

## Wayne County, Ohio Benchmark e-Filing System User Agreement

In order to register for an account with the Wayne County, Ohio, Benchmark e-Filing System, including the Common Pleas Court General & Domestic Relations Division, Common Pleas Court Probate Division, Common Pleas Court Juvenile Division, the Wayne County Municipal Court and the Ninth District Court of Appeals and the Clerks of Court for the respective Courts, you must accept the terms of the following User Agreement. Failure to accept these terms by selecting the 'accept' box on the user registration page will result in you being denied access to the system.

Each person who has been approved to file electronically shall be responsible for the security and use of the user name and password that are assigned to that person. Any electronic filing made utilizing that user name and password shall be deemed to be made by the owner of the user name and password.

Each authorized user of the Wayne County, Ohio, e-Filing System agrees to comply with the Administrative Orders and/or Local Rules of the Division or Branch of the Common Pleas Court or Ninth District Court of Appeals governing e-Filing as are then in effect in the applicable Court, Division or Branch at the time of each electronic filing.

Service of pleadings and other documents filed electronically using the e-Filing System shall be governed by the above-referenced Administrative Orders and/or Local Rules governing e-Filing in effect on the date of the filing of the pleadings or documents to be served. In accordance with those procedures, all parties registered and approved to file documents electronically may be served with notices and copies of documents filed subsequent to a Complaint or Third-Party Complaint by electronic format, pursuant to all applicable rules. By accepting the terms of this e-Filing System User Agreement, the filer consents to receive notices and copies of documents electronically via e-mail, and waives the right to receive by first class mail notice of any document filed electronically subsequent to the Complaint or Third-Party Complaint.

Each authorized user of the Wayne County, Ohio, Benchmark e-Filing System agrees he/she will not use the e-Filing system to engage in criminal activity or to commit fraud or identity theft. Each authorized user of the Wayne County, Ohio, Benchmark e-Filing System also agrees not to upload or submit prohibited content into the system. As used in this agreement, "prohibited content" includes, by way of example and not limitation, the following examples of items, with the sole exception that this type of material may only be submitted when such material is a sworn exhibit to a case:

- Documents, articles, links or other materials that promote racism, bigotry, hatred or physical harm of any kind against any group or individual;
- Documents, articles, links or other materials that are or could be harmful to minors, exploit persons under 18 years of age in a sexual or violent way, or solicit personal information from anyone under 18 years of age;
- Documents, articles, links or other materials that harass or advocate harassment of another person or are abusive, threatening, or obscene;
- Documents, articles, links or other materials that involve the transmission of "junk mail," "chain letters," unsolicited mass mailing or "spamming;"
- Documents, articles, links or other materials that promote or contain information known to be false;
- Documents, articles, links or other materials that promote or encourage illegal activities or conduct, or provide instructional information about illegal activities such as making or buying illegal weapons, violating someone's privacy, or providing or creating computer viruses;
- Documents, articles, links or other materials that display pornographic materials or images of any kind; and
- Documents, articles, links or other materials that solicit passwords or personal identifying information from other users for commercial or unlawful purposes.

Each authorized user understands and agrees that in the event the user violates the provisions of this User Agreement and specifically this paragraph, the user's privilege to participate in the Wayne County Benchmark e-Filing System and the user's access to the system may be terminated, at the sole discretion of the Common Pleas Court General and Domestic Relations Division, Common Pleas Court Probate Division, Common Pleas Court Juvenile Division, the Wayne County Municipal Court and the Ninth District Court of Appeals, and/or the Clerks of Court for the respective Courts. Each authorized user also understands and consents to removal of the prohibited content from the e-Filing System at the discretion of the Courts and Clerks identified.

**Important notice of redaction responsibility:** Rules 44 and 45 of the Rules of Superintendence for the Courts of Ohio provide that parties and their attorneys should not include, or must redact where inclusion is necessary, certain personal identifiers in order to protect personal privacy. As a means of example and not limitation, Rule 44 (H) defines personal identifiers to mean "social security numbers, except for the last four digits; financial account numbers, including but not limited to debit card, charge card, and credit card numbers; employer and employee identification numbers; and a juvenile's name in an abuse, neglect, or dependency case, except for the juvenile's initials or a generic abbreviation such as 'CV' for 'child victim.'" Other personal identifiers, such as driver's license numbers, medical records, or other items may also be entitled to redaction. Personal identifiers should be omitted or redacted from all case documents submitted to the Court or filed with the Clerk, unless otherwise ordered by the Court.

**By signing this User Agreement, the user expressly indicates his/her understanding and agreement that the responsibility for redacting personal data identifiers rests solely with the Filer.** The Clerk will not review the documents for compliance with this rule or redact documents, whether filed electronically or on paper.