrieving desired information. Beyond the need for static information, (mailing address, phone numbers, travel directions), the public expects to access court information, documents, and indexes, in much the same way they access information from the business world, via their Internet connection. Courts and clerks offices daily answer questions and retrieve files for members of the public, attorneys and other agencies and entities. By having this case file information available on the Internet, court staff is freed from many of the phone and counter inquiries. Access to information is available during hours when the court offices are closed.

The following chart gives a sample of some of the varying requests that are made:

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<sup>1</sup> <http://www.census.gov/population/socdemo/computer/pp1-175/tab01B.xls>

Request/Search/Query	General Public	Attorneys	Other Agencies	Title Searchers	Credit Bureaus	Genealogists
Mailing Address/Name and Phone Directory	X	X	X	X	X	X
Location/Map	X	X	X	X	X	X
Local Rules	X	X	X			
Name Search/Index	X	X	X	X	X	X
Access to Case dockets	X	X	X	X	X	X
View daily court calendar	X	X	X			
Balances due on individual fines & costs	X	X	X			
Copies of case documents	X	X	X	X	X	X
Traffic waiver schedule	X	X	X			
Forms	X	X				
Passport Information	X					
Notary information	X	X				
Links to other sites (local Bar Assn., Passport Office, local law enforcement, OSLSA, Ohio Historical Soc.)	X	X	X			X
Outstanding warrants list	X	X	X	X	X	
Access to local sex offender list (link?)	X	X	X			
Date specific reports (DWI cases, Foreclosures, Domestic Violence cases, etc.)	X	X	X	X	X	
Birth/Death Records	X	X	X	X	X	X
Marriage Records	X	X	X	X	X	X
Lien information	X	X		X	X	
E-filing	X	X				
Financial transactions	X	X				

### The Public's Desire for Information – Wayne County Clerk of Courts

We in our county became acutely aware of the public's desire for information about a year and a half ago. A 14-yr. old girl went to the county fair with her parents and failed to meet them to go home at the appointed time. A search of the grounds and surrounding area failed to find her. She was a sweet girl from a good family – because she could have been anybody's child, she became everybody's child. The entire county was galvanized into a search for her. Focus for information was directed to the sheriff's office, prosecutor's office, and the local newspaper.

Focus for public and media information shifted to the court and especially the clerk's office after her body parts were found and a suspect was in custody. If you have never dealt with the media in a high profile case, you have no idea of the "feeding frenzy" that goes on to get the latest information available. The suspect had a prior rape conviction, with an additional appeal file, in our court, plus three prior divorce cases. Our clerk has spent untold hours copying these cases, answering phone inquiries on hearing dates and court orders, and inquiries at the counter. There was also a heightened awareness of named sex offenders (the suspect lived close to the victim), and the sex offender list on the local sheriff's Web site was greatly utilized by the public.

We in the clerk's office, as well as the public, would have greatly benefited from a Web site that provided some of the information, plus links to other offices, like the sheriff's office. It would have been even more beneficial if we had documents scanned that could be viewed and downloaded. This whole, unfortunate occurrence made us all very aware of the desire for information, formatted in a way that the public is now used to obtaining, via the Internet. This happened in our county, but surely could happen in ANY county.

### Bulk Information Requests

The public records law allows for public inspection of records and allows for persons to obtain copies of those records that they select. It doesn't require you to do the work for them, however.

If the database doesn't track a specific piece of data, then the law allows them to inspect the records and find what ones match the criteria they are looking for. It doesn't require that you have someone do their work for them.

One thing that you need to establish is, that while the ORC allows access to public records, the records are different from the database. If a request for "all records" is honored, that doesn't mean backing up the database and handing them a copy. Confidentiality agreements with your vendor aside, there are things in every database that aren't public (payment information, sealed cases, sealed witnesses in domestic violence cases, etc) and handing someone a copy of all your data and the schema to interpret it is a huge gaping security hole that should never be allowed.

This is not the forum for an in-depth discussion of Section 149.43 of Title 1 of the Ohio Revised Code (<http://onlinedocs.andersonpublishing.com/oh/lpExt.dll/PORC/483/215b?fn=document-frame.htm&f=templates&2.0#>). What we're trying to accomplish is develop a few guidelines on responding to bulk data requests.

An online public access search can eliminate many bulk requests. Properly formulated, an online search can allow members of the public to search the records online with access to the information that they need and able to make copies of the data themselves, at no cost to the office involved. You can point out that all of the records are available to them to search at their leisure and convenience. The more flexible your online resources are, the better able you will be able to redirect most requests to the Web and allow your staff to concentrate on the requests that require their attention, not to mention doing their actual jobs.

Courts will still need to commit human resources to the processing of bulk information requests. Defining this role is a policy decision for each court. There will always be requests that are not part of the available search criteria. In these situations, it would be beneficial for the court's website to include a request form as a starting point.

For the average person, there are two certainties in life: death and taxes. For the average court or clerk's office that has a database the two certainties are that someone will ask you for a copy of all your records, and they'll ask you to wrap it up with a bow on it. Depending upon how you plan, bulk data requests can be a catastrophe or a matter of routine.

### **Making a Business Case for Searching Court Records Online**

Terms such as "business case," "return on investment," and "cost justification" are applicable to public service areas, especially the Courts. Courts have a core function, a responsibility to perform their legal and sworn duties in a manner that is without reproach, and accomplishing this function would seem to be the primary concern of any Court and the Clerk's Office that supports it.

Yet, budgets are not unlimited, we do have accountability to the public for the funds and resources we spend, and we should feel an obligation to maximize the ability of the public to utilize the resources we provide to them. By creating a business case for the various processes we engage in, we can objectively look at the resources and benefits involved in any project. By analyzing the resource commitment and the resulting services, we can measure the impact upon our offices and weigh it against the gains to the public and the Court itself.

In one sense, implementing an online search for a court is no different than a corporation deciding to expand its product line or a small business owner deciding to stay open later on certain days. On the other hand, a business case is more of a “how will this change impact our operations” study rather than a “should we do this” study in the case of implementing a public access search function. Increased public access to court records will occur, it’s the job of prudent stewards of these resources to implement these changes in such a way as to minimize impact on court operations and maximize public gain for the resources expended.

Policies about the display of court records are set at the discretion of the local court and the administrative judge. For more information, see the section of this document entitled “Policy Considerations.”

Each issue must be weighed to decide what it will cost you to implement the change, and what benefits you will reap from the change. And for public agencies, such as the Courts, the benefits that the public will reap from such a change are difficult to quantify, as are the benefits that the agencies themselves will experience. This is where your business case will come in.

## **Core Functions of a Web site**

### **General Information**

Users of your local website will need to certain basic information available to them, quickly. There is an inherent need for faster service regarding basic informational questions such as phone numbers, addresses, driving directions, etc. These small pieces of information meet a large portion of user requests, and encourages self-service on the part of the constituent.

If this basic information is not immediately easy to find or navigate to, there will be no time savings for the customer, the help desk, or staff at your court.

Here is a boilerplate, or sample template, of the minimum elements of information that every court website should publish out to their constituencies:

Court Name

Type of Court (Juvenile, Municipal, etc.)

Physical Address:

Street

County

City

Zip

Mailing Address: (if different from above)

Street

City

Zip

Driving Directions

Phone

Fax

E-Mail (for general inquiry)

Hours of Operation

Presiding/Administrative Judge

Jurisdiction of Court/Serving: (list municipalities/counties)

Clerk of Court's Name

Payment Address:

Attn:

Street

City

Zip

List of any online services:

E-Filing Available (yes/no)

Online Payments (yes/no)

Online Records Search (yes/no)

Payment Methods:

Cash

Personal Checks

Money Orders

Cashiers Checks

Electronic Check/ACH

Wire Transfer

Credit/Debit Cards (specify)

Fee/Cost/Fine Schedule (make sure to keep these up to date!)

## **Search & Find**

### **Pre-defined parameter searches**

These are searches based only on a few commonly used parameters (AKA fields). An example would be a search based on name or a search based on case type and filing date. Although these searches offer little flexibility, with careful planning, they can serve the majority of queries. Due to the narrow constraints, they can also be finely tuned for performance.

### **Ad-Hoc searches**

These searches are based on parameters, but are not limited to a small subset of parameters. The user chooses from among a large set and constructs a unique query, often for a single use. Such searches are very flexible, but require the user to know something about the nature of the data structure in order to obtain meaningful results.

### **Open-Text searches**

These searches search for a word or set of words in any database field, so for instance, to search on a name, one would enter the name, and although the name field would be searched, every other indexed field would be searched as well, including useless fields for this context such as file date or cause number. This means the search is very simple, but also very inefficient and slightly more prone to producing useless results. As the name implies, “Open Text” searches are most useful when searching documents that contain text that may not be well defined in separate fields.

We also identified three different types of result:

### **Summary results**

Often returned in the first stage of query results, a summary is a synopsis of the records returned that allows the user to scan quickly through likely candidates in order to select results worth investigating at the detail level.

### **Detailed results**

Detailed Results are a complete display of a single record in response to either a very narrowly constrained query or “drilling down” from summary results. The display of an entire case docket or the results of clicking on a “hit” are examples of Detailed Results.

### **Statistical Results**

Statistical Results are not really the data returned by the query, but rather information about the data. For instance, when one constructs a query to report the number of juvenile cases in Franklin County in 2003, one does not expect to see all of the cases, but rather, select the cases, count them, and display the count. Statistical reports are “Meta Data.” Many management reports are composed of pages of summary results followed by a few lines summarizing the nature of the data with statistical results.

For functions such as monitoring a particular case, pre-defined parameter searches are most useful. For instance, if you have a case number and you want to know whether a summons has been served, it would be simplest to locate the case directly using the case number, then drill

down to docket entries and look for the service notice. People seeking the details for a particular case or person will be the vast majority of users. In this situation, displaying initial results in a summary form with links to “drill down” into details makes sense. If the query only returns one result, it may be reasonable to have the display go directly to details, skipping the summary list, although such inconsistent behavior might cause confusion.

For producing statistical or aggregate reports, an Ad-Hoc query might be most useful. An example is producing a list of cases of a particular type for a particular judge that has not had action for more than 90 days. This involves a set of parameters that are not normally used together, and hence may not be worth setting up as a pre-defined query. The results of an Ad-Hoc query are generally a group of records; hence, the result format is going to be summary and optionally statistical in most cases. In this example, one might want to list the case number and caption for each case, group them by date (age) range, and then provide a count for each age group and an average time without action for all cases.

When searching for a group of cases related by a particular term or a set of documents containing the term, and open-text search is most appropriate. For instance, if one wanted to search all of the local rules to learn which courts allow fax filing, it should be a simple matter to enter “fax filing” and get a list of documents containing this term. Another place where open-text searching might be useful is in the docket text entries, which do not lend themselves well to any other method. Note that in the case of Open Text Searching, it still helps to define what is being searched; e.g., “Case Docket Text Entries,” “Orders,” or “Appellate Court Opinions.” In almost every situation, a Summary Result with links to a detailed result is most appropriate here given the inexact nature of creating Full Text searches.

Although it is tempting to set up a single open-text search for the entire website, this may not lend itself well to routine case-related queries that legal professionals may want to run on a regular basis. This set of users is likely to be the largest, and hence a set of simple Pre-defined parameter searches tuned to provide excellent performance will work well.

### **Forms, Forms, Forms**

Offering your constituents Web-based forms is a service you may wish to consider. It is not only a great help to pro se litigators, but it also keeps filings consistent and ensures that all required information is provided. However, it is territory into which some courts do not wish to venture. There is some feeling that providing forms is “giving legal advice” and some judges are adamant about not crossing that line.

If, after discussion, you decide forms should be available, saving the form you create in PDF format would be the best option. There are security tools for many different kinds of file types. Forms could be scanned in or created in the Web site, and then downloaded by the user to fill out, sign and mail in. Alternatively, newer software allows court personnel to create electronic forms which customers could type in and then either print out or email directly to the court. The option of providing fillable/typeable PDF forms means your office gets clean, typed forms back in the mail, or in your inbox. Either way, you will need a statement that a pdf reader is required to print the form. You may want to provide a link to enable users to download a pdf reader.

To be truly interactive, forms would be filled out and transmitted online, with a confirmation page confirming the information they submitted. This choice would require thinking through some electronic signature issues, and to validate that the person sending the form was, in fact, that

person. This might be an option a court Web site would wish to furnish to attorneys, for filing simple precipes, etc.

It may be helpful for you to provide some links to Web sites that provide forms too, such as the U.S. Dept. of State, which has passport forms (<http://travel.state.gov/passport/index.html>), or The Supreme Court of Ohio, which has civil protection order forms available ([http://www.sconet.state.oh.us/spec\\_dockets/default.asp#forms](http://www.sconet.state.oh.us/spec_dockets/default.asp#forms)).

Standard Probate forms: Hamilton County Probate Court -

[http://www.probatect.org/ohioprobatecourts/ohio\\_courts\\_standardforms.html](http://www.probatect.org/ohioprobatecourts/ohio_courts_standardforms.html)

Trumbull County Probate Court -

[http://www.trumbullprobate.org/trumbull\\_county\\_probate\\_court\\_forms.htm](http://www.trumbullprobate.org/trumbull_county_probate_court_forms.htm)

A Web site is all about service. Your court has to make the decision as to *how much* service it will provide.

### **Local Rules, Processes & Etiquette**

Those who will be accessing your court, both with filings and physically, would benefit from knowing local court rules ahead of time. The local rules can be posted on your website, with the caution that they must be up to date at all times. Any changes or additions to local rules should contain an effective date and be updated according to a set schedule (see section “All About Content”).

The inner workings and processes of courts and jury duty can be very intimidating for the average citizen. Jurors are often unsure of where to park, where to report, what to expect. It is helpful to give them a little assurance as they are entering an unknown environment.

Out of town attorneys will benefit from knowing the culture of the local court. If there is a dress code (for public and attorneys), arrival instructions, security procedures and requirements, or expected behavior, those things could be outlined on the court website.

### **Distributing Publications/Communications Outlet**

Not long ago the business of the courts existed only on paper, and court employees relied solely on the U.S. Postal Service, fax machines, telephones, and the media to communicate with the public.

