

**PROPOSED AMENDMENTS TO THE RULES OF SUPERINTENDENCE
FOR THE COURTS OF OHIO**

Comments Requested: The Supreme Court of Ohio will accept public comments until February 20, 2015, on the following proposed amendments to the Rules of Superintendence for the Courts of Ohio.

Comments on the proposed amendments should be submitted in writing to: Stephanie Nelson, Manager of the Children & Families Section, Supreme Court of Ohio, 65 South Front Street, 6th Floor, Columbus, Ohio 43215-3431, or Stephanie.Nelson@sc.ohio.gov not later than February 20, 2015. Please include your full name and mailing address in any comments submitted by e-mail.

Key to Proposed Amendment:

1. Existing language appears in regular type. Example: text
2. Existing language to be deleted appears in strikethrough. Example: ~~text~~
3. New language to be added appears in underline. Example: text

1 **RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO**
2

3 **RULE 44. Court Records - Definitions.**
4

5 In addition to the applicability of these rules as described in Sup.R. 1, Sup.R. 44 through 47
6 apply to the Supreme Court.
7

8 As used in Sup.R. 44 through 47:
9

10 (A) “Actual cost” means the cost of depleted supplies; records storage media costs;
11 actual mailing and alternative delivery costs, or other transmitting costs; and any direct
12 equipment operating and maintenance costs, including actual costs paid to private
13 contractors for copying services.
14

15 (B) “Court record” means both a case document and an administrative document,
16 regardless of physical form or characteristic, manner of creation, or method of storage.
17

18 (C)(1) “Case document” means a document and information in a document submitted to
19 a court or filed with a clerk of court in a judicial action or proceeding, including exhibits,
20 pleadings, motions, orders, and judgments, and any documentation prepared by the court
21 or clerk in the judicial action or proceeding, such as journals, dockets, and indices,
22 subject to the exclusions in division (C)(2) of this rule.
23

24 (2) The term “case document” does not include the following:
25

26 (a) A document or information in a document exempt from disclosure
27 under state, federal, or the common law;
28

29 (b) Personal identifiers, as defined in division (H) of this rule;
30

31 (c) A document or information in a document to which public access
32 has been restricted pursuant to ~~division (E)~~ of Sup.R. 45(E);
33

34 (d) Except as relevant to the juvenile’s prosecution later as an adult, a
35 juvenile’s previous disposition in abuse, neglect, and dependency cases,
36 juvenile civil commitment files, post-adjudicatory residential treatment
37 facility reports, and post-adjudicatory releases of a juvenile’s social
38 history;
39

40 (e) Notes, drafts, recommendations, advice, and research of judicial
41 officers and court staff;
42

43 (f) Forms containing personal identifiers, as defined in division (H) of
44 this rule, submitted or filed pursuant to ~~division (D)(2)~~ of Sup.R. 45(D)(2);

45 (g) Information on or obtained from the Ohio Courts Network, except
46 that the information shall be available at the originating source if not
47 otherwise exempt from public access;
48

49 (h) In a court with domestic relations or juvenile jurisdiction, the
50 following records, reports, and documents, including but not limited to
51 those prepared pursuant to R.C. 2151.281, 3105.171(E)(3), and 3109.04
52 (C) and Sup.R. 48:
53

54 (i) Health care documents, including but not limited to
55 physical health, psychological health, psychiatric health, mental
56 health, and counseling documents;
57

58 (ii) Drug and alcohol assessments, recommendations, screens,
59 and reports;
60

61 (iii) Guardian ad litem reports, including collateral source
62 documents attached to or filed with the reports;
63

64 (iv) Home investigation reports, including collateral source
65 documents attached to or filed with the reports;
66

67 (v) Evaluations and reports relating to child custody, allocation
68 of parental rights and responsibilities, parenting time, or
69 companionship or visitation, including collateral source documents
70 attached to or filed with the evaluations and reports;
71

72 (vi) Domestic violence assessments, recommendations, reports,
73 and screens;
74

75 (vii) Supervised parenting time or companionship or visitation
76 records and reports and supervised parenting time or
77 companionship or visitation exchange records and reports;
78

79 (viii) Financial records and financial disclosure statements
80 regarding property, debt, taxes, income, and expenses, including
81 collateral source documents attached to or filed with records and
82 statements;
83

84 (ix) Asset appraisals and evaluations.
85

86 **[Existing language unaffected by the amendments is omitted to conserve space]**