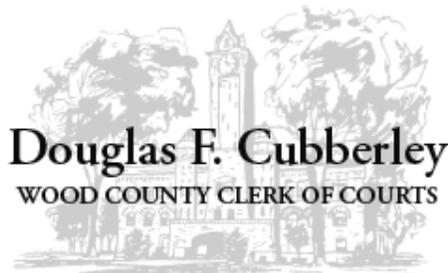


TITLE OFFICE
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Hours: 8:30 - 4:30 M-F
9:00 - 12:00 Sat.



LEGAL DEPARTMENT
One Courthouse Square, 2nd Floor
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PUBLIC RECORDS REQUEST POLICY

Effective Date: February 25, 2021

Mission:

It is the policy of the Wood County Clerk of Courts that openness leads to a better informed citizenry, which leads to better government and better public policy. Consistent with the premise that government at all levels exists first and foremost to serve the interests of the people, it is the mission and intent of the Wood County Clerk of Courts to, at all times, fully comply with and abide by both the spirit and the letter of the Ohio's Public Records Act.

Section 1 Public Records

The Wood County Clerk of Courts office, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to e-mail), or other format that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations or other activities of the office. All records of the Wood County Clerk of Courts office are public unless they are specifically ordered sealed by the Court or exempt from disclosure under the Ohio Revised Code, the Ohio Rules of Superintendence, or the Local Rules of the Wood County Court of Common Pleas via its respective divisions.

A. It is the policy of the Wood County Clerk of Courts office that, as required by Ohio law, court records will be organized and maintained so that they are readily available for inspection and/or copying. Records retention schedules are to be updated regularly, as needed.

B. Under Ohio law, some records will be withheld from release because state or federal law makes the record confidential. Some commonly-requested records that are confidential include, see ORC 149.43:

1. Attorney-client privileged information and trial preparation records;
2. Social Security numbers;
3. Records of ongoing investigations;

4. Medical records;
5. BMV records;
6. Records that a judge ordered to be sealed per statute;
7. Grand Jury Records; and
8. Peace Officer, firefighter, EMT, prosecutor, assistant prosecutor, children's services workers, or corrections officer, Residential and Familial Information.

Section 2 Response Timeframe of Record Requests and Handling Requests

Public records are to be available for inspection during regular business hours. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested, the proximity of the location where the records are stored, and the necessity for any legal review and redaction of the records requested.

Section 2.1 It is the goal of the Wood County Clerk of Courts that all requests for public records should be satisfied within three (3) business days following the office's receipt of the request. If processing the request will take longer, the request should be acknowledged in writing.

Section 2.2 No specific language is required to make a request for public records. However, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the office will contact the requester for clarification, and assist the requester in revising the request by informing the requester of the manner in which the office keeps its records.

Section 2.3 The requester does not have to put a records request in writing, does not have to provide his or her identity or the intended use of the requested public record. It is the office's general policy that this information does not need to be provided. However, the law does permit the office to ask for a written request, the requestor's identity, and/or the intended use of the information requested, but only:

1) If a written request or disclosure or identity or intended use would benefit the requestor by enhancing the office's ability to identify, locate or deliver the public records that have been requested;

and

2) After telling the requestor that a written request is not required and that the requester may decline to reveal the requestor's identity or intended use.

Section 2.4 In processing the request, the office does not have an obligation to create new records or perform new analysis of existing information. An electronic record is deemed to exist as long as a computer is already programmed to produce the record through simple sorting, filtering or querying. Although not required by law, the office may accommodate the requestor by generating new records when it makes sense and is practical under the circumstances.

Section 2.5 The public may request that personal identifiers (i.e. social security numbers, financial account numbers), which they have found in the Internet content of the court record, be redacted from the on-line record. Requests will be reviewed to determine if appropriate. Redactions or response will be effected within five (5) business days. Record of the request will be tracked as an administrative nonpublic record. The official record will not be affected by such requests. Motions to seal or expunge a record require a court order.

Section 2.6 Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, then the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

Section 3 Copying and Mailing Costs for Public Records

Those seeking public records may be charged only the actual cost of making copies, not labor. The charge for paper copies is six (6) cents per page. The charge for electronic files downloaded to a compact disc is \$1.00 per disk.

Section 3.1 A requester may be required to pay in advance for costs involved in providing the copy. The requester may choose whether to have the record duplicated upon paper, upon the same medium in which the public record is kept, or upon any other medium on which this office determines that the record can reasonably be duplicated as an integral part of the Wood County Clerk of Courts normal operation.

Section 3.2 If a requester asks that the documents be delivered to them, he or she may be charged the actual cost of the postage and mailing supplies, or other actual costs of delivery.

Section 3.4 There is no charge for e-mailed documents.

Section 4 Managing Records

Current and obsolete records retention schedules for the Wood County Clerk of Courts are available at the Wood County Clerk of Courts Office, One Courthouse Square, Bowling Green, Ohio 43402. Current retention schedules can also be found online at: <https://clerkofcourt.co.wood.oh.us/>