Today the Internet is revolutionizing the way courts do business. Every day courts are discovering new and exciting ways to use the Internet to bring the work of the judiciary closer to the public it serves. One of the most basic links between the courts and the people who use them is a Web site.

Web sites have become an invaluable communication tool for courts because they are easy to use and accessible to anyone with an Internet connection. In 2004, nearly 50 percent of Ohio courts maintained a Web site with general information.

Initially, court Web sites consisted of a few pages of basic information, such as address, phone and fax information, business hours and profiles of officials. Now, more courts are using their Web sites to do everything from posting opinions to electronic filing.



The following is a sample of the types of information courts can post on their Web sites:

- Local rules
- Helpful links
- Forms
- Dockets
- Calendars
- Annual reports
- Fee payments
- Publications
- Opinions
- Juror instructions and handbooks
- Overviews of the judicial process
- Child support guidelines
- Sentencing guidelines
- Press releases
- Statistics

In short, courts can make their Web sites as content-rich as their available resources will allow.

### Records Availability & Medium

Courts should create a written inventory of the medium and availability of local records. For example, all traffic records since 1995 are available online, everything prior to that is kept on paper at the courthouse. Make sure to include historical documents.

Here is a sample chart to illustrate the records holdings of a local court:

<b>Year</b>	<b>Type of records</b>	<b>Format available</b>	<b>Location</b>
Pre- 1995	Judicial opinions, judgement entries	Paper only	Court Facility Storage, Clerk's Office
1995-Present	Judicial opinions, judgement entries, scanned case documents.	Paper, PDF, HTML	Clerk's Office, public terminals, website

### Judicial Opinions

Judicial opinions have never been the riveting page-turners that made the bestseller lists, but in today's society, more attention is being focused on the Courts and their activities. Additionally, an expectation for public availability of these opinions is becoming more the norm rather than the

exception. While the posting of opinions is something normally done by the Appellate Courts and the Supreme Court, some basic guidelines should be applied.

They should be usable.

Publish the documents in a universal format that allows the greatest number of individuals access to the document and provides some sort of security to the original. Not to be considered an endorsement, but the portable document format (PDF) format is, virtually, a universal solution since the reader is freely distributed for most platforms and a rudimentary amount of security/authentication can be added to the posted document to maintain it's integrity. Posting documents in any word processing format doesn't always allow universal access to them and exposes documents to annotation or alteration. Virtually all modern web browsers will allow for the opening of pdf documents online and they can be saved and printed as needed by the viewer, thus saving paper and other resources.

They should be findable.

Both chronologically and by subject, it's important that you provide some sort of index or search function for your opinions. Some users will be looking for all of the opinions of the week of February 4th, while others will be looking for the one in the case of "State of Ohio v. Jane Doe, et al" A search function need not be complex, but it should allow individuals to be able to locate a specific opinion without undue difficulty. Remember, by putting them online, you're giving access to people who aren't used to dealing with the legal system and the easier it is for them to find what they're looking for, the more work you save yourself in the long run. Also, since you're probably not going to put every opinion from the founding of the court online, a contact email or number for those opinions that predate the web access is a must, as is a clear listing of how far the online archives go back.

All opinions are equal; some opinions are more equal than others.

A fact of life is that some opinions will garner more interest or controversy than others. And as courts are continually called upon to render opinions in increasingly fractious cases and matters, there will be great interest in those cases and the decisions that flow from them. It is not inappropriate to accept the fact that more people might be interested in the appeal of a case involving a celebrity or local political figure than will be in the resolution of a property line between two houses in a neighborhood no one is familiar with. Having a link to specific opinions is no more inappropriate online than it is to make up multiple hard copies of an opinion and having them readily available for the press and public after an opinion is released.

Opinions flow downstream

Lower courts aren't necessarily compelled to post opinions of the appellate division that affect their rulings, but it can be considered a service to your local users. If not posting the opinion, a link to the appropriate court's opinion page would facilitate local practioners, the public and the press when an appeal impacts a local decision or ruling.

## Fines, Fees & Costs Charts

How much is all this going to cost? That is a legitimate concern. Many constituents would be well served if every local court posted a clear and easy-to-read chart outlining basic fines, fees and costs associated with both paying tickets and filing of cases.

Most, if not all courts have a “Fines” schedule in their local court rules. Here is an example below:

### Fines Chart

Offense	First	Second
Speeding		
Under 15 over posted limit	85.00	110.00
16-20 over posted limit	90.00	110.00
21-25 over posted limit	95.00	110.00
26 mph or more	110.00	160.00
Failure to wear seat belt		
Driver	66.00	66.00
Passenger	56.00	56.00
Child Restraint (Must Appear)	110.00	160.00
Reckless Operation	110.00	160.00
Minor misdemeanor violations (Other)	85.00	110.00

### Costs and Fees Chart

This extract from the costs and fees schedule of a local court’s rules (effective 3/1/05) is detailed and begins to list every cost associated with filing a case within the court. And for practitioners and persons who regularly file with the court, they will know to pick all of the services they need, total up their choices and they know what filing a case will cost them.

See Appendix A for an example.

An extract from this Civil Costs Sheet shows the total costs for filing a basic case, and then goes on to enumerate additional costs for additional defendants or services. A “Fines and Cost” chart or sheet should be logically laid out, easy to read for the casual user, and easily printable or downloadable. The Local Court Rules should also be available (after all they’re the basis for the fines and costs) but a summarized costs sheet will allow the casual or occasional user to better utilize your court website and avoid another phone call to the Clerk’s desk.

### Special Services

Many courts today are offering specialized services such as drug and family courts, housing and environmental courts, mediation and interpreter services, etc. Those sections have not benefitted from as much public awareness and could greatly increase their public presence by posting web content.

### **Best Practices: Events Calendar**

One feature often requested is the daily court schedule. A daily, weekly or monthly report by judge, courtroom or facility will aid the user in determining where and when to arrive for an event. Defendants, plaintiffs, attorneys, and prosecutors will find this very useful. Local news media will be inquiring on high profile events without calling the court staff. Most case management systems provide the courts with some basic scheduling reports.

Whether your court has a preprogrammed report or a 3rd party report generator, these reports can easily be converted to HTML format to be uploaded to your Web site. Some programs allow for multi-page navigation and/or indexing. This allows the viewer to move about the schedule with ease and efficiency.

Calendars of court holidays and events, hours of court operations, as well as jurisdictional information can fall within the realm of court schedules and are always found helpful to the Web user.

### **Best Practices: Employment Opportunities**

Use your Web site to post employment opportunities. Many of the Web users are practitioners within the legal community and may be looking for a career change. A quick conversion of a job description text document to an HTML format will give you and an instant Web page that you can post to your site. Conversion to a PDF format will protect your document alterations and give the viewer a professional, printable copy. With a little extra work you can post a directory of jobs by classification and posting date with links to the aforementioned job descriptions.

The Internet utilizes many "bots" or automated programs that can scan your Web site and catalogue or index your Web pages and topics. These indices are what search engines such as Google or Yahoo use to find information.. With this in mind, your Employment Opportunities will be expanded to a "global" market of potential employees.

### **Best Practices: Help Desk**

Many elements should be considered when implementing a website for your court. One of the elements that should rank in the top ten is the importance of providing responses to inquiries from internal and external customers of the court. This is known as a "Help Desk."

A Help Desk is the usually the first point of contact for your internal and external customers who access your court's core of information sometimes known as a knowledge base. An effective Help Desk can improve your court's customer response either by directly answering inquiries or by redirecting inquiries to the appropriate areas within your court. Your customers will receive answers to common inquiries quickly and accurately - the first time.

There are two basic types of Help Desk functionality.

#### **External Help Desk**

An External Help Desk is the outsourcing or "hiring out" of your Help Desk services. Your court is responsible for providing and updating the knowledge base used by the contracted service. The service will have trained staff who receive, answer, and redirect inquiries for your customers.

## **Internal Help Desk**

An Internal Help Desk is staffed by court employees who are responsible for answering and redirecting customer inquiries. Your Help Desk staff may receive various levels of support from your computer/network support staff. Training is available for court staff to learn effective Help Desk skills.

There are advantages and disadvantages to both types of Help Desks. One important element of either type of Help Desk is the amount of resources they require. Another is the tracking of calls with what is sometimes called an online Ticketing System. This system will track the type and the peak times of calls placed by your customers.

A ticketing system may help you realize where bottlenecks are in your court. In addition, you will be able to identify various trends in the needs and interests of your customers. The results may give you justification to increase staffing and other types of support in the peak areas of your court.

Like your in-house networking system, your help desk is a dynamic part of your court. It will require ongoing maintenance and support by everyone to maintain an effective knowledge base for your customers.

### **Best Practices: Sitemap**

A site map is an organized visual model of Web site content. Like a traditional geographical map, it helps users of your website find places, or information, that they are looking for. Usually, site maps are organized hierarchically, displaying the site in increasingly specific sections or categories of content. Generally, site maps are displayed as an outline, table of contents or taxonomy, where each item is a link to that section, topic, or article.

Good Sitemap Examples:

<http://www.usdoj.gov/sitemap/>

<http://www.ncbi.nlm.nih.gov/Sitemap/>

### **Best Practices: Search Engine Indexing**

Most people use websites such as Google and Yahoo to search the internet for pertinent information. These free services provide the user with a listing of websites that contain the requested type of information. The closer a website matches the user's search request, the higher it will appear on the list of results presented on the screen. This is known as ranking. Most reputable services base this ranking on the number of users accessing the website.

Once you have your domain name and website 'live' on-line, you'll want to begin appearing on search engines so your constituency can access your site easily. There are some frequent mistakes you'll want to avoid.

### **Don't pay to be registered**

After you register your domain name, you may begin receiving e-mail offering to 'register' your domain with all of the popular search engines (e.g. Google, Yahoo!, MSN, etc.), for a fee. Paying

to be listed isn't necessary, and won't result in higher rankings when searches for your site are done.

The largest search sites use automatic tools to register and list sites automatically. It is best to contact the Supreme Court, so your site can be linked from theirs. Having other local organizations link to your site will result in higher rankings as well. Listing generally takes anywhere from a few days to a couple weeks to be completed automatically.

Most popular search engines also have site submission forms you can use to submit your site for listing. This can be done quickly with one form on each search engine. On the outside chance you find your site hasn't been automatically indexed within a couple of weeks, you might also take a couple of minutes and manually submit your site with at least the three most popular engines. Manual submissions only take a few seconds each, and are free.

### **Getting listed higher in search results**

There is no real benefit to a court website for having a high ranking. Rankings are more important to commercial entities competing for customers on the internet. "Customers" of courts are assigned.

E-mail offers for higher search ranks for a fee are common, but unnecessary. The popular search sites use algorithms to determine search rank. These algorithms are frequently tweaked to eliminate techniques used to generate high ranks when those ranks many not apply to searches being made. Paying to be ranked higher generally doesn't work, though if it does, it generally doesn't offer good long term results.

### **Best Practice: What's in a Name? Names, Registration and Hosting**

On the internet, keeping names simple, concise, and recognizable is important. Remember that your users have to type in your name to get to your website. The goal is for users to be able to access the website quickly and efficiently.

Our county hired a computer guru, John, two years ago. He started out by setting up a generic site for the county as a whole. He chose the site name of gallianet.net. He stated that the redundancy of the “net” was to show the site is for all Gallia County and Gallipolis City agencies and departments. He proceeded to register the name with a company that insures certification so that no other entity can use that name. When you decided upon a name, called Domain Name System (DNS), you will need to contract with a company to register the name. Oh by the way, you will probably have to pay to register the name. This can cost anywhere from \$7.00 per year and up to \$125.00. The most expensive is a name that ends in “.gov” and is issued by the General Services Administration. There are literally hundreds of companies that register domain names. After you have chosen your name you can pay the fee for up to 100 years to keep the name current on the internet register. It is crucial that you keep your registration active and current. It is important to know your provider’s policy on registration renewal and expiration.

Five years ago one of our clerks was going to take her family to King’s Island. She wanted to know some general information and the price of tickets. She went on the internet and typed in the address of kingsisland.com. She did not receive what she expected. A porn site came up on her screen. Things did not stop there. The site acquired the email addresses of every computer in our system and proceeded to send us emails for the various porn sites. We received porno emails for the next year. After exhaustive attempts at stopping the emails, the court ended up changing all of our email addresses to rid us of the problem. After doing some research we found out that Paramount had purchased Kings Island and changed the Internet address and just dropped the original domain name. This put the name up for grabs on the internet universe. A porn site purchased the rights to the original name. This same name situation happened to the Girl Scouts of America.

It is important to mention that there are two components to the name of a website: the domain name and a corresponding IP address. The internet does not actually read the letters in the names of the address that you type into your computer. A series of numbers, called an IP address, corresponds to the domain name that you have chosen, such as 192.1.32.65. The IP address is required for technical management of your website.

### **Best Practice: To host or not to host that is the question**

There are basically three ways of hosting an Internet site. You can contract with an independent third party vendor to set up and operate your website, your case management vendor may have web hosting capabilities, or you may host it yourself.

If your court is looking into developing a web site that will be for information on the court, contracting with an independent vendor or your case management vendor may be the way to go. The advantages should include no maintenance on your end, little or no software to buy, fast service and no technical costs. The company will generally provide you with everything you need to set up the website. They should provide comprehensive security and virus protection. This all comes at a cost that is negotiated by the court. Some of the disadvantages of contracting include the cost, size restrictions, updating your information and dealing with a company that possibly does not understand courts.

If your court is looking at a state-of-the-art web site with e-filing, document retrieval, online payments and other in depth services, you may consider hosting your own web site. There are no

restrictions of what software you run. You will need a variety of additional equipment, software and staff expertise in order to host your own web site.

A best practice for hosting a website is to have a high-bandwidth network capacity. While it may be technically possible to use a DSL or similar connection, it may result in your site being frequently unavailable. If your court has no other hosting options than dial-up, you may want to consider if this is the best time to host your own website.

