Members

Sen. Brent Steele, Chairperson
Sen. Joseph Zakas
Sen. Greg Taylor
Sen. Lonnie Randolph
Rep. Kathy Kreag Richardson
Rep. Greg Steuerwald
Rep. B. Patrick Bauer
Rep. John Bartlett
Chief Justice Brent Dickson
Judge Tom Felts
Commissioner Therese Brown
Christa Coffey
Jerome Prince

LSA Staff:

Mark Goodpaster, Fiscal Analyst for the Commission
Timothy Tyler, Attorney for the Commission

Authority: IC 33-23-10

COMMISSION ON COURTS

Legislative Services Agency
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Indianapolis, Indiana 46204-2789
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MEETING MINUTES[1]

Meeting Date:	**October 8, 2013**
Meeting Time:	**2:00 P.M.**
Meeting Place:	**State House, 200 W. Washington St., 156 A**
Meeting City:	**Indianapolis, Indiana**
Meeting Number:	**4**

Members Present: **Sen. Brent Steele, Chairperson; Rep. Kathy Kreag Richardson; Rep. Greg Steuerwald; Rep. B. Patrick Bauer; Rep. John Bartlett; Chief Justice Brent Dickson; Judge Tom Felts; Commissioner Therese Brown; Christa Coffey.**

Members Absent: **Sen. Joseph Zakas; Sen. Greg Taylor; Sen. Lonnie Randolph; Jerome Prince.**

Senator Steele called the meeting to order at 2:05 p.m.

He recognized Lilia Judson, Executive Director of the Division of State Court Administration, Indiana Supreme Court, to speak about judgment dockets. Ms. Judson's prepared remarks and proposed legislation regarding judgment dockets are included in Exhibit A of these minutes.

Ray Ontko, President of Doxpop, next spoke to the Commission members. His prepared remarks are included in Exhibit B.

Page Felts, representing the Indiana State Bar Association, also spoke about the need for

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[1] These minutes, exhibits, and other materials referenced in the minutes can be viewed electronically at http://www.in.gov/legislative Hard copies can be obtained in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for hard copies may be mailed to the Legislative Information Center, Legislative Services Agency, West Washington Street, Indianapolis, IN 46204-2789. A fee of $0.15 per page and mailing costs will be charged for hard copies.

a uniform judgment docket.

After testimony, the Commission members discussed what should be included in the contents of the judgement dockets and whether the contents should be determined in part by a combination of state law and court rules.

Senator Steele adjourned the meeting at 2:45 p.m.

CRTS
Ex A
10/8/13

JUDGMENT DOCKET LEGISLATION

Thank you, Sen. Steele and Commission members for opportunity to discuss a proposed amendment to clarify the definition of the judgment docket.

My name is Lilia Judson; I am exec director of the Supreme Court's office of state court administration

I am speaking on this proposal because my office staffs the Supreme Court Records Management Committee (RMC) and the Special Judgment Docket Task Force that generate this proposal – both of those bodies are chaired by Justice Steve David – who was unable to attend today

The origin of this project was a request form the clerks, several of whom are members of the RMC

I know several of you are very familiar with the JD; so I apologize if I am being redundant - but I want to give a brief explanation of the JD for those who may not be as familiar

- **Judgment Docket** is list of judgments issued by a court for recovery of money, indexed in aflpha order, open to the public
    - Some are large books
    - Some are print outs from the closed judgments
    - Vary from county to county

(This proposal does not affect how the JD is maintained)

- JD should be distinguished from RJO – court record of all important orders and judgments that were issued by the court on a particular date; organized by date

- Provides official notice to interested parties of existence of judgment

- When judgment is listed on the JD**, constitutes lien on real** estate in the county where it is listed

- Judgments are collectable whether or not they are on the JD – the difference is that if a judgment is listed on the JD, it can keep debtor who has not paid it from selling property – because the title has a lien

- Each clerk maintains a JD for the Circuit court; statue require a separate on for the Superior Courts but it is not clear that all clerks maintain separate lists

- Searchers need to go to each Clerk's office to review the books – sometimes there are books for each court

