

PROPOSED ADDITION TO THE LOCAL RULES
OF THE SECOND APPELLATE DISTRICT

Comments requested: The Second District Court of Appeals will accept public comments until November 9, 2021 on the following proposed addition to the Local Rules of the Second Appellate District. Specifically, the court of appeals welcomes comments on Loc.App.R. 4.1, which advises the public that the court will record all oral arguments before it and sets forth a process for requesting copies of recordings. This proposed local rule is in response to Rule 21(J) of the Rules of Appellate Procedure, which provides that “the court shall make an audio or video recording of all oral arguments. Such recordings shall be made available to the parties or public upon request, at their actual cost pursuant to Sup.R. 44.”

Comments on the proposed rule should be submitted in writing to: Jim Nealon, Deputy Court Administrator, Second District Court of Appeals, 41 N. Perry Street, 5th Floor, Dayton, Ohio 45422, or nealonj@mcoho.org not later than November 9, 2021. Please include your full name and mailing address in any comments submitted by email.

The proposed effective date of Loc.App.R. 4.1 is November 16, 2021.

RULE 4.1 RECORDING ORAL ARGUMENTS

(A) Pursuant to App.R. 21(J), the Second District Court of Appeals will video record all oral arguments before the court.

(B) Requests for Recorded Arguments. Argument recordings will be maintained by the court for one year after the argument date. While maintained by the court, recordings will be made available upon written request. Requests shall be submitted via the court's email address, OhioSecondDistrict@mcoho.org, or as a paper request provided to the court's administrative office. The request shall specify: the requestor's name, the appellate case name and number, the oral argument date, and the requestor's email address, phone number, and mailing address. A request form is available on the court's website.

(C) Recordings. Upon receipt of a written request, the court will provide access to a recorded argument by sharing an internet link to the recording. Alternatively, the court will provide a copy of a recorded argument on a portable flash drive that will be available, without charge, for pick-up at the court's administrative office, 41 N. Perry Street, 5th Floor, Dayton, Ohio 45422.

(D) Reference to video recorded oral arguments. Video recorded oral arguments are not part of the official case record and shall not be cited. Recordings are made available for informational purposes only.