## **Considerations while establishing & maintaining a website**

### **Building a Business Case**

In this section, methods are offered to help you make wise financial decisions in the initial acquisition of hardware, software, and the ongoing maintenance of your in-house systems. The “next steps” include identifying those groups who use the information created by your court and designing an effective system of access. This section will help you determine what information will be incorporated into the new system and meet the daily requests from your staff and customers. Learn how to maximize both dollars and your human resources.

### **Anticipated Services Available Through the Ohio Courts Network Portal**

As discussions of a statewide Judicial Branch portal on the Ohio Courts Network (OCN) mature, courts may have questions about the differences between a local court website and a statewide judicial branch portal. A good way to think about the differences will be to discuss where the OCN leaves off and the local web site begins.

Those courts that are currently considering a local Web site need to look at the business case for doing so and decide whether or not they want to delay significant resource investment in the development of a web site and wait for a statewide portal (anticipated for 2007/2008) or if they have enough demand and local need to justify the investment now. Courts may choose to implement a web site with fewer services than they want in anticipation of the Portal availability. Since a state-wide portal cannot be all things to all people and each local court has unique constituencies, many courts will benefit from having a local web site in addition to access through the state-wide Portal.

The goal of the OCN portal is to create a single web site that enables centralized Web-based distribution of judicial branch content. An OCN portal provides one-stop access to information from every court in the state and is designed to ease the burden to all types of court users in finding information in and about Ohio’s courts. The portal is not intended to replace websites of local courts who may wish to present their own website to local constituents.

A website requires significant commitments on the part of the local court. Many of the courts in Ohio do not have the budgetary and staffing resources to produce a website on their own; the OCN portal is intended to offer some online information and services to those courts that may lack the resources to manage an Internet presence.

The following services may be available to local courts individually or collectively through the OCN portal:



Search: Provides case information search in a user-friendly presentation format. The information source is a compilation of all case information held in every court in Ohio. Of course, access to sensitive, sealed and/or confidential information will be limited to appropriate individuals, basic public information will be available.

General Court Information: including contact information , driving directions, operating hours, Presiding/Admin Judge, jurisdiction of Court/Serving: (list municipalities/counties), Clerk of Court's name, payment address, online services list for the local website (if available), Fee/Cost/Fine Schedule

Centralized Financial Transactions: Allows for the payment of fines and fees to all local courts via a single payment engine. Advantages include the management and possible redirection of currently assessed “convenience fees” for credit card payments. Hopefully, this will increase the ability of local courts to accept more forms of payment more efficiently and securely, it does not anticipate

E-filing: Would allow individuals, practioners and agencies to file cases electronically with any court in the state. This system envisions a form driven process through which a filer could provide information on an interactive form, submit payment and send in the filing over a secure network to the appropriate court. Courts who wish to have e-filing would be able to accept this information locally into the courts system for processing without needing to re-key in information. Those courts that chose not to have e-filing functionality could simply print out the documents and manage them in whatever way they normally would over the counter.

The Portal envisions itself as an electronic post office for the transmission of electronic documents to the courts in a secure standard process, a local court would remain responsible for local technical capability, policies and processes for the routine use of electronic documents and the electronic record for case processing, for service on other parties, and for access and use by everyone involved or interested in the case.

### **Audience Considerations**

After you have decided to create and maintain a local court website, the next step is to design the site to meet the needs of all of your intended and potential audiences. System users fall into three main categories – Public, Partner and Internal. Each of these groups has specific concerns and issues that are outlined in more detail below. Prior to finalizing your web site design you should consult with each to determine their needs and expectations. If you consider the current and future needs of all of these users, you can design a site that is flexible and fulfills the greatest number of needs.

Before you consider the specific needs of each individual user you must address several general issues. You must determine what information to make accessible and how quickly you will make the information available online. Legal privacy requirements, costs, and established court procedures for processing orders and entries will need to be considered in making these decisions.

In some cases, meeting the needs of your various web site audiences may involve simply adapting something that is currently accessible in one format to be accessible on the new web site. In other cases, you may be able to automate the collection, input, sharing, and retention of data in new areas. All of these possibilities should be explored for a site to offer the maximum benefit.

During this process, you should also think about how best to create a system that is easy to use. Creating an easy to use alternative to obtain information that is available 24 hours a day should result in greater efficiency by your office staff.

### **Public Use**

Making court records easily available to the general public serves many worthwhile purposes. Your internet site will be used by defendants, plaintiffs, attorneys, family members, victims and other interested parties. All of these groups will use your site to check the status of court cases, learn local rules and courtroom customs, and locate historical information about parties in closed cases.

Other specific issues may need resolution such as creating a detailed chain of command to ensure that all documentation has court approval prior to entry into the public system.

### **Partner Use**

Law enforcement personnel, the prosecutor's office and other government agencies such as the public defender's office and the child support agency will be likely users of your site. All of these users should be asked for input as they may have specific needs or suggestions that will create a better web site. For example, some courts have decided not to post active arrest warrants immediately on the internet site to avoid giving a defendant a potential advantage in avoiding arrest.

### **Internal Use**

Within the structure of your local court system there will be a number of potential users for your site including judges and magistrates, court and probation personnel and the clerk of court staff. Each of these users may currently utilize an in-house version of your court docket recordkeeping system.

These internal users may also need access to information that you do not provide to the general public. If you decide to utilize one system for use by both external and internal users, you will need to decide how to allow internal users access to data that is not available to external users. Some sites accomplish this using a special password system for internal users. You will also need to determine what type of security system will be used to ensure the confidentiality and/or limit access to the internal user only data. Your in-house information technology staff or outside consultant can assist you with this issue.

### **Unanticipated Use**

As with any new technology implementation, there will always be unforeseen risks, costs and uses of your Web site that went unidentified in the planning stages.

For example, no one ever anticipated that email would be used so effectively as a vehicle for spam marketers, or that our Web browsers could or would be mischievously hacked to deliver viruses to the PC desktop.

That said, there will be times when constituencies take advantage of the content and tools on your local website in ways that may tax your internal resources.

## **User Feedback**

After a website is up and running many courts periodically seek feedback from their users. While this is not required, you should opt to follow this best practice for several reasons. First, it makes sense to seek this type of input to measure customer satisfaction. Second, there may be ways in which your website is being utilized that you did not originally plan. Moreover, by understanding this unanticipated usage, you can better serve the public and avoid unexpected problems and surprises.

There are several common methods for obtaining feedback. Some courts form a website advisory committee and hold periodic or quarterly stakeholder meetings. Other approaches include placing an annual survey on the website for users to complete or simply contacting some of your users for an informal discussion. Regardless of how you choose to approach this issue, we encourage you to revisit regularly the wants and needs of your users. More information related to this topic is available in the chapter entitled All About Content.

## **Staffing**

Whether it is computerizing, upgrading systems, or building a presence on the Web, technology costs will most likely never decrease. Productivity will increase in other areas, but there will be added responsibilities. Systems will need to be upgraded every 3 to 5 years. Emails will need to be answered. Web site content will need to be refreshed on a regular basis.

Good service does not mean more work – most of the time. However, it *does* mean identifying the resource needed to do your job effectively and efficiently. As a public entity, the court is responsible

Take a moment to identify the resources currently available to you and your court. Staff, equipment, in-house procedures, and policies are all samples of existing internal resources that enable you to perform your job. Then take a moment to identify who in your office is affected by your internal resources. These are your primary customers.

Next, take a moment to identify those people outside of the courthouse that rely on your internal resources. Attorneys, title searchers, credit bureaus, genealogists and the public are but a few of the many people to whom you provide service. They are your external customers.

Combined, internal, and external customer can now comprise a documented plan for your office. Remember, some things do not require more technology in order to be improved.

### **Shifting Gears, Information at your finger tips**

When we computerized the Gallia Juvenile/Probate Court in 1993, we forestalled the hiring of new clerical employees for several years. At that point, our caseload increase necessitated the hiring of more employees. This in turn necessitated more computers and the upgrade of our server system. Productivity went down for a period due to training of the new employees. As new programs are added more training is always required.

We try to upgrade our computers every 3 years. If your court begins to image records, it will take time to scan and index the documents. Nevertheless, when people request copies, the original file will not have to be pulled anymore. The trade off is staff spending less time running to the actual files for copies. With a Web site, less people will be coming to or calling the court for information. However, the Web site content will have to be maintained. This may be every 12 minutes, every hour, daily or weekly depending on the Court's caseload. As with any change, new responsibilities will be added to job descriptions. It is important to keep these things in mind when your planning process begins.

### **Implementing New Systems**

***New systems succeed when all customers, procedures, and requirements are identified beforehand.***

Determine which processes need to be streamlined. This is a great time to rethink old procedures and improve their results. Be cautioned that you cannot fix everything. Focus on primary responsibilities and resources of your court.

When implementing new systems, it is vital that your existing methods are not jeopardized with the new system. Be prepared to run concurrent systems for a predetermined period until the new system is ready.

In-house networks will allow you to offer more controlled information to your internal and external customers. Staff will have access to court-specific current and historical information using networking systems.

### **The Bottom Line**

New systems can allow your staff an opportunity to increase the quality and availability of their customer service. This is best accomplished when staff knows what resources are available and which are appropriate when requested by a customer. Providing reliable and timely information will streamline your court, inside and out.

### **All about Content**

Each individual and each section within your court has specific and changing needs for information. This section will give you the tools to identify who needs what information and when. Learn how to tailor your information effectively and not let it get in the way of the judicial process. Create a process that supports "buy-in" of the new system by your staff.

## **Keeping Content Current**

### **Content Maintenance**

Once your in-house system is operational, it is important to create an environment that helps your technicians maintain your Web site. Learn how to create a glossary of terms, portal access methods and retain effective electronic records management.

### **Responsibility/Accountability**

We recommend a quarterly audit performed by one or more internal staff to determine the accuracy and currency of static content on the website. These might include:

- Links to other websites
- Address/phone/e-mail information
- Parking and location information
- General jury instruction
- Local rules
- Forms
- Staff/Judge changes
- Calendar (not the court's daily calendar)
- Archived old content (i.e. press releases)

Ideally, one member from the court-side and one from the clerk side also meet semi-annually to discuss larger issues such as:

- New content development
- Customer service issues
- New technology procurement
- Long-term planning
- Security problems
- Budget/staffing
- Privacy/Public Access problems (changes in legislation, rules, etc.)
- Public Information Requests

### **Form follows function**

What you want your court Web site to accomplish should determine a good deal about the structure, look, and presentation of the site. Conversely, the form of a site will tell volumes about what you really intend for it to do, whether you know it or not.

If the purpose of a Web site is to allow the public to easily access information about the Court, cases held by the Clerk's Office, and the functions of the justice system, then that should be the keystone you place the rest of your design and structural elements around. Things that distract or detract from that purpose can be included, but care has to be taken so that the intended purpose of the site isn't obscured.

The very nature of the Web dictates this. A site should be fairly transparent in purpose and easy to navigate. The very nature of the court system doesn't lend itself to this, because it is a system that is shrouded in it's own language and rituals that aren't readily understood by the average individual.

People who aren't affiliated with the process are trying to find out information regarding something they don't understand and the Web site should be designed with the purpose of helping them understand what is going on rather than around the needs of the insiders. While the insiders access the information more often, they will be doing it as a matter of course. The outside individual will be trying to find information, probably for the first time, and under stressful circumstances (i.e., they or someone they know has unwillingly come in contact with the justice system) and we should reflect that.

“Just because we can” is usually a justification of designing something in a way that appeals to someone's inner sense of design, rather than designing something for someone to actually use. Keeping in mind what people expect to find on a site and what they expect to be able to do (as opposed to what we think should be there or what we think they should want to do) will drive a functional or (to borrow a popular catch phrase) “purpose driven” site.

## Resources

### Content Providers

One of the things that must be determined with any Web site is who is going to be responsible for providing the content that will appear on the Web site. For internally generated content, there are two obvious choices: either a single point of contact that is responsible for acquiring the data and posting it to the Web site or a system of distributed providers that post content from their various areas of expertise to the Web.

In the first scenario, establishing a single position with the responsibility for acquiring the material for the Web and then posting, it has the advantage of being able to maintain a consistent view and voice for what appears on the Web. Using this model, you are able to achieve not only a consistent look and feel for the materials posted, but also it is easier to maintain an overall plan for the site. The downside to this is that one person is very rarely, if ever, an expert in all of the areas of information that need to be added to a court Web site.

The one Web staff person can become very dependent upon the various departments to provide them with raw data that they may or may not understand (depending upon their familiarity with court procedures). Often, the various offices from the court and clerk's office feel little connection with the site since it is “someone else's problem,” and it can be difficult to get the quality of information needed. In addition, timeliness of information becomes an issue since changes are forwarded to the Web person as an afterthought and everything needs to be changed right away since the new policy has been in place for several days or weeks by the time it is submitted to the Web person for posting.

The second scenario envisions that the various departments and offices are responsible for the Web content regarding their area of operations. This has the advantage that the people who best know the information are responsible for it. The people creating the Web content are the ones who know it best and know how they want it presented to the public. Unfortunately, there are a couple of problems with this approach. The various departments also have other jobs to perform, and their attention to detail with the Web material will vary from department to department. If they are enthusiastic about the project, you suffer from everyone believing that **their** information is the most important thing that needs to be on the Web site. The site may lack a uniform style or voice, even using content management software that controls the look and feel of the information; the voice will differ from page to page (or item to item in some cases).

One of the success stories of recent publishing is the “Dummies” series of books<sup>2</sup> on subjects ranging from “DOS for Dummies” to “Scuba Diving and Snorkeling for Dummies.” One of the features of their success is that you know exactly what you are going to find from book to book. Written by different authors, they all have a common format, look and feel that enables the reader to find what they are looking for, whether it is JAVA script or the perfect cup of coffee.

Both approaches have merits and problems. A blended approach where individual departments and divisions have ownership and control over their data but one individual is ultimately responsible for the look and content is a compromise that allows individuals control over information, but assures that someone is riding herd over the entire process.

***Somewhat akin to herding cats, the concept of being a Web editor rather than the Web master portrays the position as what it needs to be, one where they collect content from various sources and place it to form a coherent whole.***

What will affect the potential success of this approach is if individual sections are allowed to seize control of content management for their part of the puzzle. What you have then is an individual whose only responsibility extends only to things that do not work, not for making the site work as a whole.

