

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

Comments Requested: The Supreme Court of Ohio will accept public comments until June 28, 2022, 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: Sara Andrews, Director of the Ohio Criminal Sentencing Commission, Supreme Court of Ohio, 65 South Front Street, 5th Floor, Columbus, Ohio 43215, or OhioSentencingDataPlatform@sc.ohio.gov not later than June 28, 2022. Please include your full name and mailing address in any comments submitted by email.

Key to Adopted Amendments:

1. Unaltered language appears in regular type. Example: text
2. Language that has been deleted appears in strikethrough. Example: ~~text~~
3. New language that has been added appears in underline. Example: text

RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

RULE 38.01. Ohio Sentencing Data Platform.

(A) Definition

As used in this rule, “Criminal Sentencing Commission” means the commission established by R.C. 181.21.

(B) Platform and pilot project courts

(1) The Criminal Sentencing Commission shall establish, operate, and maintain the Ohio sentencing data platform on behalf of the Supreme Court to facilitate the electronic collection, analysis, and reporting of felony-sentencing data and the production of uniform sentencing entries and method of conviction entries.

(2) The Criminal Sentencing Commission shall designate courts of common pleas desiring to participate in a pilot project of the Ohio sentencing data platform. Such courts shall be styled “pilot project courts.”

(C) Sentencing entries and forms

Each judge of a pilot project court shall prepare and submit a “Uniform Sentencing Entry” and appropriate “Method of Conviction Form” for each individual sentenced by the judge. The entry and forms shall be as prescribed by the Criminal Sentencing Commission. Entries and forms shall be submitted in electronic format through the Ohio sentencing data platform.

RULE 44. Court Records - Definitions.

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

As used in Sup. R. 44 through 47:

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

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

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

45 (a) A document or information in a document exempt from disclosure
46 under state, federal, or the common law;
47

48 **[Existing language unaffected by the amendments is omitted to conserve space]**
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50 (i) Documents and data on or obtained from the Ohio sentencing data
51 platform, subject to the following exceptions:
52

53 (i) The documents and data shall be available at the originating
54 source if not otherwise exempt from public access;
55

56 (ii) The Ohio Criminal Sentencing Commission, with the
57 approval of the Supreme Court, ~~commission~~ may make documents
58 and data available to the public via a portal on the platform.
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60 **[Existing language unaffected by the amendments is omitted to conserve space]**
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62 (G)(1) “Administrative document” means a document and information in a document
63 created, received, or maintained by a court that serves to record the administrative, fiscal,
64 personnel, or management functions, policies, decisions, procedures, operations,
65 organization, or other activities of the court, subject to the exclusions in division (G)(2) of
66 this rule.
67

68 (2) The term “administrative document” does not include the following:
69

70 (a) A document or information in a document exempt from disclosure
71 under state, federal, or the common law, or as set forth in the Rules for the
72 Government of the Bar;
73

74 **[Existing language unaffected by the amendments is omitted to conserve space]**
75

76 (i) Documents and data on or obtained from the Ohio sentencing data
77 platform, subject to the following exceptions:
78

79 (i) The documents and data shall be available at the originating
80 source if not otherwise exempt from public access;
81

82 (ii) The Ohio Criminal Sentencing Commission, with the
83 approval of the Supreme Court, ~~commission~~ may make documents
84 and data available to the public via a portal on the platform.
85

86 (j) Data feeds by and between courts and the Ohio Criminal Sentencing
87 Commission when using the Ohio sentencing data platform.
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89 **[Existing language unaffected by the amendments is omitted to conserve space]**
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