- Judgment creditor must file "satisfaction of Judgment" when j is paid and then the clerk can release the J or – remove it from the JD

- Over the years, the General Assembly has added a number of other matters which are not court judgments but which must be added to the JD so that they become liens on real estate

    - They are listed on P. 3 – things such as restitution orders; probation user fees; reimbursement orders for various costs owed to governmental agencies

- The statue creating the JD provides that the clerk shall put in the ***JD any "statement or transcript of any judgment for the recovery of money or costs" - so that's the current definition***

This broad definition has left clerks with many questions and has resulted in lack of consistency in practices about what goes in the JD

In 2010, clerks on RMC asked the committee to take up the JD issue and review all the relevant statutory and case law and practices and make recommendations.

The problems they brought to us were:

1) No consistency of practices
2) Disparate treatment of the same class of persons – such as in one county they may place infraction judgment on there but not in another
3) There are too many JD books
4) J creditors fail to submit satisfaction of judgments
5) Garnishment continues after judgment has been paid
6) Result in clouded title to real estate even if debt has been paid
7) Makes it appear that J Debtor still owes judgment
8) Complicates credits scores – possibly employment
9) Bottom line - JD and clerks are providing inaccurate information

A specific question involved - Traffic tickets – which are infraction judgments. Enforcement for paying them is accomplished through statutory suspension of the license – some clerks though that they should put them in the JD; most do not;

If these are entered on the JD – no one is charged with duty to file a satisfaction of judgment; thus, cloud on real estate remains as does record in credit bureaus – even when all debts are paid

Clerk cannot just remove it from JD even if it appears to be paid -- To remove judgment J debtor probably has to bring separate action to prove he has paid –

Same is true with the costs for traffic infractions; criminal cases; ordinance violations –

- RMC is a S Ct committee, for many years chaired by current CJ Dickson – comprised of
    - List of current members is provided
- In 2010 RMC convened special Task Force – chaired by Justice David, who now is RMC chair
    - List of Task Force members is listed – note representatives of collection bar, title atty, AG, clerks, et

The proposal tightens the definition of JD to include:

(1) all civil judgments in which one party owe money to another party;

(2) any JD entry that is required by a statute; (***we do not change any established provisions such as orders for restitution***, and

(3) Provides that a judgment docket may not include judgments in which money is owed by a person to a state, a county, or another governmental entity as a result of: (1) a criminal conviction; or (2) a violation of an infraction or ordinance.

(4) enables Supreme Court to adopt rules concerning: (1) judgment docket entries; and (2) procedures related to keeping judgment dockets

to allow for flexibility and to accommodate future changes

Intended improvements:

- Reduces # of entries
- Reduced disparate effect on JD – from county to county by assuring consistency
- Assures information is more accurate – by keeping out traffic fines and costs for which no one ever submits a satisfaction of judgment even if paid
- Allows Court to provide guidance to clerks by rule

To: Indiana Commission on Courts

From: Records Management Committee
Justice Steven David, Chair

Re: Proposed Legislation Concerning the Judgment Docket

Date: August 22, 2013

Introduction

This proposed legislation is a product of the Judgment Docket Task Force, a subcommittee of the Supreme Court's Records Management Committee. Members of the task force consist of judges, clerks, members of the General Assembly, prosecutors, public defenders, attorneys representing creditors and debtors, and staff from the Division of State Court Administration, Indiana Judicial Center and the Judicial Technology and Automation Committee[1]. The Judgment Docket Task Force began meeting in early spring 2011 with the goal of making recommendations for bringing the Judgment Docket, basically a 19th century manual ledger, into the 21st century.

The Judgment Docket

The Judgment Docket is a list of all judgments for the recovery of money or costs, indexed in alphabetical order, open to public inspection[2]. It is intended to afford official notice to interested parties of the existence of a judgment. The clerk is instructed to keep a circuit court Judgment Docket in I.C. 33-32-3-2[3]. Strictly speaking, it is not a judicial record, but much of the

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[1] A complete list of members is attached.