Years ago, the O.J. Simpson trial introduced the concept of “court as spectacle” to the world. More recently, the Kobe Bryant trial in Colorado has put court Web sites in the public eye. Several embarrassing gaffs where documents that should not have been made public were uploaded to the court’s Web site resulted in adverse publicity for a court already struggling to deal with a high profile case, and may or may not have impacted the outcome of the criminal proceedings in that court. At the very least, it gave the distinct impression that folks did not know what was going on when it came to the Web.

These examples point out a need for the court to employ someone well versed in legal requirements and protocols for dealing with court documents that vets each piece before it is posted to the site. Whether this is one person, centrally coordinating all postings, or the person in charge of each area, documents need to be vetted. If your system is going to have a process for automatically adding court documents to the Web, then your business rules for which types of documents are posted, and with what level of redaction, need to be thoroughly scrutinized with a firm grasp on “worst case” planning.

#### Outside or subscriber content

Everyone has read subscriber or outside content on a Web site, even if you did not realize it at the time. The weather bug that tells you the time, temperature and current weather of wherever the site is based, the news ticker that updates you from various news feeds, the traffic cams from the local news stations are all colorful and allow a Web site to give “added value” to your users. However, with Web sites maintained by local courts and clerks, they can pose a problem. The appearance of sponsorship or endorsement for the courts is always a touchy one. Is the court giving its imprimatur of approval to a local company or service? Is that local group sponsoring “justice” or “public access” in their community? How objective and impartial can a public office appear when a private concern appears to be underwriting the process, even if the office is paying for the service? Services such as Mapquest and Google provide service and value to the users of the Web sites they exist on, but at what cost to the appearance of the court? If a case involving

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<sup>2</sup> <http://www.dummies.com/WileyCDA/>

one of those companies enters the docket of that court, what appearance of impartiality is there? Does the company immediately become the “good guy” in the case since they are telling the jurors how to get to the courthouse? Alternatively, do they become the bad guy if their directions do not take into account the water main break that happened after the map was printed? One should be careful about outside content and services on a site.

### **Content for your Web site – Structured vs. Unstructured Data**

A Web site is only functional if it provides content, useful information that people can access and use to make decisions or answer questions. The content should provide information that people need, which is sometimes the same thing as what they want, but not always. Consumers can need to know information that they do not know they want, and they can want to know information that they may or may not need. The simplicity of a well-designed Web site is that data is provided to the public in the most efficient manner possible.

There are two types of content/data for Web sites, structured and unstructured. Structured data also referred to as dynamic, responds to the specific request of the user. A public access Web search listing all of the eviction cases filed between the first and the fifth of the month would be an example of structured content. A court docket listing that allowed the user to select all of the cases that were being heard in Courtroom 4C tomorrow morning would also be structured content. Conversely, a printout of all of the evictions filings in PDF format for the same period is unstructured. Posted on the Web, this document would be unstructured content, even though it has structure. Unstructured data is isolated from other information, but probably makes up 80-90% of everything on the Web. Policy letters, local court rules, lists of operational hours and the like are all necessary features of Web sites. They are also difficult to search and force the consumer of the information to know something about what they are looking for to find it. You have to know that a fine table section of the local court rules exists before you can find the cost of a barking dog fine in Grandview and how it differs from the same offence in Groveport. This requires the existence of a FAQ (yet another unstructured content element) so that consumers of the data can research before they research.

Structured data, on the other hand, allows for less prior knowledge on the part of the consumer. A natural language query against the court case management database could return information about the cost of a ticket in Grandview, and how many of them were written last year if the user cared to inquire. Structured content is always tied to a data source that allows it to answer the question at the moment it is asked, as opposed to when it was typed up or generated with an unstructured list or printout.

A good point of reference for dealing with unstructured data is the traditional library system. A good library will contain hundreds of thousands of individual books, periodicals and other items that all contain data that might be useful for our search. Unfortunately, searching each one for the information required would most likely consume more time that is available for any given project. Knowledge of the Dewey Decimal System would help us refine our search, checking the card catalog would give us lists of materials that had key words in the title or subject matter, and each book we check would have a bibliography that would allow us to find other materials that the author found useful in their writing. This would still leave us with a small mountain of material to comb through to find the specific answer to a question. However, let us suppose that the information in the library had been cataloged into a relational database, one that connected each bit of data to every other bit of data. Then it would be a simple matter indeed to find the answer to the question we were seeking. That comes from structured content.



Content for Court and Clerk Web sites will always contain a mixture of both types of data. While your case management software would contain, as a matter of course, a listing of court holidays, it is probably much more efficient to simply put a list of the holidays on the Web rather than constructing a query to generate them each time the question is asked. The data will probably remain static (no one is likely to add Bastille Day, St. Swithen's Day or National Peanut Butter Sandwich Day as a court holiday on a whim or short notice) so the fact that it would need to be updated on a yearly basis (modern federal holidays being tied to Mondays rather than the actual day of the holiday makes a bit of adjustment necessary) as would your hours of operation or your local court rules. Allowing both types to exist gives your site the flexibility that it needs while it caters to what consumers of information are used to. People are comfortable with the page-based system of unstructured content; for it mimics the data sources they handle offline.

Internal standards assure consistency within your operations as well as protecting your information. These same standards affect your networks and provide a reliable information service to your staff. Learn how to implement industry standards in the initial setup, subsequent maintenance and, growth of your in-house system. This section provides suggestions on daily operation, audit trails, and maintaining restricted information.

### **Policy Considerations**

While the activities and policies of Courts and the Clerk's that support them have always been subject to public scrutiny and oversight, a presence on the Internet creates the "life in a fishbowl" effect. Today, we're living in the "Information Age" and information is the key to how public agencies interact with their constituents. Court procedures have evolved, to this point, under the practical obscurity of having records kept in dusty old tomes or in obscure case pockets at the Courthouse. We've grown comfortable that the public, for the most part, has dealt with the legal system through the interface of the legal profession. Today, Clerk's Offices and Courts find themselves having to explain things to a growing number of the public who choose to interface with the legal system without the benefit of counsel to interpret the information for them. A web presence can serve as either a cause of innumerable questions and confusions or as an opportunity to enlighten and inform the public as to the workings of their legal system, depending upon the policies that we choose to adopt and how we choose to implement them.

### **Terms & Conditions**

Web sites and services associated with Courts and Clerk of Court Offices should expect the public to actually use the information we provide and have a reasonable expectation of timeliness and accuracy. However, disclaimers are a fact of life. Any website more complex than a simple vanity page (and even some of those) will contain a page or a portion of a page that explains that the limitations for your use of the information contained in the site. No one is responsible for any confusion, side effects or losses that occur from reading the information provided or actually using the information or procedures outlined in any way. That doesn't mean that disclaimers are unnecessary, just that they should be used judiciously.

#### **Timeliness**

Time, in the courts, is the great obstacle. There are time limits when cases can be filed. When a change to a law or procedure is enacted determines how a case is to be conducted, if at all. The posting of a new fine schedule means that people who jaywalked on Monday might pay more than people who did the exact same thing last Saturday. Effective Dates for documents, policies

and procedures should be clearly marked, along with some sort of version control so you can look at a printout and tell when it was posted. (This also presupposes that you are maintaining an appropriate archive of postings, but that's a discussion for another day)

As an example, Local Court Rules are (usually) a collection of documents that are reviewed and updated in part, so that Rule 1 might have an effective date of 1/1/2003 while Rule 16 may have been more recently updated on 4/12/2004. Each individual Rule should be marked with its Effective Date of acceptance.

However, the entire collection should be periodically reviewed and an overall statement of "Local Court Rules current as of 3 February 2005" would help to show users of the site that they are being reviewed and everything posted is current, even those rules which haven't been updated in several years. As a suggestion, it probably shouldn't be the Webmaster who conducts that review but someone who is responsible for updating and maintaining the rules and provides them to the Webmaster to post.

### The Time Warp

If a Court or Clerk provides access to local court records, then the decision to provide records in "real time" or not should be clearly marked. If updates to the records are instead done on a periodic basis, then people should be aware of that. If different data is updated at different intervals, that should also be noted. Whether a 15 minute or 24 hour delay, it will make a difference in the number of calls that you receive regarding current cases if people know that there is a delay in information appearing on the web. Also, the "common sense" time lag should be mentioned somewhere.

### Common Sense Time Lag

It is highly unlikely that the courtroom Clerk or Bailiff will be updating information at the same speed as the Judge in the case is making their decision. In an average incarcerated/felony arraignment session, a Judge may hear several hundred cases in a 3-4 hour block. It might be several hours after the Judge rules on the last defendant before all of the relevant records are updated online. Also, motions may be submitted directly to the court and not come to the attention of the Clerk until after the case is resolved. This can severely impede the ability of certain items to be added to the online record in a timely manner, though they do appear in the case pocket.

### Don't Try This at Home

There are two problems associated with providing increased access to court records to a wider audience. People may not understand what they are seeing and sometimes they will take ill-advised action based on the information that is provided. Courts use terminology that is outside the scope of the average viewer of the site, sometimes, and even people familiar with the court system will misinterpret a docket entry or ruling. Even if you've very clearly marked what certain postings mean and how to interpret different dispositions or alerts, people will still interpret them in the way that speaks to whatever they're looking for, positive or negative. A general admonition to call the Clerk's Office or Court for clarification may help resolve issues for the public caused by information provided in the records.

As an example, the public access system notifies individuals if they have upcoming hearings or events scheduled on a different case from the one they are looking at, a useful tool so that someone might remember they're supposed to be in court next week on their speeding ticket while they're looking to see the status of a different case they're involved in. However, unless someone actually looks at the information page, people assume that the "Informational Alert" popup is telling them that they have a warrant or some other adverse event has occurred. You can't actually make people read the information you provide, but you can give them every chance to interpret it properly.

The following disclaimer currently appears on the Franklin County Municipal Court Website:

Enforcement of Warrants for arrest is the sole province of law enforcement agencies in the State of Ohio. Neither the Clerk of Court's Office nor the Franklin County Municipal Court are able to "go get someone" when there is a warrant out for them, even if the warrant is for a case pending in this court. What this means is that if you contact the Court or the Clerk of Courts' Office with information regarding the current location/whereabouts/address or someone who may or may not have a warrant out for their arrest involving a matter before this Court (or any jurisdiction for that matter) here is the information that will be relayed to you:

Individuals with information regarding the current whereabouts or address of an individual who is the subject of a warrant within this court (or any other court jurisdiction for that matter) are advised to forward this information to:

- the law enforcement agency with jurisdiction over the original case
- the law enforcement agency with jurisdiction over where the individual is currently residing/staying, or
- the Agency responsible for prosecuting the case

These agencies will investigate the matter, determine if there is actually a warrant for the individual concerned, whether or not this is the individual named in the warrant, and whether or not the warrant is still valid. Other factors involved include jurisdiction, distance, and age of the offense/warrant.

Under no circumstances should individuals attempt to enforce (i.e. a "citizen's arrest") a warrant themselves. This is a matter best left to law enforcement professionals who have the resources and training to research the warrant in question and, if it's determined appropriate, take an individual into custody.

## Financial Matters

If your website is going to provide access to online payments, then a basic disclaimer regarding that transaction should appear. You may wish to make users aware of where to get additional information including what is the legal consequence of payment, any remaining obligations to the court, and how to obtain a receipt for payment.

The vast majority of online transactions go smoothly, Occasionally "stuff" happens and a discrete disclaimer to that effect is appropriate:

This form uses Secure Sockets Layer (SSL) encryption to reduce the possibility of unauthorized access to your private information while it is transferred across the Internet. However, by submitting this form electronically you are acknowledging that neither the Municipal Court of Franklin County, The Clerk of the Franklin County Municipal Court nor the City of Columbus can assume any liability for data submitted via this form.

In conclusion, it is appropriate for a local court website to use disclaimers judiciously to inform individuals:

- about the processes they are involving themselves in;
- the fact they may or may not understand the legal information provided.

The courts provide service and information to the public, along with access to their public records. While the court should not be dispensing legal advice to parties, it should make a good

faith effort to help its constituents understand both the responsibility the court has in providing information and the individual's responsibility in using or interpreting that information.

### **Security**

Courts considering a new website should consider two different types of security. The first is a secured website, and the second is secured web transactions. A secured website provides complete encryption of information between the end user and your website. This encryption provides security for any data transmitted between the user and your website. In layman's terms, the data is scrambled during the transmission. One way to achieve this is to purchase an SSL (Secure Sockets Layer) certificate from a third party provider such as VeriSign® or RSA®. Please note that use of SSL may slow down transactions and response time, so it should be used only where appropriate.

With secured web transactions, only specified data elements are encrypted between your website and the financial institution. Data may not be encrypted between your website and the end user. Examples of vendors providing secured web transactions include VeriSign® and PayPal®.

For more information about secured websites or transactions, consult your provider or contact Technology Services at the Supreme Court of Ohio.

Another aspect of website security is safeguarding your internal records from unauthorized access or modification. An example of one way to do this can be found in the accompanying blue box from Hamilton County Probate Court.

#### Hamilton County Probate Court

The Court's web server sits behind a firewall on the SSN (Secure Server Network) of the firewall.

The SSN is a third, distinct network connected to the firewall. Outside access to the web server is controlled by the firewall. Also, the firewall protects internal servers from external users accessing the web server.

For access to the Court's data, the webserver accesses a replicated database server through the internal facing firewall.

To access documents, the web server sends a specially crafted request through the internal facing firewall to the document server. The document server is listening for these requests on a particular port.

When a request is received, it is checked for the proper key and the requested document, if found, is sent back through the firewall to the web server. When the web server receives the document it is placed in a temporary storage area and the client is redirected to the temporary storage area on the webserver to access the document.

### **Knock, Knock! Who's There? (Explaining the Cookie Monster)**

If you've ever shopped online at sites such as Amazon or EBay, you've seen the little headers on the page that say "Welcome Back, John Smith. You have 3 new items similar to stuff you've already bought from us" or something to that effect. The reason they can do that is that they've placed a small bit of text called a cookie on your pc so that they can recognize you and you can

pickup with your last order or what you were looking at when you last logged off. Whether or not that's a good thing on a commercial site (and the debate is still out on that one), it raises some valid privacy concerns with some people when it extends to government websites, especially those dealing with the courts and public records.

