

Open Access to Ohio Historical Records

Policy Proposal

To amend ORC 149.43 to lift any access restrictions on records with permanent retention after 100 years from the date of their creation.

Background

The County Archivists and Records Managers Association (CARMA) Legislative Committee is seeking this amendment in order to provide the public with access to important historical information, which is currently unavailable. The relevant records include:

- Adoptions
- Lunacy Records
- County Home Registers
- Children's Home Registers
- Juvenile Court Cases
- Witness Dockets
- Inheritance Tax Records
- Veterans' Relief Records

These records are important as they provide valuable insight into our collective history as a state, as a society, and as families. Research of these records is requested by historians and genealogists, both professionals and family history practitioners, for a variety of reasons. The National Genealogical Society recently initiated a Declaration of Rights advocating for access to federal, state, and local government records, indicating that thousands of professional genealogists do research every day on behalf of clients, government agencies, and attorneys.

A few counties have already made local rulings through their Probate Court Judges opening Probate Court records after 100 years. However, in other counties these records are permanently closed, creating a situation where records that are accessible in one county are closed in another. The closed time period of 100 years takes into consideration any complications or emotional impact that opening these records might have for certain individuals since it allows the timespan of at least one generation to have passed. This is also in line with the Federal Government's lifting of restrictions on United States census records after 72 years.

Several other states have already passed open access legislation for similar types of historical records, including Texas, Florida, California, and Hawaii, among others.

Support

CARMA is already supported in its goal by various other organizations, including the:

- Ohio Genealogical Society
- Adoption Network Cleveland
- Society of Ohio Archivists
- Ohio Historical Records Advisory Board
- State Archives of Ohio

Other legal and administrative bodies are also to be approached.

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