[2] IC 33-32-3-3 Circuit court judgment docket; public record

Sec. 3. The circuit court judgment docket is a public record that is open during the usual hours of transacting business for examination by any person.

As added by P.L.98-2004, SEC.11.

[3] IC 33-32-3-2 Circuit court judgment docket

Sec. 2. (a) The clerk shall keep a circuit court judgment docket.

(b) Upon the filing in the office of the clerk a statement or transcript of any judgment for the recovery of money or costs, the clerk shall enter, and index in alphabetical order, in this judgment docket a statement of the judgment showing the following:

(1) The names of all the parties.

(2) The name of the court.

(3) The number of the cause.

(4) The book and page of the record in which the judgment is recorded.

(5) The date the judgment is entered and indexed.

(6) The date of the rendition of judgment.

(7) The amount of the judgment and the amount of costs.

(c) If a judgment is against several persons, the statement required to be entered under subsection (b) shall be repeated under the name of each judgment debtor in alphabetical order.

information required to be included in the Judgment Docket is created as a result of judicial action. All final judgments for the recovery of money or costs constitute a lien upon real estate and chattels, liable to execution in the county where the judgment has been entered and indexed in the Judgment Docket.[4]

Each circuit court has a Judgment Docket and the clerk of a standard superior court is directed by statute to provide a Judgment Docket that must be kept separately from the records of other courts. Non-standard superior courts may also have separate Judgment Dockets, depending on the statute creating the court(s) and the exercise of discretion by judges. There are no handbooks or guides that tell a clerk how to maintain a Judgment Docket. Some counties keep an electronic Judgment Docket, some still use actual books.

It is important to distinguish the Judgment Docket from the Record of Judgments and Orders[5], also maintained by the clerk. These two records are easily confused due to their similar titles plus many use the term "judgment book" in writing and conversation without defining which record (Judgment Docket or Record of Judgments and Orders) to which they are actually referring.

The Judgment Docket is used by title companies and any other user interested in knowing whether the title to real property is encumbered by an unpaid judgment and also by issuers of credit investigating the creditworthiness of a potential borrower. Public users of Judgment Dockets must go to the clerk's office in each county in which they wish to do a search and know how that clerk keeps his or her record.

Clerks are allowed 15 days to enter a judgment in the Judgment Docket after its issuance and must release a judgment no more than 15 days after a satisfaction of the judgment is received.[6]

(d) A person interested in any judgment for money or costs that has been rendered by any state court, or by any federal court of general original jurisdiction sitting in Indiana, may have the judgment entered upon the circuit court judgment docket by filing with the clerk:

(1) a statement setting forth the facts required under subsection (b); or

(2) a transcript of the judgment;

certified under the hand and seal of the court that rendered the judgment.

As added by P.L.98-2004, SEC.11.

[4] See IC 34-55-9-2 Liens upon real estate and chattels real

Sec. 2. All final judgments for the recovery of money or costs in the circuit court and other courts of record of general original jurisdiction in Indiana, whether state or federal, constitute a lien upon real estate and chattels real liable to execution in the county where the judgment has been duly entered and indexed in the judgment docket as provided by law:

(1) after the time the judgment was entered and indexed; and

(2) until the expiration of ten (10) years after the rendition of the judgment;

exclusive of any time during which the party was restrained from proceeding on the lien by an appeal, an injunction, the death of the defendant, or the agreement of the parties entered of record.

As added by P.L.1-1998, SEC.51.

[5] See Trial Rule 77(D)

[6] See IC 33-32-3-4 Entering judgments and releases

A judgment listed in the Judgment Docket has the extra feature of becoming a lien on any real property owned by the debtor in that county. A judgment not entered in the Judgment Docket is still a valid judgment and is still enforceable. The only difference between a judgment listed in the Judgment Docket and one that is not listed is whether the judgment becomes a lien on the debtor's real property in that county.