If the website you're dealing with (or thinking of creating) is a static site that doesn't have interactive information or open ended search capabilities, then cookies aren't really to an advantage to either the user or the Court/Clerk. However, if you're going to provide interactive content, then this is a subject you should, at least, consider.

For the purposes of our discussion, we'll deal with two basic types of cookies. Those that identify who you are and those that identify what you were doing. They can be combined, but we'll deal with them separately for now. A "session" cookie identifies what you're doing so that if your session is interrupted by a loss of connection to the online data, you can pick up where you were with your data inquiry and not have to start from scratch (a very annoying thing). The session cookie doesn't need to know "who" the user is, just that you're the user that asked a particular set of questions. Polite session cookies should expire when the session does and should not collect any specific identifying information regarding the person or organization using the resources. "Identity" cookies collect information regarding the person using the site so that the keepers of the site can more accurately target that person and track who uses the site. "Identity" cookies are persistent and can be used to track how often you access a certain site, the kinds of things you look at, and so forth. While often useful to both the user and the folks running the website, they're never really considered polite.

On a Court website, the concept of tracking who is looking at what doesn't set well with some people. Under a strict reading of the open records law, it's akin to asking someone who they are before they can access the records, which is prohibited. For financial transactions and e-filing, there is a need to know who is doing what and with what, and in those instances you can always give users the option of either accepting the cookies or filing and paying the old fashioned way. But to access the public record sections of the site, it's a decision each jurisdiction will have to make regarding whether or not they'll check digital ids at the door, so to speak.

Consistency is really the key. If it isn't unreasonable to know who someone is when they do something at the counter, then it's not unreasonable to know who they are when they do it online. If it would be unreasonable to id them at the counter for a particular task, then it should be equally unreasonable to do so online.

### **Privacy, Public Access and Court Records Online**

While outside the specific scope of website design and use guidelines, the issue of privacy and public access to court records online is being addressed by the Privacy Subcommittee of the Supreme Court of Ohio Advisory Committee on Technology and the Courts. A summary of the subcommittee's work follows.

The technology revolution of the past decade has touched virtually every institution in America including our court system. Recognizing the inevitability of this profound change, Ohio Supreme Court Chief Justice Moyer appointed the Advisory Committee on Technology and the Courts. He charged it with recommending a strategy on how best to bring Ohio's courts into the information age. Chief among those issues was the tension between increased ease of access to court records via the Internet and threats to privacy,

such as identity theft, occasioned by disclosure of intimate details sometimes contained those records.

Accordingly, Chief Justice Moyer formed a privacy subcommittee to explore those conflicting values and to make recommendations on how to resolve them. The subcommittee drew members from the judiciary, practicing attorneys, court clerks, court administrators, academia, citizen groups, the Auditor of State's office, the Attorney General's office, and the media. Their draft report (currently before the Advisory Committee on Technology and the Courts) is the product of monthly meetings conducted over the course of two years, augmented by meetings of work groups drawn from the subcommittee's membership. Guest speakers with specialized expertise also addressed the group.

The Subcommittee squarely addressed "what information currently in the court file should not be public?" Its approach was grounded in its belief that electronic records and their traditional paper counterparts be treated identically in terms of public access (for reasons as to why, please see a copy of the Draft Policy). Subcommittee members debated the sensitivity of data elements found in court records and cast votes on whether to obscure them before public disclosure of the record.

Proponents of obscuring, or "redacting," sensitive data elements argued that the data elements do not promote the fundamental purpose of public accessibility to court records, that is, these sensitive data elements do not shed light on the workings of the court system. Those subscribing to this methodology also note that as court files contain so much personal data (*ex.*, bank account numbers), making those details available on the Internet invited abuse, invasion of privacy, even personal danger. In their viewpoint, eliminating these data elements from the public view did nothing to damage the public's ability to monitor the court system, while the potential for individual harm (including identity theft) by disclosure of this personal information was substantial and may ultimately erode the public's trust in the judiciary.

Conversely, those opposed to redacting these elements argued that public access to all but a few aspects of the court's workings was an essential part of the American judicial system, a hallmark of Ohio's Sunshine Laws, and that fears of identity theft, stalking or personal embarrassment were overstated. As you can imagine, this process was often contentious and rarely ended in unanimity.

The draft of this proposed policy is currently available on the Supreme Court of Ohio website at: [http://www.sconet.state.oh.us/ACTC/subcommittees/privacy/working\\_doc/default.asp](http://www.sconet.state.oh.us/ACTC/subcommittees/privacy/working_doc/default.asp).

### **Content Availability**

How soon content is available to the public is a question just as important as what content is available to the public.

Real-Time Reporting is defined as the public having access to changes and updates in court records as they occur without any lag time or delay.

While a time delay allows for accuracy checking before things are posted to the Web, in theory, it also allows for a feeling that there is a cushion available so that things can be redone if necessary. The attitude “there’s never time to do it right, there’s always time to do it over” could creep in. Also, in a practical sense, the cushion is illusionary since in the regular work flow there really isn’t a good time or opportunity to “proofread” every entry and case notation after they are posted in the system before they’re uploaded to the Web. Unless you were going to have someone vette each docket and case entry before it appeared on the Web, all a time delay does is delay.

Real time reporting also stresses to both court and clerk personnel the importance of maintaining a high degree of professionalism in the electronic record. The older case management systems were often isolated from access by anyone except courthouse personnel and occasionally became a repository for notes and mnemonics regarding persons or particulars on each case. While having the illusion of privacy since no one had easy access to the old system, people would “forget” that it actually was a public record. There’s nothing like the realization that everyone in the world can read what you’re typing to make people aware of just what they’re putting in the public record.

The biggest advantage of real time reporting is that it enables a smoother transition to the “virtual record” concept. Once you begin to see the electronic record as “the record”, then it’s a short step to making it the record of record, so to speak. The longer you keep the concept that the electronic records must be vetted against the paper records, the harder it is to break over to the electronic record as the only record. As long as the concept exists that you have to check everything against the physical case pocket, then the system will never be able to unchain itself from the case pocket. Eliminating the delay between what they type and what they see forces both courthouse personnel and the outside community (public, practitioners, etc.) to come to accept the electronic record as the record and pushes them away from their dependence on the case pocket and paper records.

### **A Summary of Real-Time Case Management Reporting to the Web**

When the Franklin County Municipal Court implemented the Public Access component of their case management system, it was decided that the system would report in real time to the Web and report against the same database that the Court and Clerk’s Office used. The reasons behind this decision were twofold. One, it would allow the public access to the most current and up to date information available and two, it would impress upon both Court and Clerk personnel the importance of maintaining their records in a professional, timely and accurate manner.

What real time reporting does do is highlight the work process and the timeliness of records updating. FCMC approached this by allowing for specialization. The Courtroom Services Group was implemented by the Clerk’s Office to help with this process. A Clerk was assigned to each judge and each traffic courtroom for the maintaining of the online and physical records in the courtroom as the process is happening. The Clerk became familiar with each Judge’s process and requirements and this allowed the process to be streamlined, freeing the bailiffs up to focus more on their core responsibilities and less on record keeping. This not only sped up the regular courtroom processes, but also allowed for personnel familiar with each judge’s requirements to speed up the Prisoner and Arraignment dockets when their judge was assigned those duties. The same benefits were realized in Traffic Court for the Magistrates assigned there.

## Response-Time & Customer Service

Though the telephone still remains the tool of choice for contacting government, Americans like to have multiple choices of contact available. Providing a web site with an e-mail option broadens their choice. The “always on” connection gives them a source of contact when phoning or coming in during office hours isn’t possible. Urgent response, or sensitive queries still are best served by the telephone.

In a Pew survey and analysis done on “How Americans Get in Touch with Government” (5/24/04), it was indicated that roughly 11% would prefer to use e-mail as a way to contact government, though about 21-25% of internet users have used the e-mail option for contact. ([http://www.pewinternet.org/PPF/r/128/report\\_display.asp](http://www.pewinternet.org/PPF/r/128/report_display.asp))

Provide an e-mail address (or several) on your website, using a generic department name or service rather than a person. That way, any changes in staff won’t affect the response to the e-mail. You can provide “help” for services or procedures, case or court related, and also an e-mail address for technical assistance in using the web site.

E-mail contacts as opposed to phone contacts will give your staff more flexibility by not having to make an immediate response, but be sure to exercise due diligence with response time. A “best practice” response time would be within 24 hours. Appoint specific staff persons to monitor and respond to the in-coming e-mails. A “built-in response” that immediately answers automatically “We have received your e-mail and someone will get back to you. If this is an emergency, call [emergency number].” will at least acknowledge that the query arrived.

Establishing a local web policy committee is useful in developing policy concerning response time, and also implementing procedures to make sure updates and changes are posted to the web site. This frees the webmaster from having to make policy decisions. The committee may also want to have a bi-annual or annual response questionnaire sent out to departmental users for input of ways to better provide services.

## Providing Excellent Customer Service

*The longer you wait, the harder it is to produce outstanding customer service.*

–WILLIAM H. DAVIDOW<sup>3</sup>

Court employees face tremendous challenges in delivering the legal process in our communities. The addition of a court website can improve or restrict many of the services being rendered. Many courts do a great job in providing external services to clients, attorneys and other agencies. And, many courts provide equally good service to internal courthouse staff.

Historically, customer service in court systems is defined within the parameters of the rules and regulations of the court, an official (judge, magistrate, clerk) and the community that is being served. The organizational lines of support have been very clearly defined and institutionalized in the internal processes of the court and lie within the parameters of the law.

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<sup>3</sup> Total Customer Service, The Ultimate Weapon, William H. Davidow and Bro Uttal, 1989, Perennial (HarperCollins)  
The Court Website Guidebook for Local Courts  
November 30, 2005



Installing a website can change, redefine and even blur the lines of support within the court because of the availability of information at every computer in and out of the court. Action must be taken to define or redefine those new areas of support and inform all staff of the changes. Without these definitions, staff can become frustrated, resulting in poor interaction with your clients. The goal is to improve performance and reduce frustration for everyone.

To meet these new challenges, the “3-R’s” may prove to be helpful in preparing a foundation for great Customer Service.

**Role**

**Responsibilities**

**Resources**

Given that customer service is an ever-changing and dynamic process, the 3 R’s should be revisited on a regularly scheduled basis. In the first year it may be monthly and in subsequent years, annually. This action will insure that all staff are aware of their own area’s responsibilities and build a keen awareness of the customer service “big picture.”

**Role**

All personnel roles within your court will change, in varying degrees, with the incorporation of a web service. Existing court positions that provide clear communication within the court can create a dynamic information foundation for a customer service plan. Individuals need to be aware of the depth and scope of their professional responsibilities in their office. Lines of communication need to be clear for everyone.

A website, while improving the availability of information, creates new unforeseen areas of responsibility within the court. Everyone in the court needs to know what changes occur in these internal responsibility centers. This may include new organizational charts that reflect these changes.

**Responsibilities**

Everyone has the responsibility to deliver accurate and timely information when requested from either an internal or external source. With the new website, more information will be available than ever before. It is vital that everyone have a clear understanding of the staff’s roles in their court and what information each area is responsible for. It is equally important that everyone maintain a current knowledge base of the responsibilities of each area and staff within their court. An internal process can be created that notifies all staff of the changes in the roles of individuals and areas within the court. Standardization of this process ensures that everyone is aware of the current status of the knowledge resources in their court.

**Resources**

Generally there are two types of resources that are the core for good customer service, internal and external.

**Internal Resources**

What builds success into this customer service process is the knowledge of the available information/services within and outside of your court. New and existing staff should have a keen sense of the resources available in their court. Your goal is to have all your staff offer the best information at all times.

Your court may want to specify a person or office to handle website-related questions and requests. If necessary, your court may set up a call center to handle and route requests. Based on the size of your court and the number of calls received, a call center might handle both phone requests and centralized emails that originate from your web service. The same resources should be available to this call center.

#### External Resources

Formal customer service training can help to remedy everyday situations and provide the skills for meeting resolution. Most individuals are not familiar with the court process and can quickly become frustrated with the process. Customer Service training will help your staff identify these situations and respond appropriately.

There are many sources that provide formal training in the area of customer service development. One of the initial steps prior to customer service training is surveying of your court and interviews with key administrators. Customer surveys will provide a rating of your core business services such as availability, accessibility, justness and doing a good job. In addition, you will have an awareness of the areas of fairness, user-friendliness, efficiency and promptness in handling cases. Surveys may even be offered on your website.

Be sure to include all contributing sections in the survey and customer service training (ex. Court security staff, bailiffs).

The next steps usually include analysis of the results of the survey and determination of the “next steps” that are to be taken in the training process. The actual training may include videos, role-playing and lectures. Proper planning will ensure that the training is appropriate and relevant to your court.

Try to split training sessions so that everyone may participate and that business may continue. You may want to schedule half-day trainings. Once everyone is trained, refreshers can be offered annually. New hires can be scheduled for the training before beginning their jobs.

Formalized Customer Service training enhances all areas of your court. The right tools are guaranteed to increase your employees’ response ability. The 3 R’s provide you with a process that continually update your staff of the ongoing changes and offer a consistent level of customer service in your court.

If employed properly, Customer Service will improve the services in your court as well as improving the professional skills of your staff. You may even receive more compliments from your surveys and individuals in the courtroom may prove to be more pleasant.

#### Best Practices: Non-Finalized Journal Entries

Court Web sites with public access run the risk of publishing information that may not be completed or completely entered. Case management systems can and do use their functionality to process documents and notices that require additional scrutiny and processing before the action is “official”. The situation exists where a court may have made a ruling that is subject to review, signature and/or journalizing. An example would be as follows:

A magistrate hears a case (civil) and makes a ruling on behalf of the plaintiff. The magistrate or bailiff uses the case management system to produce a journal entry requiring the judges' review and signature. This review may be required before the action is granted. In this case, the defendant is to pay the plaintiff an amount of money. The unsigned journal entry is sent to the judge for approval. The judge, upon review of the magistrate's decision, changes the amount or reverses the decision. The electronic record shows only that the ruling for the plaintiff was made. Until the Judge changes or amends the record, all viewers of the record will see only the initial entry. Viewers using a court Web site may be misled to believe that the "unapproved" entry is the "final" state of the case, only to find later that the finding has been overruled.

