

Committee on Judiciary

CS/CS/CS/SB 556 — Clerks of the Court

by Appropriations Committee; Governmental Oversight and Accountability Committee; Judiciary Committee; and Senator Ring

This bill revises the duties and responsibilities of the clerks of courts. The changes made by the bill:

- Expand the duties of a clerk of court to include the storage and maintenance of electronic filings and authorize clerks to electronically affix stamps to filings.
- Require the clerk to charge for services rendered electronically.
- Require the county recorder to remove recorded court documents from official records pursuant to a sealing or expunction order.
- Increase the threshold required for the clerk to refund an overpayment from \$5 to \$10 without a request from the person who made the overpayment.
- Clarify that the clerk may electronically provide public records requested by entities eligible to access the records without cost. These entities include the state attorney, public defender, guardian ad litem, public guardian, attorney ad litem, and others.
- Require an individual or entity to specify the document type, name, identification number, and page number, if requesting the clerk to maintain the confidentiality of information that is exempt from disclosure requirements in a court record or official record.
- Require the property appraiser, instead of the clerk, to provide a copy of the property record card to a petitioner in a challenge to a property tax valuation.
- Exempt the state from paying fees in enforcing judgments for costs and fines.
- Require clerks to provide public defenders with access to records of juveniles they are expected to represent prior to being appointed by the court.

If approved by the Governor, these provisions take effect July 1, 2013.

Vote: Senate 37-0; House 116-0