The General Assembly has identified certain items that are not court judgments that must be listed in the Judgment Docket and become liens on real property. These include, among others, Restitution Orders[7], Adult Probation Users Fees[8], Juvenile Probation User Fees[9], Tax Warrants[10], Foreign Judgments (if the requirements of I.C. 33-32-3-2 are met), Reimbursement Orders[11], the costs incurred by a city/town's board of public works for repairs to railroad grade crossings[12], the DOT's costs for removing encroachments to state highways[13], the costs related to the removal of billboards determined to be a public nuisance[14], recognizance bonds[15], and Indiana Occupational Safety and Health Act warrants[16].

Problems with the Judgment Docket

1. There is no uniformity between counties. Clerks want direction on what needs to be entered in the Judgment Docket. The Judgment Docket began as a record of civil court judgments that become liens on real estate. It now contains various other items unrelated to civil court actions that the General Assembly wants recorded. The prevailing rule in the counties seems to be "when in doubt, put it in". The Judicial Branch would like to provide the Clerks with the direction they want however although the Judgment Docket is a record of court actions, it was created by statute and the Courts do not have any clear authority over this record.
2. There are too many Judgment Dockets:
   - Clerks must keep a circuit court Judgment Docket[17],
   - Standard Superior Courts must keep a separate Judgment Docket[18], and

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Sec. 4. A clerk shall:

(1) enter a judgment or recognizance not more than fifteen (15) days after its rendition; or

(2) cause a release of judgment to be entered on the judgment docket not more than fifteen (15) days after satisfaction of the judgment.

As added by P.L.98-2004, SEC.11.

[7] See IC 35-50-5-3(b).

[8] See IC 35-38-2-1.7(c)(1).

[9] see IC 31-40-2-1.7(c)(1).

[10] See IC 6-8.1-8-2(d) and (e).

[11] See IC 35-50-5-4(d).

[12] See IC 8-6-12-2.

[13] See IC 8-23-5-1(d).

[14] See IC 8-23-20-26(e).

[15] See IC 27-10-2-11.

[16] See IC 22-8-1.1-35.7(b).

[17] IC 33-32-3-2(a).

[18] IC 33-29-1-6.

- Non-Standard Superior Courts may have separate Judgment Dockets depending on the statute creating the court[19].

The number of books makes it very difficult for the public to use the Judgment Docket. We may propose legislation that solves this issue in the future.

3. Not all judgment creditors submit satisfactions to the clerk when a judgment has been paid. If the judgment creditor is the state or state agency, a county or county agency, a municipality or municipal agency, satisfactions are rarely offered. The clerk has no authority to enter a satisfaction unless the judgment is from a small claims case. This may result in:

- a garnishment continuing after the judgment is actually paid
- the appearance of a judgment debtor still being liable for a judgment after it has been paid
- clouded title to real estate after a judgment has actually been satisfied
- the courts and Clerks offering an incorrect record to the public.

4. Including Infraction and Ordinance Violation judgments makes the Judgment Docket unusable. An infraction violation judgment constitutes a civil judgment against the violator for recovery of money or costs.[20] Judgments for money or costs are to be entered in the Judgment Docket. The sheer number of these type judgments (approximately 800,000 Infraction and ordinance violation cases each year) makes the record unusable and clouds thousands of titles to real estate.

Proposed Legislation

IC 33-32-3-2 Circuit court judgment docket

(a) The judgment docket contains all civil judgments where the money is owed from one party to another and any other entries where specific statutory language exists directing the clerk to make an entry in the judgment docket. The judgment docket does not include money owed to a state, county or other governmental entity as a result of a criminal conviction or violation of an infraction or ordinance.

(b)The Supreme Court has authority to further define the judgment docket and enact rules of procedure relating to the judgment docket.

(c)The clerk shall keep a circuit court judgment docket.

(d) Upon the filing in the office of the clerk a statement or transcript of any judgment for the recovery of money or costs, the clerk shall enter, and index in alphabetical order, in this judgment docket a statement of the judgment showing the following:

(1) The names of all the parties.
(2) The name of the court.
(3) The number of the cause.
(4) The book and page of the record in which the judgment is recorded.
(5) The date the judgment is entered and indexed.
(6) The date of the rendition of judgment.
(7) The amount of the judgment and the amount of costs.