The problem lies in the efficiency and functionality of the case management system and the "real-time" link to the case management system by the court's Web site. To generate the documents in an efficient, professional manner, case management systems use form generating functions to tie in data regarding the cases, defendants, attorneys, etc., and in some situations, to keep track of those documents. These transactions are live, immediate and often time incomplete. Delays such as availability, research and investigation can and will require "future" amendments and/or approvals that can "finalize" or "overrule" the earlier action. In these situations judges and magistrates usually advise those in court that the said action will be final when the judges reviews and signs the journal entry but, those not in court will not be aware of this "technicality".

Allowing "public access" to the "stored data" is required by the rules governing public records request (ORC 149.43). We now introduce the aspect of Web site accessibility. The once "paper record" has migrated to the "stored data" that has become almost immediately accessible through the courts Web site. The public records were considered secure through "practical obscurity". It is no longer an inconvenience to attain public records. Where one would have to drive to the courthouse, sign-in, page through volumes of directories to be then directed to large shelves or filing cabinets, and finally leaf through page after page of handwritten, typed and copied documents is an exercise of the past. Now, in the privacy and convenience of ones home or anywhere one can use a computer with Internet access, an individual can search, view and print copies of millions of documents.

The solution to this situation is not easy. The generation of documents via the case management system and 3rd party linked programs is essential to all courts. Having multifunctional capabilities and to handle large volumes of cases, parties and attorneys in a professional manner accurately is not only a requirement, it is the expected standard. The problem may be avoided by specific wording on the document that states the action is only "official" or "final" when signed by the aforementioned official. The use of a notice or disclaimer prior to entering the public records access Web pages may advise the viewer that the "official" or "final" decision is based on the journalized (signed, dated and/or date stamped) document. For those who retain "image" documents integrated with their court management systems, they may want to direct the reader to view the document "image" to attain the "final" ruling of the court.

Proper and precise wording is key to all documents especially when these document almost instantaneously are available to the Internet users. Notices and disclaimers are usually ignored but due give the court some degree of latitude to complete, amend and/or overrule documents that are a major part of the everyday legal proceedings.

## Best Practices: Warrant Issues

The responsibility of the Clerk of Court's office, is to maintain the official court record for the court. It is to ensure that the records of the courts are both safeguarded from fraud or disaster, but also made available to the public as appropriate. This means providing access to wide-ranging audiences with differing perspectives and needs. Sometimes, these needs may seem contradictory, and as keepers of the record it is incumbent upon us that we remember the primary purpose of our function.

With the advent of public access via the Internet, these contradictions can become more visible. Take for instance warrants and subpoena documents. With most case management systems, the process of generating a warrant or subpoena adds it to the case it is attached to. If your public access Web site reflects your case management software in real or near-real time, then anyone with an Internet connection can see the warrant, or the record of the warrant, as soon as it is created. While law enforcement is happy that the process for getting a warrant is streamlined and quicker, they're less than content about the public having access to this information so readily. While law enforcement benefits from being able to check if a warrant has been issued by the court before it's available in the local police system (in the case of agencies that have Internet access in their cruisers), they're unhappy that the subject of those warrants has the same capability.

In one case, Franklin County Municipal Court, the Sheriff's Office expressed concerns regarding the appearance of warrants on the Web when several individuals they went to collect in an enforcement sweep were not available, and one individual at one of the addresses indicated that the individual had found out that there was a warrant out for them via the Clerk's public access Web site.

The problem in this case stemmed from two sources, law enforcement's not knowing (or not realizing) that the information was part of the Web site and two the frustration of not being able to collect several individuals that they had hoped to on their sweep. Their suggestion of not putting the warrants in the system until after they'd been able to serve them wasn't viable, since there are alerts and warrants on the system dating back to the 1970's. Also, since these arrests are sometimes public events (law enforcement agencies have a habit of taking media and press representatives along when the arrest is deemed of "public interest"), it would be difficult to imagine wanting to have the following conversation with the press: "I realize your editor is looking for the information on the case his camera crew is out on, but the Sheriff doesn't want anyone to have access to the information until after they've served the warrant, so that's why it's not in our system and on the Web site" That probably wouldn't play well in the morning papers or on the 6 o'clock news for the Court and the Clerk's Office. There are mechanisms for sealed warrants and indictments, but this wasn't one of those matters.

Communication is the key to allay friction between law enforcement, the Court and the Clerk's Office. Law enforcement should be specifically informed as to what information is available through public access. It is essential to continue to communicate to agencies what the Clerk's responsibilities are as keeper of the court record. The Court and the Clerk have obligations to follow the law and to maintain and allow access to the records of the Court to all of the public.

## **Best Practices: Law enforcement tickets**

Placing court information on the web has a great number of unintended consequences. While a majority of people will tell you that public access to traffic and other records is a good thing, they become less enthusiastic when they realize that includes their “personal” information. The traffic ticket that is a “public record” for your neighbor across the street is “personal and private” when it has your name on it. And that becomes very apparent when the person receiving the ticket is a law enforcement officer.

Ohio’s public record laws exempt releasing the home address of law enforcement officers and their immediate family as a public record. Strictly construed, this can be taken to mean that home address is on records that identify the person as an officer. In most jurisdictions, when an officer is cited while driving his official vehicle, the address on the citation was the work address.

However, when the officer received a citation during his off duty time, the address was usually the one from his or her driver’s license, the home address. When the name of the officer was “John Smith” or “Jane Jones”, practical obscurity would dictate that there would be a large number of individuals with the same name and the officer’s address wouldn’t be readily apparent using the public access search pages. However, if the officer’s name was “Ivan Rabinowitz”\*, it immediately becomes more apparent that the only traffic citation on the website to that name is very probably the citation of the officer who cited you this afternoon (or arrested you last week). To alleviate this problem, the Clerk’s Office decided to offer an “opt out” solution since it was impossible to determine which citations fell under this scenario.

What we did in Franklin County Municipal Court Clerk’s Office was to mail out a letter to all of the law enforcement agencies in the county advising them that we had gotten permission from the judiciary to replace as the primary address that would display on the website, the home address of the officer with the agency headquarters address that the officer worked for. We designated a point of contact within the Clerk’s Criminal / Traffic Division and asked that information be submitted to the Clerk’s Office on agency letterhead identifying officers and specific cases that they wanted the agency address added to. Any requests that came in through this fashion were updated and the agency address became the address that displayed on the web. No alteration was made to the case pocket, nor to the original citation. Officer’s that came in “over the counter” and asked, were directed to the Duty Judge for an order to amend the record, to create a paper trail and ensure that everything was being done in an aboveboard manner.

While there was an initial flurry of requests when the letter was first sent out, it soon tapered off. Periodic follow-up communications with the Agencies is indicated as a way to remind them of the process and their ability to avail themselves of the service.

(\*With apologies to Ivan Rabinowitz, Rhodesian/Zimbabwean guitarist, scholar and professor at the University of South Africa)

## **Constituent Email**

It is the responsibility of a public office to respond to constituent mail or other inquiries by the public in a timely fashion. With the advent of e-mail, the number and frequency of inquiries has increased. A local court that implements a website needs to determine a policy and related

processes for responding to and managing inquiries. This management requires both human and technical resources. A local court can expect questions on both content and website functionality.

### **E-Mail Responsibility**

There has to be a single point of initial contact with the court able to determine the routing of the inquiry. This single point of contact should be a position, not a person, so if the person leaves or changes roles, the new person will immediately be able to receive messages. There should be at least two or three backups to this person in case of illness, vacation, termination, etc.

With few exceptions, courts cannot accept filings, motions, and other official documents and notifications via e-mail. Courts should add this to a disclaimer on the website.

Options for dealing with e-mail inquiries:

- Generic address for all inquiries
- Separate addresses based on nature of inquiry (content area vs. technical issue)
- Help form with automatic routing
- E-Mail directory by employee name
- No e-mail addresses on the site, with parties directed to make all inquiries by telephone, in person, or in writing

### **E-Mail Response Time**

Customer service best practice is within 24 hours.

### **Linking Etiquette**

Often, courts like to consider referring website users to information or content on other websites. The most common form of doing this is linking directly from your website to another website. Before you create a link to someone else's website, it is customary and appropriate to ask the owner of the website's permission to do so. This can be done formally or informally and is dependant on your current relationship with the owner of the website.

One thing to be aware of when providing links is that occasionally links expire or website addresses change, and the link on your website could take an unwitting user somewhere you do not intend them to go. As a resource issue, links should be checked frequently to ensure validity.

Depending on what entities you are linking to, you may want to consider disclaimers for the links. As a policy consideration, you will want to decide in advance whether or not your website will permit linking with commercial entities.

Sample link pages can be found at:

Franklin County Municipal Court –

<http://www.fcmcclerk.com/links/links.htm>

Supreme Court of Ohio –

[http://www.sconet.state.oh.us/Web\\_Sites/](http://www.sconet.state.oh.us/Web_Sites/)

Sample Disclaimer from the Franklin County Municipal Court website:

The links below will take you to pages listing sites that may be of interest or help to users of this site. These would include links associated with the City of Columbus, Franklin County, other communities in our area and links of legal or law enforcement interest. Being listed on these pages is neither an endorsement or a recommendation of the linked sites, and the Franklin County Municipal Court and the Clerk of Court's Office cannot warranty the content or availability of any sites listed herein

## Archiving & Retention

Webmaster. Web Editor. Web Site Coordinator. No matter what you call the person who maintains your court's Web site, this person should never be considered the default archivist. It is dangerous to assume that posting content on a Web site is the same as archiving it. Oftentimes, posting an updated version of a particular document means replacing what is currently housed on the server, completely eliminating the previous version.

What happens if someone requests a copy of the previous version? If you are wise, you will develop a retention schedule for careful preservation of Web site content.

Current Ohio public records law does not specifically address Web site content management or preservation. However, the Ohio Revised Code does contain very specific legal requirements for the management and preservation of individual "records" and "publications."

ORC Section 149.011(G) defines a **record** as "any document, device, or item, regardless of physical form or characteristic, including an electronic record, (ORC Section 1306.01(G) defines an electronic record as a "record created, generated, sent, communicated, received, or stored by electronic means.") created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office."

ORC Section 149.43 further classifies a record as "public" if it "is kept by any public office, including, but not limited to, state, county, city, village, township, and school district units." (NOTE: Please refer to the entire text of ORC Section 149.43 for a complete definition of a public record, including an extensive list of records which are NOT considered public.)

ORC Section 149.11 defines a **publication** as "a report, pamphlet, document, or other publication intended for general public use and distribution, which publication is reproduced by duplicating processes such as mimeograph, multigraph, planograph, rotaprint, or multilith, or printed internally or through a contract awarded to any person, company, or the state printing division of the department of administrative services."

The ORC requires that all records and publications be subject to some form of retention schedule. Additionally, all records considered **public** must be available for inspection to any person at all reasonable times.

Given these legislative definitions, there can be no doubt that a court's Web site will contain numerous records and publications that will need to be set up on some type of retention schedule.

According to the Ohio Electronic Records Committee (OERC), Web sites are not considered a record series or category; rather they are a means of publishing information. Therefore, retention or disposition of Web site files must be related to the information they contain or the purpose they serve. Because the content of the various pages on a Web site may vary considerably, it must be evaluated to determine the length of time the Web resource must be retained.

The OERC has developed a set of guidelines to explain the current available requirements, and best practices for managing and preserving Web resources that meet the criteria for records and publications as defined by the Ohio Revised Code.

It is recommended that you review the OERC document *Guidelines for Managing Web Site Content* located at the following address:

<http://www.ohiojunction.net/erc/web/webguidelines.html> to help you develop a retention schedule that works best for you.

### **E-filing**

Electronic filing is defined as the electronic transmission, acceptance and processing of a filing. This definition of electronic filing does not apply to facsimile filing or e-mail. For facsimile filing standards see Sup.R. 27. Currently, a court must apply to the Advisory Committee on Technology and the Courts for a waiver to implement E-filing. E-Filing is the future direction for court filings and has been adopted in limited circumstances by several Ohio courts, including the Supreme Court of Ohio.

Electronic filing offers the benefits of reducing costs and enhancing public availability of records. This type of filing also raises several technical and practical issues and questions that you must resolve including system user registration requirements, document format requirements, the time and effect of an e-filing, electronic service of filings and electronic signatures. These issues will need to be explored and addressed prior to implementing an e-filing system at your court.

The Advisory Committee on Technology and the Courts is currently developing standards for Electronic Filing. For more information, please contact the Technology Services Section.

### **E-payments/Commerce**

E-payments or electronic payments are commonplace in today's world. For a court system, e-payments allow an individual to pay court fines or an attorney to pay court costs and filing fees online. Properly implemented, these systems can improve customer service and staff efficiency. But several issues must be addressed prior to implementing this type of system, including selecting a vendor and deciding on how the payment system will be incorporated into your current office processes. Additionally, online e-payment service providers charge a fee for this service and this fee cannot be passed along directly to the person making the e-payment.

The Advisory Committee on Technology and the Courts is currently developing standards for Electronic Payments and Commerce. For more information, please contact the Technology Services Section.



## **Imaging**

Many courts offer electronic access to documents that are filed with the court. Court documents are scanned onto a database and then made available through the court website. This allows for extensive and immediate access to information from the privacy of the viewers home or office. But making court documents available in this manner also raises several privacy issues due to the fact that court documents may include personal information, such as social security numbers or bank account numbers. Any court seeking to make documents available in this manner must adopt a method that balances the individual right of privacy with requirements to maintain court documents in a way that is open to the public.

Implementation of imaging technology raises policy and operational considerations relating to the archiving and retention of paper documents. Courts must decide how far back to image records, considering the cost of keeping the records viable and accessible over long periods of time.

