

In the Matter of Establishing Fees for)	CHIEF JUSTICE ORDER
Use of the Oregon Judicial Case)	No. 23-018
Information Network (OJCIN))	
)	ORDER ESTABLISHING FEES FOR USE OF
)	THE OREGON JUDICIAL CASE
)	INFORMATION NETWORK
)	

I HEREBY FIND THAT:

1. ORS 1.002(8) authorizes the Chief Justice to establish reasonable fees for use of the Oregon Judicial Case Information Network (OJCIN), including fees for electronic access to documents, as follows:
 - a. Before permanently adopting or increasing fees, the Chief Justice shall provide notice to interested persons and allow a reasonable opportunity for comment;
 - b. Before temporarily adopting or increasing fees, the Chief Justice shall provide notice to interested persons;
 - c. The Chief Justice shall by order establish a process for notice and comment; and
 - d. Any fees adopted must be reasonably calculated to recover or offset costs of developing, maintaining, supporting, or providing access to or use of the state court electronic applications and systems.
2. Chief Justice Order (CJO) 23-010 (April 11, 2023) established the notice and comment process for the OJCIN fees described in this order. That notice and comment period concluded on April 24, 2023. CJO 22-008 (May 16, 2022) previously established the OJCIN fees from May 1, 2022, to April 30, 2023. The fees established in this order replace the fees established in CJO 22-008.

I HEREBY ORDER AS FOLLOWS:

This order establishes permanent OJCIN fee changes, as set out below.

1. Definitions
 - a. “Background company” means a person or entity who accesses or uses OJCIN for the purpose of obtaining Oregon Judicial Department (OJD) data to provide criminal record checks, preemployment screenings, tenant applicant screenings, identity verification, or credit history exclusively to end users, and who does not meet the definition of data reseller.
 - b. “Data reseller” means a subscriber who accesses or uses OJCIN for purposes of obtaining OJD data to provide all or part of that OJD data:
 - (1) To third parties as part of its business as a data broker, which means an individual or entity, other than a title company, whose business is collecting and aggregating personal information and data on individuals

and entities, then reselling or licensing such collected or aggregated information and data to third parties;

- (2) For inclusion in a database that is accessible by third parties; or
 - (3) To third parties who are not the end users of the data, which means the ultimate consumers of the data, who use the data solely for their own internal purposes and who do not further redistribute the data.
- c. “Interested person” includes a paid subscriber to OJCIN, the Oregon State Bar, the Oregon Trial Lawyers Association, the Oregon Land Title Association, and other persons or organizations who have requested to be notified.
 - d. “Legal investigator” means a person or entity whose primary business is litigation support under the supervision or direction of an active Oregon State Bar member and who does not meet the definition of a background company or a data reseller, and who also does not qualify for a fee waiver under subparagraph 2.h.
 - e. “News media organization” means a person or entity engaged in disseminating information to the general public through a medium of mass communication such as a newspaper or magazine (whether in print or online), radio, or television.

2. Fees for Use of OJCIN

The following fees shall be charged by the State Court Administrator:

- a. For OJCIN subscriptions initiated on or after the effective date of this order, a one-time, nonrefundable fee of \$160 shall be required to establish an OJCIN account.
- b. For OJCIN subscriptions initiated before, on or after May 1, 2023, the fees shall be:
 - (1) For sole practitioner attorneys, sole practitioner private legal investigators, and entities designated by the State Court Administrator as a legal aid organization or legal nonprofit organization, and private investigators for whom a majority of their work is done for attorneys who are subject to the fee waiver in paragraph 2.h. of this order a recurring fee of \$27 per month plus \$16 per month for each user profile established under an account. Document access, at levels authorized, is included at no additional charge.
 - (2) For small law firms with 2 to 10 attorneys or small private legal investigator firms with 2 or more investigators, a recurring fee of \$54 per month plus \$16 per month for each user profile established under an account. Document access, at levels authorized, is included at no additional charge.
 - (3) For medium law firms with 11 to 50 attorneys, a recurring fee of \$108 per month plus \$16 per month for each user profile established under an


account. Document access, at levels authorized, is included at no additional charge.

- (4) For large law firms with more than 50 attorneys, a recurring fee of \$216 per month plus \$16 per month for each user profile established under an account. Document access, at levels authorized, is included at no additional charge.
 - (5) For news media organizations, a recurring fee of \$54 per month plus \$16 per month for each user profile established under an account. Document access, at levels authorized, is included at no additional charge.
 - (6) For title companies or background companies, a recurring fee of \$216 per month plus \$16 per month for each user profile established under an account. Document access, at levels authorized, is included at no additional charge.
 - (7) For data resellers, a recurring fee of \$1,620 per month for the first three user profiles established under an account. A recurring fee of \$270 per month shall be imposed for each additional user profile. Monthly bulk data downloads may be added for an additional \$575 per month (requires approval and an executed Bulk Data Transfer Agreement). Document access, at levels authorized, is included at no additional charge.
 - (8) For all other individuals or organizations, a general access user account may be established for a recurring fee of \$33 per month plus \$16 per month for each user profile established under an account. Document access, at levels authorized, can be added for an additional \$75 per month (requires approval).
- c. An optional report package may be added to a subscription for an additional \$27 per month (standard report package includes criminal judgment index, civil judgment index, and case index).
 - d. A \$1,200 administrative fee shall apply to the initial bulk data transfer for any approved monthly or one-time bulk data accounts.
 - e. A \$70 account reactivation fee shall be assessed to any account that is disabled for nonpayment and later reactivated after all outstanding fees are paid.
 - f. A \$35 nonsufficient funds check fee shall be assessed to any account where a check has been returned for insufficient funds.
 - g. Payment of the fees set out in subparagraphs 2.a. and 2.b. shall allow the subscriber access to the public case information and registers of action contained in OJCIN, which includes the Appellate Case Management System (ACMS) and the Oregon eCourt Case Information network (OECI). Payment of the fees also may allow an authorized user online access to public documents that are contained in the ACMS and OECI systems, consistent with access privileges granted to that user and subscription type. Access also may include

information and documents in certain nonpublic cases for subscribers who are so authorized to receive such access by law and OJD electronic access policies.

- h. OJCIN subscription user fees shall not be charged to entities identified by OJD as designated government users. With State Court Administrator approval, user fee charges may be waived for other Oregon government users, or to attorneys, who are independent contractors, but have current provider contracts with the Office of Public Defense Services and for whom the majority of their legal practice is conducted under cases assigned to them pursuant to those contracts. User fee charges may also be waived, with State Court Administrator approval, for private investigators for whom a majority of their work is done for attorneys who are subject to the fee waiver in this paragraph.
 - i. To have a subscription subject to these fees, a subscribers must complete and meet all OJD subscriber agreement requirements.
- 3. This order supersedes CJO 22-008 (May 1, 2022).
 - 4. This order takes effect immediately. The new fees set out in paragraph 2 of this order are effective as of May 1, 2023.

Dated this 24th day of May, 2023.



Meagan A. Flynn
Chief Justice