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[19] See IC 33-33-45-14 (Lake), IC 33-33-49-18 (Marion), IC 33-33-64-9 (Porter), IC 33-33-71-14 (St. Joseph), IC 33-33-79.3-7 (Tippecanoe Superior 3), IC 33-33-79.4-8 (Tippecanoe Superior 4, 5 and 6), IC 33-33-82-15 (Vanderburgh), IC 33-33-84-11 (Vigo) and IC 33-33-89.3-7 (Wayne Superior 3).

[20] IC 34-28-5-4 and IC 34-28-5-5.

(e) If a judgment is against several persons, the statement required to be entered under subsection (d) shall be repeated under the name of each judgment debtor in alphabetical order.

(f) A person interested in any judgment for money or a cost that has been rendered by any state court, or by any federal court of general original jurisdiction sitting in Indiana, may have the judgment entered upon the circuit court judgment docket by filing with the clerk:

(1) A statement setting forth the facts required under subsection (d); or

(2) A transcript of the judgment;

certified under the hand and seal of the court that rendered the judgment.

What is and is not recorded in the Judgment Docket if the proposed legislation is enacted?

1. Only civil judgments will be listed.
2. Judgments from infraction and ordinance violations will no longer be listed.
3. All items the General Assembly has specified to be included in the Judgment Docket that are not court judgments will continue to be recorded.
4. Judgments owed to the state/county/municipality or a state/county/municipal agency resulting from criminal convictions will no longer be recorded in the Judgment Docket.
5. Orders to pay court costs in criminal cases will no longer be recorded.
6. Civil judgments owed to the state/county/municipality or a state/county/municipal agency will continue to be recorded in the Judgment Docket.

Most court records, such as the Record of Orders and Judgments and the Chronological Case Summary, were created by the Supreme Court, so it has authority to further define the records and make further rules regarding how they are kept. The Judgment Docket is different. Although the Judgment Docket consists of court information, it is a record created by statute and is maintained by the clerk. It is unclear whether the Supreme Court has any rule making authority over this record or must approach the General Assembly when procedures regarding the Judgment Docket need to be implemented or changed. The proposed change defines this more clearly.

What does this change accomplish?

1. The Supreme Court would have clear rule making authority over the Judgment Docket and could provide guidance to the Clerks regarding keeping this important public record.
2. While removing the requirement to record judgments from infraction and ordinance violation cases prevents these judgments from becoming liens on real estate, these judgments are still debts and may be collected by the Clerk. This change is an improvement because:
   - it reduces the number of entries a Clerk must enter, thus freeing up clerk staff time
   - it makes the Judgment Docket more usable because there are less judgments to search through
3. Removing the requirement to record judgments in infraction and ordinance violation cases and orders to pay criminal costs avoids a huge number of entries in the Judgment Dockets that are owed to the state/county/municipality. The Clerk rarely receives satisfactions from the

state/county/municipality. This change prevents judgments that might actually be paid, lingering in the Judgment Dockets and affecting title to real estate and debtor's lives for many years.

MEMBERS OF THE JUDGMENT DOCKET TASK FORCE

Hon. Steven David	Indiana Supreme Court, Chairperson
Mr. Alan Applegate	President, Southeastern Indiana Title Company
Mr. Jeffrey Bercovitz	Director, Juvenile & Family Law, Indiana Judicial Center
Hon. Penny Bogan	Clerk, Boone County
Hon. Martha Breeze	Recorder, Posey County
Mr. John Carr, III	Ayers Carr & Sullivan, P.C.
Mr. Kenneth Falk	Legal Director, ACLU of Indiana
Ms. Wendy S. Gibbons	Stewart Title
Ms. Debra Gibson	State Board of Accounts
Mr. James Hall, Jr.	Assistant Vice President and Associate Counsel, Old National
Ms. Christine Hickey	Rubin & Levin, P.C.
Ms. Doris Holt	Order Book Clerk, Boone County
Mr. R. William Jonas, Jr.	Hammerschmidt, Amaral & Jonas
Mr. Larry Landis	Executive Director, Indiana Public Defender Council
Ms. Patricia Marshall	United States Bankruptcy Courts
Mr. Michael McMahon	Indiana Judicial Center
Rep. Jud McMillin	Indiana House of Representatives
Hon. Linda Moeller	Clerk, Floyd County
Hon. Steven Nation	Hamilton Superior Court #1
Mr. J. T. Parker	Indiana Prosecuting Attorneys Council
Hon. John Pera	Lake Superior Court, Civil Division Six
Hon. Brian Poindexter	Carmel City Court
Hon. John Rader	Warren Circuit Court
Mr. Gary Secrest	Office of the Indiana Attorney General
Ms. Mary Slade	Plunkett Cooney
Ms. Tammy White	State Board of Accounts
Mr. Gregory Zoeller	Office of the Indiana Attorney General