## **Accessibility**

While the World Wide Web is often seen as a place where creativity reigns supreme, and anything goes, it is by nature a technical construct and as such is governed by behind the scenes rules that ensures that everyone is able to play, to a greater or lesser extent, on the playground that the web has become. One of the groups that provide the “structure” that the web relies on is the W3C, or the World Wide Web Consortium. The W3C is an umbrella organization that allows Member Organizations and their full time staff to interact to develop standards and protocols “to allow the web to reach its full potential“. The W3C’s membership list reads like a “who’s who” of geekdom, but also contains interested individuals who feel compelled to contribute to the continued viability of the web. Dedicated to ensuring equal and productive access to the web for everyone, one of the areas where the W3C has created the standard is accessibility. We have taken the Accessibility Standards promulgated by the W3C and adopted them as a “standard” that courts should strive to achieve when creating websites to serve their constituents.

Accessibility Standards exemplify the Court’s goal to make the workings of the Court and the records of the Court accessible to all of it’s constituents. Public Access is only a reality if everyone has a reasonable chance to access the information in a manner that is meaningful and intelligible to them. Equal protection under the law is impossible to achieve without having equal (and productive) access to the law.

While technical in nature, the Accessibility Guidelines, hopefully, typify the overall intent of the goal of applying technology to Court Operations, to provide people with information and answers that they can use and to help “demystify” the workings of the Courts of the State of Ohio to make them more relevant to the average person. Technology can be a bridge, not a barrier, to access to the Courts and the information and services they provide.

These guidelines provide, for courts in Ohio, technical guidelines that allow the courts to provide information and service to as wide an audience as possible. While dry and technical in their wording, their intent is to make information as human and accessible as possible without imposing undue burdens upon the Courts. In the development of these guidelines, the work group has taken into consideration the Americans with Disabilities Act (ADA).

The Accessibility Guidelines comprise 14 sets of guidelines that are prioritized either 1,2, or 3. Priority 1 items are considered absolutely necessary if a court web presence is going to meet basic

federal and accessibility standards. Priority 2 items represent items that are desirable, but not necessary. Priority 3 items are things that are nice, but aren't necessary until resources permit.

Accessibility means not relying upon the Web to be the technological equivalent of a "printed page" of information.

The following list is a summary of the Accessibility Guidelines, as attached in Appendix B.

**Guideline 1** requires that there be alternatives to audio and visual content so that users are not required to rely on one source or the other for information.

**Guideline 2** acknowledges that not everyone sees the same ranges of color and that color alone should not be an identifier or discriminator of information.

**Guideline 3** empathizes the proper use of markup and style sheets to minimize the use of objects or images to convey information. Particularly apt for a court setting,

**Guideline 4** emphasizes the need to minimize the use of jargon (technical, legal or otherwise) and that information should be presented in language usable by average people.

**Guideline 5** entails that technical aspects regarding structure (tables) does not impede people's ability to understand the information contained in them.

**Guideline 6** ensures that new technologies and "gee wiz" applications don't keep people with less state of the art equipment or software from accessing the information.

**Guideline 7** stresses the necessity of users to be able to turn off or modify technologies that could detract from their ability to get the information.

**Guideline 8** stresses the need to make the interface for adaptive technologies part of the total construction of the site, not an add on or afterthought.

**Guideline 9** says that adaptive technology assistance should not be device specific so as not to require constituents to purchase a specific model or brand of adaptive technology unless no other option exists.

**Guideline 10** points out that using interim or intermediate solutions is preferable to waiting for the "perfect" solution to be developed or released.

**Guideline 11** acknowledges that the W3C guidelines are a good place for courts to look for standards for Web solutions.

**Guideline 12** emphasizes the need to make context and accessibility information part of your site so people using adaptive technologies aren't at a disadvantage for knowing where they are in the process.

**Guideline 13** emphasizes the need for clear and concise navigational mechanisms to allow all users to be able to find what they're looking for quickly and easy.

**Guideline 14** stresses the need to make documents simple and easy to understand. Information isn't informative if no one can determine what is being said.

These Guidelines are designed to allow the Courts to present information in such a way as to make it available to the widest number of persons and entities possible. They are not meant to discourage any Court from providing data or services via the Web, but to allow them to fulfill their mandate of serving their constituents, and the law, in the most efficient manner possible.

### **Contact Information**

We welcome your comments and suggestions for future editions of this guidebook. Should you have questions or concerns about this document or the work of the Web Standards workgroup, please do not hesitate to contact the Supreme Court of Ohio Technology Services Section. Email:

[megan.real@sc.ohio.gov](mailto:megan.real@sc.ohio.gov) or telephone 614/387.9434. You can also visit us on the Web at <http://www.supremecourtofohio.gov/it>.

**APPENDIX A: SAMPLE CHART OF FEES AND COSTS**

**NOTE: THIS CHART SERVES AS AN EXAMPLE – THE CHARGES DO NOT NECESSARILY REFLECT CURRENT CHARGES IN THIS COURT OR OTHER COURTS**

Franklin County Municipal Court  
Michael A. Pirik, Clerk  
Accounting/Finance Division  
375 South High Street, Columbus, Ohio 43215

614-645-7223  
Eviction (Cert Mail Or Bailiff)  
(Up To 3 Defendants And/Or Addresses)  
Eviction With Process Server  
\$115.00  
\$118.00  
(Up To 3 Defendants And/Or Addresses)  
Eviction (Cert Mail And Bailiff)  
(Up To 3 Defendants And/Or Addresses)  
\$115.00 + \$6.00 Per Defendant

Eviction (Cert Mail, Bailiff And Process Server) \$118.00 + \$31.00 Per Defendant

(Up To 3 Defendants And/Or Addresses)

Note: Ordinary Mail Is Issued In All Eviction Cases  
See Costs Below For Additional Defendants Or Addresses

Civil Cases (Cert Mail Or Bailiff) \$105.00

(Up To 3 Defendants And/Or Addresses)

Civil Cases With Process Server \$108.00

(Up To 3 Defendants And/Or Addresses)

Small Claims (Cert Mail Or Bailiff) \$67.00

(Up To 3 Defendants And/Or Addresses)

See Costs Below For Additional Defendants Or Addresses

\*\*\*\*When Filing New Civil Cases You Must Include The Original Complaint For The File And A Copy For Each Defendant Listed In The Case. If You Are Requesting Dual Service You Will Need A Copy For Each Defendant For Each Type Of Service Requested.

\*\*\*\*When Filing Eviction Cases You Must Include The Original Complaint For The File And Two Copies For Each Defendant. If You Are Filing Bailiff Service And Certified

Mail, You Must Include The Original Complaint And Three Copies For Each Defendant.  
If You Are Filing Bailiff  
Service, Certified Mail And Process Server, You Must Include The Original Complaint  
And Four Copies For Each Defendant.

Certificate Of Judgement Filed \$57.00  
(Transfer From Another County After Judgement)

Change Of Venue \$70.00  
(Transfer From Another Court Prior To Judgement)

(Up To 3 Defendants And/Or Addresses)

Transfer From Small Claims To Civil Docket \$38.00

Additional Service Fees

Registered Mail \$30.00

Personal/Residence Service \$25.00

Certified Mail \$6.00

Ordinary Mail \$3.00

Sheriff Service \$41.00 (Includes \$35.00 Deposit For Sheriff Fees)

Publication \$10.00 + Amt Equal To Current Minimum Rate To Be Paid

Directly To Media Source

Secretary Of State \$25.00 Bailiff Service & \$6.00 Certified Mail To Defendant

Jury Demand \$510.00

(Includes \$500 Deposit To Cover Jury Costs)

Additional Fees On Back Page

(Certifier's Identity Unknown) Signed By Webmaster Time: 2005.02.28 16:03:53 -05'00'  
Reason: New Civil Division Cost Sheet Effective 1 March 2005

Subpoena \$5.00

W/Bailiff Service \$30.00 + Witness Fee

Witness Fee – ½ Day \$6.00 + \$0.10 Per Mile Round Trip

Witness Fee – Full Day \$12.00 + \$0.10 Per Mile Round Trip

W/Out Of County Sheriff Service \$46.00 + Separate Check Payable To Witness For  
Witness Fee

(Includes \$35.00 Deposit For Sheriff Fees)

\*\*\*\*Subpoena Filed For Service By The Bailiff/Sheriff Requires Original + Copy, One  
For Service And One For The File.

Subpoena Filed For Service On A Law Enforcement Officer Requires Original + Two Copies

Books-N-Records Subpoena \$30.00

Writ Of Replevin \$35.00 (Includes In County Service)

Writ Of Execution \$35.00 (Includes In County Service)

Deposit Required For Each Motor Vehicle \$800.00

See Note Below Concerning Appraiser Fees

Writ Of Restitution (Red Tagging) \$35.00 (Includes In County Service)

Set Out (Under Supervision Of A Bailiff) \$45.00

Special Process Server \$3.00

Certificate Of Judgement Preparation \$10.00

Revivor Of Judgement \$30.00

(Up To 3 Defendants And/Or Addresses)

Docket Transcript Preparation \$20.00

Exemplified Copy Of The Docket \$20.00

Notice Of Appeals Documents \$50.00

Non-Wage Garnishment (Includes In County Service) \$40.00 + \$1.00 Check Or Money

Order Payable To Garnishee

Wage Garnishment

Judgment Debtor Exam

W/Ord Mail Service

W/Cert Mail Service

W/Bailiff Service

W/Sheriff Service

W/Process Server

Capias Order

Capias Warrantannual Process Server Fee

Marriage Fee

Returned Check Feeapplication For Trusteeship

Post Judgment Motion

\$85.00 (Includes In County Service)

\$8.00

\$11.00

\$30.00 (Includes In County Service)

\$46.00

\$8.00

\$30.00 (Includes In County Service)

\$10.00

\$25.00

\$25.00

\$25.00

\$30.00 + \$6.00 For Each Creditor Listed

\$20.00

(Not Otherwise Specified In Local Court Rule 13.9)

Objection To Magistrate's Decision  
Amended Complaint  
third Party Complaint  
Cross Claim/Counterclaim  
Order To Show Cause  
Assignment Of Judgments

\$20.00

\$20.00 + Service Fee(S)

\$20.00 + Service Fee(S)

\$20.00 + Service Fee(S) If Requested

\$50.00 (Includes In County Service)

\$20.00

Appraiser Fees In Property Attachments/Replevins And Fees For Service By Publication  
Are Not Paid To  
The Franklin County Municipal Court. For Information On Where To Pay These Fees  
Please Refer To  
The Issuing Desk In The Civil Division 645-8076.

Any Information Regarding The Fee Schedule Please Call The Accounting/Finance  
Division 645-7223.  
Civil Division General Information 645-7220.  
Please Send A Self-Addressed Envelope For Any Inquiries.

(Rev 2/22/05)



## **APPENDIX B: ACCESSIBILITY GUIDELINES**

**Web Standards Workgroup of the Standards Subcommittee**

<http://www.w3.org/TR/WAI-WEBCONTENT/>

**Consolidated List of 14 Accessibility Guidelines**

<u>Guideline</u>	<u>Priority<sup>4</sup></u>
<p><b>Guideline 1. Provide equivalent alternatives to auditory and visual content.</b> Provide content that, when presented to the user, conveys essentially the same function or purpose as auditory or visual content.</p>	
<p><b>1.1</b> Provide a text equivalent for every FUNCTIONAL non-text element (e.g., via "alt", "longdesc", or in element content). This includes: images, graphical representations of text (including symbols), image map regions, animations (e.g., animated GIFs), applets and programmatic objects, ascii art, frames, scripts, images used as list bullets, spacers, graphical buttons, sounds (played with or without user interaction), stand-alone audio files, audio tracks of video, and video.</p> <p>Refer also to Guidelines 9.1 and 13.10.</p>	[Priority 1]
<p><b>1.2</b> Provide redundant text links for each active region of a server-side image map.</p> <p>Refer also to Guidelines 1.5 and 9.1</p>	[Priority 1]
<p><b>1.3</b> Until user agents<sup>5</sup> can automatically read aloud the text equivalent of a visual track, provide an auditory description of the important information of the visual track of a multimedia presentation.</p> <p>Synchronize the auditory description with the audio track as per Guideline 1.4. Refer to Guideline 1.1 for information about textual equivalents for visual information.</p>	[Priority 1]
<p><b>1.4</b> For any time-based multimedia presentation (e.g., a movie or animation), synchronize equivalent alternatives (e.g., captions or auditory descriptions of the visual track) with the presentation.</p>	[Priority 1]

<sup>4</sup> The Accessibility Guidelines comprise 14 sets of guidelines that are prioritized either 1,2, or 3. Priority 1 items are considered absolutely necessary if a court web presence is going to meet basic federal and accessibility standards. Priority 2 items represent items that are desirable, but not necessary. Priority 3 items are things that are nice, but aren't necessary until resources permit.

<sup>5</sup> Any software that retrieves and renders Web content for users. This may include Web browsers, media players, plug-ins, and other programs — including assistive technologies — that help in retrieving and rendering Web content. (source: www.w3.org)

**1.5** Until user agents render text equivalents for client-side image map links, provide redundant text links for each active region of a client-side image map.

[Priority 3]

Refer also to Guideline 1.2 and Guideline 9.1.

**Standard 2. Don't rely on color alone.**

Ensure that text and graphics are understandable when viewed without color.

**2.1** Ensure that all FUNCTIONAL information conveyed with color is also available without color, for example from context or markup.

[Priority 1]

**2.2** Ensure that foreground and background color combinations provide sufficient contrast when viewed by someone having color deficits or when viewed on a black and white screen.

[Priority 2 for images, Priority 3 for text].

**Guideline 3. Use markup and style sheets**

Mark up documents with the proper structural elements. Control presentation with style sheets rather than with presentation elements and attributes.

**3.1** When an appropriate markup language exists, use markup rather than images to convey information. Avoid using images to represent text -- use text and style sheets instead.

[Priority 2]

Refer also to Guideline 6 and Guideline 11.