Division of State Court Administration

Ms. Lilia Judson	Executive Director, Division of State Court Administration
Mr. James Walker	Former Director of Trial Court Management, Division of State Court Administration
Mr. Jeffrey Wiese	Staff Attorney, Division of State Court Administration
Mr. Thomas Jones	Records Manager, Division of State Court Administration
Mr. Doyal McLemore, Jr.	Staff Attorney, Division of State Court Administration

Judicial Technology & Automation Committee

Ms. Mary DePrez	Director and Counsel for Trial Court Technology
Hon. John Kellam	Senior Judge
Ms. Donna Edgar	JTAC Project Manager

CRTS
EX B
10/8/13

Ray's Script:

Mr. Chairman and members of the committee, thank you for giving me the opportunity to add our perspective to this discussion.

My name is Ray Ontko, and I am the President of Doxpop. With me today is Nick Fankhauser, our VP of Indiana Operations. Doxpop is an Indiana company based in Wayne County. We work with county government to provide online access to public court information. At present, we provide access to public case information for nearly 22 million cases in 486 courts in 86 Indiana counties. We also provide access to nearly 10 million recorded documents in 29 Indiana counties, and provide the ability for motorists to pay traffic tickets online in 26 Indiana counties.

Our revenue is generally derived from professionals whose costs are significantly lowered by the access we provide. However, in addition to private sector customers, Doxpop also provides free access to the general public and to many government agencies. Among the government agencies that use Doxpop as their primary source of online court information are:

- The Indiana State Police;
- County Prosecutors;
- Public Defenders;
- Sheriff's Departments;
- County Probation Officers;
- The Indiana Department of Corrections; and
- The Indiana Department of Child Services

So we know a little bit about aggregating public court information and sharing it in a consistent format with government agencies and professional users.

We come today in support of the general idea that the Judgment Docket may be improved so that it better serves the State and citizens of Indiana, but we reach different conclusions about how to solve the problems identified by the Task Force.

I wish we could have come to this meeting as supporters of a solution created with broad consultation. We knew, based upon the comments of a JTAC representative more than two years ago that JTAC was planning to create an "Electronic Judgment Docket". So when the Task Force was formed, we contacted the State Court Administration to learn more, with the intention of playing a positive role in their deliberations.

We started by requesting the minutes of the task force following their first meeting and asking to be allowed to attend the meetings. However, we were never allowed to attend, and even more startling, were informed that the minutes of the Task Force were ***confidential*** so we couldn't

even know what they were talking about. As you might expect, our interest was piqued. It seemed odd and a little ominous that a group meeting to discuss public records was not open to the public.

Like you, we have only the proposed legislation to work with. We saw it for the first time last week, and we have some concerns about it.

The proposal you have before you now is based on valid concerns and goals for improvement. It is true that Judgment Dockets vary widely from county to county, and true that because the statutes have not been updated for decades, the "official" docket must currently be on paper. It is true that there are too many Judgment Dockets. It is also true that satisfactions (other than those collected by the Clerk) may not be recorded. We agree that there are lots of Infraction and Ordinance Violation judgments, but we dispute the claim that they are undesirable, and in a few minutes, we will show you how to make them less of an impediment to searchers.