**3.2** Create documents that validate to formal grammars.

[Priority 2]

**3.3** Use style sheets to control layout and presentation.

[Priority 2]

**3.4** Use relative rather than absolute units in markup language attribute values and style sheet property values.

[Priority 2]

**3.5** Use header elements to convey document structure and use them according to specification.

[Priority 2]

**3.6** Mark up lists and list items properly.

[Priority 2]

**3.7** Mark up quotations. Do not use quotation markup for formatting effects such as indentation.

[Priority 2]

**Guideline 4. Clarify natural language usage**

Use markup that facilitates pronunciation or interpretation of abbreviated or foreign text.

**4.1** Clearly identify changes in the natural language of a document's text and any text equivalents (e.g., captions).

[Priority 1]

4.2 Specify the expansion of each abbreviation or acronym in a document where it first occurs. [Priority 1]

4.3 Identify the primary natural language of a document. [Priority 1]

**Guideline 5. Create tables that transform gracefully.**

Ensure that tables have necessary markup to be transformed by accessible browsers and other user agents. Do not use tables as structural design elements.

5.1 For data tables, identify row and column headers. [Priority 1]

5.2 For data tables that have two or more logical levels of row or column headers, use markup to associate data cells and header cells. [Priority 1]

5.3 Do not use tables for layout unless the table makes sense when linearized. Otherwise, if the table does not make sense, provide an alternative equivalent (which may be a linearized version). Note. Once user agents support style sheet positioning, tables should not be used for layout. Refer also to Guideline 3.3. [Priority 2]

5.4 If a table is used for layout, do not use any structural markup for the purpose of visual formatting. [Priority 2]

5.5 Provide summaries for tables. [Priority 3]

5.6 Provide abbreviations for header labels. [Priority 3]

**Guideline 6. Ensure that pages featuring new technologies transform gracefully.**

Ensure that pages are accessible even when newer technologies are not supported or are turned off.

6.1 Organize documents so they may be read without style sheets. [Priority 1]

6.2 Ensure that equivalents for dynamic content are updated when the dynamic content changes. [Priority 1]

**6.3** Ensure that pages are usable when scripts, applets, or other programmatic objects are turned off or not supported. If this is not possible, provide equivalent information on an alternative accessible page as per Standard 11.4.

[Priority 1]

Refer also to Guideline 1.

**6.4** For scripts and applets, ensure that event handlers are input device-independent.

[Priority 2]

**6.5** Ensure that dynamic content is accessible or provide an alternative presentation or page.

[Priority 2]

**Guideline 7. Ensure user control of time-sensitive content changes.**

Ensure that moving, blinking, scrolling, or auto-updating objects or pages may be paused or stopped.

**7.1** Until user agents allow users to control flickering, avoid causing the screen to flicker.

[Priority 1]

**7.2** Until user agents allow users to control blinking, avoid causing content to blink (i.e., change presentation at a regular rate, such as turning on and off).

[Priority 2]

**7.3** Until user agents allow users to freeze moving content, avoid movement in pages.

[Priority 2]

Refer also to Guideline 8

**7.4** Until user agents provide the ability to stop the refresh, do not create periodically auto-refreshing pages.

[Priority 2]

**7.5** Until user agents provide the ability to stop auto-redirect, do not use markup to redirect pages automatically. Instead, configure the server to perform redirects.

[Priority 2]

**Guideline 8. Ensure direct accessibility of embedded user interfaces.**

Ensure that the user interface follows principles of accessible design: device-independent access to functionality, keyboard operability, self-voicing, etc.

**8.1** Make programmatic elements such as scripts and applets directly accessible or compatible with assistive technologies

Refer also to Guideline 6.

[Priority 1 if functionality is important and not presented elsewhere, otherwise Priority 2.]

**Guideline 9. Design for device-independence.**

Use features that enable activation of page elements via a variety of input devices.

**9.1** Provide client-side image maps instead of server-side image maps.

Refer also to Guideline 1.1, Guideline 1.2, and Guideline 1.5.

**9.2** Ensure that any element that has its own interface can be operated in a device-independent manner. This does not apply to issues of authentication and security. Refer to the definition of device independence.

Refer also to Guideline 8.

**9.3** For scripts, specify logical event handlers rather than device-dependent event handlers.

**9.4** Create a logical tab order through links, form controls, and objects.

**9.5** Provide keyboard shortcuts to important links (including those in client-side image maps), form controls, and groups of form controls.

[Priority 1]
[Priority 2]
[Priority 2]
[Priority 2]
[Priority 3]

**Guideline 10. Use interim solutions.**

Use interim accessibility solutions so that assistive technologies and older browsers will operate correctly.

**10.1** Until user agents allow users to turn off spawned windows, do not cause pop-ups or other windows to appear and do not change the current window without informing the user.

**10.2** Until user agents support explicit associations between labels and form controls, for all form controls with implicitly associated labels, ensure that the label is properly positioned. The label must immediately precede its control on the same line (allowing more than one control/label per line) or be in the line preceding the control (with only one label and one control per line).

Refer also to Guideline 12.4.

[Priority 2]
[Priority 2]

**10.3** Until user agents (including assistive technologies) render side-by-side text correctly, provide a linear text alternative (on the current page or some other) for all tables that lay out text in parallel, word-wrapped columns. Note. Please consult the definition of linearized table. This checkpoint benefits people with user agents (such as some screen readers) that are unable to handle blocks of text presented side-by-side; the checkpoint should not discourage content developers from using tables to represent tabular information.

[Priority 3]

**10.4** Until user agents handle empty controls correctly, include default, place-holding characters in edit boxes and text areas.

[Priority 3]

**10.5** Until user agents (including assistive technologies) render adjacent links distinctly, include non-link, printable characters (surrounded by spaces) between adjacent links.

[Priority 3]

**Guideline 11. Use W3C technologies and guidelines.**

Use W3C technologies (according to specification) and follow accessibility guidelines. Where it is not possible to use a W3C technology, or doing so results in material that does not transform gracefully, provide an alternative version of the content that is accessible.

**11.1** Use W3C technologies when they are available and appropriate for a task and use the latest versions when supported.

[Priority 2]

**11.2** Avoid deprecated features of W3C technologies.

[Priority 2]

**11.3** Where practical provide information so that users may receive documents according to their preferences

[Priority 3]

**11.4** If, after best efforts, you cannot create an accessible page, provide a link to an alternative page that uses W3C technologies, is accessible, has equivalent information (or functionality), and is updated as often as the inaccessible (original) page.

[Priority 1]

**Guideline 12. Provide context and orientation information.**

**12.0** Utilizing frames is not recommended.

[Priority 1]

Provide context and orientation information to help users understand complex pages or elements.

<b>12.1</b> If you must use frames, title each frame to facilitate frame identification and navigation.	[Priority 1]
<b>12.2</b> If you must use frames, describe the purpose of frames and how frames relate to each other if it is not obvious by frame titles alone.	[Priority 2]
<b>12.3</b> Divide large blocks of information into more manageable groups where natural and appropriate.	[Priority 2]
<b>12.4</b> Associate labels explicitly with their controls.	[Priority 2]

**Guideline 13. Provide clear navigation mechanisms.**

Provide clear, readable and consistent navigation mechanisms -- orientation information, navigation bars, a site map, etc. -- to increase the likelihood that a person will find what they are looking for at a site.

<b>13.1</b> Clearly identify the target of each link. Link text should be meaningful enough to make sense when read out of context -- either on its own or as part of a sequence of links. Link text should also be terse.	[Priority 2]
<b>13.2</b> Provide metadata <sup>6</sup> to add semantic information to pages and sites.	[Priority 2]
Refer also to Guideline 13.5.	
<b>13.3</b> Provide information about the general layout of a site (e.g., a site map or table of contents).	[Priority 2]
<b>13.4</b> Use navigation mechanisms in a consistent manner.	[Priority 2]
<b>13.5</b> Provide navigation bars to highlight and give access to the navigation mechanism.	[Priority 3]
<b>13.6</b> Group related links, identify the group (for user agents), and, until user agents do so, provide a way to bypass the group.	[Priority 3]
<b>13.7</b> If search functions are provided, enable different types of searches for different skill levels and preferences.	[Priority 3]
<b>13.8</b> Place distinguishing information at the beginning of headings, paragraphs, lists, etc.	[Priority 3]
<b>13.9</b> Provide information about document collections (i.e., documents comprising multiple pages.).	[Priority 3]
<b>13.10</b> Provide a means to skip any purely visual/artistic presentation.	[Priority 3]

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<sup>6</sup> Metadata provides information about the content, quality, condition, and other characteristics of data. (source: [www.nyskwic.org/u\\_data/data\\_terms.cfm](http://www.nyskwic.org/u_data/data_terms.cfm))



**Guideline 14. Ensure that documents are clear and simple.**

Ensure that documents are clear and simple so they may be more easily understood.

**14.1** Use the clearest and simplest language appropriate for a site's content.

[Priority 1]
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**14.2** Supplement text with graphic or auditory presentations where they will facilitate comprehension of the page. Refer also to Standard 1.

Priority 3
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**14.3** Create a style of presentation that is consistent across pages.

Priority 2
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**APPENDIX C: ONLINE RESOURCES CITED IN THIS GUIDEBOOK**

## **ASSESSING THE NEED FOR A WEBSITE**

### **U.S. CENSUS BUREAU STATISTICS ON COMPUTER AND INTERNET USE BY STATE**

[HTTP://WWW.CENSUS.GOV/POPULATION/SOCDEMO/COMPUTER/PPL-175/TAB01B.XLS](http://www.census.gov/population/socdemo/computer/ppl-175/tab01b.xls)

### **MRS. ROWLEY'S KINDERGARTEN CLASS, DANVILLE, OHIO**

[HTTP://WWW.TRECA.ORG/SCHOOLS/DANVILLE/ELEM/ROWLEY/KDG10.HTML](http://www.treca.org/schools/danville/elem/rowley/kdg10.html)

## **BULK INFORMATION REQUESTS**

### **OHIO REVISED CODE SECTION 143.49**

[HTTP://ONLINEDOCS.ANDERSONPUBLISHING.COM/OH/LPEXT.DLL/PORC/483/215B?FN=DOCUMENT-FRAME.HTM&F=TEMPLATES&2.0#](http://onlinedocs.andersonpublishing.com/oh/lpext.dll/porc/483/215b?fn=document-frame.htm&f=templates&2.0#)

## **FORMS, FORMS, FORMS**

### **U.S. DEPARTMENT OF STATE PASSPORT FORMS**

[HTTP://TRAVEL.STATE.GOV/PASSPORT/INDEX.HTML](http://travel.state.gov/passport/index.html)

### **SUPREME COURT OF OHIO CIVIL PROTECTION ORDER FORMS**

[HTTP://WWW.SCONET.STATE.OH.US/SPEC\\_DOCKETS/DEFAULT.ASP#FORMS](http://www.sconet.state.oh.us/spec_dockets/default.asp#forms)

### **HAMILTON COUNTY PROBATE COURT, STANDARDIZED FORMS**

[HTTP://WWW.PROBATECT.ORG/OHIOPROBATECOURTS/OHIO\\_COURTS\\_STANDARDFORMS.HTML](http://www.probatect.org/ohioprobatecourts/ohio_courts_standardforms.html)

### **TRUMBULL COUNTY PROBATE COURT, LOCAL FORMS**

[HTTP://WWW.TRUMBULLPROBATE.ORG/TRUMBULL\\_COUNTY\\_PROBATE\\_COURT\\_FORMS.HTM](http://www.trumbullprobate.org/trumbull_county_probate_court_forms.htm)

## **BEST PRACTICES: SITEMAP**

### **U.S. DEPARTMENT OF JUSTICE SITEMAP**

[HTTP://WWW.USDOJ.GOV/SITEMAP/](http://www.usdoj.gov/sitemap/)

### **NATIONAL CENTER FOR BIOTECHNOLOGY INFORMATION SITEMAP**

[HTTP://WWW.NCBI.NLM.NIH.GOV/SITEMAP/](http://www.ncbi.nlm.nih.gov/sitemap/)

## **PRIVACY, PUBLIC ACCESS, AND COURT RECORDS ONLINE**

### **SUPREME COURT OF OHIO ADVISORY COMMITTEE ON TECHNOLOGY AND THE COURTS PRIVACY SUBCOMMITTEE DOCUMENTS**

[HTTP://WWW.SCONET.STATE.OH.US/ACTC/SUBCOMMITTEES/PRIVACY/WORKING\\_DOC/DEFAULT.ASP](http://www.sconet.state.oh.us/actc/subcommittees/privacy/working_doc/default.asp)

## **RESPONSE TIME & CUSTOMER SERVICE**

**PEW CHARITABLE TRUST STUDY – HOW AMERICANS GET IN TOUCH WITH GOVERNMENT**

[HTTP://WWW.PEWINTERNET.ORG/PPF/R/128/REPORT\\_DISPLAY.ASP](http://www.pewinternet.org/PPF/R/128/REPORT_DISPLAY.ASP)

**LINKING ETIQUETTE**

**FRANKLIN COUNTY MUNICIPAL COURT LINKS PAGE**

[HTTP://WWW.FCMCCLERK.COM/LINKS/LINKS.HTM](http://www.fcmcclerk.com/links/links.htm)

**SUPREME COURT OF OHIO LINKS PAGE**

[HTTP://WWW.SCONET.STATE.OH.US/WEB\\_SITES/](http://www.sconet.state.oh.us/web_sites/)

**ARCHIVING & RETENTION**

**OHIO ELECTRONIC RECORDS COMMISSION GUIDELINES FOR ARCHIVING WEB CONTENT**

[HTTP://WWW.OHIOJUNCTION.NET/ERC/WEB/WEBGUIDELINES.HTML](http://www.ohiojunction.net/erc/web/webguidelines.html)

**APPENDIX B: ACCESSIBILITY GUIDELINES**

**USER AGENT DEFINITION**

[WWW.W3.ORG/TR/2002/NOTE-UAAG10-TECHS-20021217/GLOSSARY.HTML](http://www.w3.org/TR/2002/NOTE-UAAG10-TECHS-20021217/glossary.html)

**METADATA DEFINITION**

[WWW.NYSKWIC.ORG/U\\_DATA/DATA\\_TERMS.CFM](http://www.nyskwic.org/u_data/data_terms.cfm)