Note, however, that the solution proposed does not specifically address these problems. Instead, it broadly authorizes the Supreme Court, and almost certainly by extension, the Judicial Technology and Automation Committee, to take over administration of this important public record without clear guidance and oversight from the legislature. It abdicates responsibility for the quality of the docket to the judiciary; it doesn't specifically unify the many dockets into a single docket in each county; it doesn't address whether satisfactions are submitted to the clerk; and by eliminating infraction and ordinance violations, it throws the baby out with the bathwater by eliminating what may be an important path to collection for the State and other units of government.

There is another problem with this solution:

When JTAC is put in charge of public information, it often restricts access to the information and creates a fee structure that turns access to these records into a profit center for their agency. JTAC does this by charging fees for access to public information when they can, and forbidding competition from the private sector so the fees are inconsistent with what would be set by competition in a free market.

Doxpop has in the past challenged this notion of impeding access by making public record requests to JTAC. Their response is that Court Information is not subject to the Access to Public Records Act. Therefore they may charge any fee they wish for public information, and they may restrict our use of public information. The legislature can't help us because their rules don't apply to the court.

This is well below the standards for access to public records that other government agencies adhere to. We hope you will consider an alternative to JTAC's proposal.

Here is an alternative solution that we'd like this committee to consider:

1. Step one is to simply educate the clerks about the rules. Doxpop has attended all clerks conferences for the past 12 years, and nobody has ever offered a workshop or presentation on this topic. The statutes aren't that complicated, and the clerks are quick to learn. We're puzzled as to why this simple and inexpensive approach was not a part of the task force's recommendations.
2. Second, authorize the clerks to make an *electronic version* of the judgment book the official record. All of the vendors currently providing software to Indiana clerks either already provide an electronic judgment Docket, or will be able to quickly add it. By doing this you will accomplish several goals without major taxpayer-funded expense:
    a. You will remove the burden of writing in the old "ledger books", thus freeing up time to focus on keeping the CMS records accurate.
    b. You will remove the issue of infractions or criminal judgments "cluttering" the Judgment Docket. An electronic version allows users to select which case types they want to see, but doesn't accomplish this by excluding useful information as the proposed legislation does.
    c. You will enable electronic exchange of the information, thus allowing private sector firms such as ours to compete for the privilege of providing remote access to businesses who use this information to generate their own revenue (or allow those businesses to access the information directly). This ensures that the information will get to the people who need it without expense to taxpayers who have no interest.
    d. You will make it possible for county clerks to make the judgment docket available via the web so that debtors can clear their name if debts have been paid.
3. Third, take steps to ensure that JTAC will not impede those who seek to aggregate this information by making it clear that the Judgment Docket is a record of the County Clerk. If this public information is freely available, vendors will compete to provide remote access. Without competition, costs will rise while standards fall.
4. Require the State Board of Accounts to add audit procedures that verify that the judgment docket is maintained in accordance with state law, and that it is substantially free from inappropriate entries and substantially complete with respect to court-related entries. These seem doable at minimal cost.
5. Require units of government and others that file liens in the judgment docket to also file satisfactions when the debt is paid. If this is already a provision in the law, let's look at what we can do to make if more effective.

By making these minor changes to the code we believe that the judgment docket can be improved to serve its intended function for the people and State, and at minimal cost.

Although the current rules have forced us to come up with a rudimentary solution, Doxpop has

created a judgment-oriented search function that illustrates what an electronic judgment docket might look like to end users. It is available to users of our website and it demonstrates how easy it is to solve this problem at low cost.

We believe that the State, through the legislature, has a compelling interest in assuring the integrity and efficacy of the judgment docket. The judiciary is not an appropriate forum for determining what should and shouldn't be in the docket, a role properly reserved to the legislature.

[Nick does demo here. In particular, we show that without eliminating information for all users, we can allow folks like Abstractors to hide information they don't need, such as Infractions. We also note that it's already done, and it didn't cost them a thing.]

Thank you for your attention. We would be delighted to address any questions or comments you may have.