

**NOTICE TO ATTORNEYS WHO PRACTICE IN MUNICIPAL COURT:**

**THE JUDGES OF THE FRANKLIN COUNTY MUNICIPAL COURT HEREBY GIVE NOTICE  
OF THEIR INTENTION TO AMEND LOCAL RULE 2 AS FOLLOWS:**

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- 2.09 Remote Appearance & Testimony. Pursuant to Sup.R. 5(E)(2), procedures for requesting permission to appear and testify remotely in the Franklin County Municipal Court shall be as follows.

Permission to appear and testify remotely for a hearing or proceeding may be requested as set forth in Civil Rules 39 and 43 and Criminal Rules 40(B) and 43(A)(2). Requests to limit public access to information included in a request to appear and testify remotely may be made pursuant to Sup.R. 45(E).

Remote appearances by parties and witnesses shall be permitted when necessary to provide a reasonable accommodation of a disability under Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 *et seq.* For purposes of Civ.R. 39(B)(3) and Crim.R. 40(B)(1), the requirement to afford a reasonable accommodation of a disability shall constitute good cause for allowing a party or witness to appear and testify remotely (using live two-way video and audio conference technology) over the objection of an opposing party.

Whenever a request to appear and testify remotely for a hearing or proceeding is based on the requirement to provide reasonable accommodation of a disability, proof of the disability generally shall not be required unless necessary to determine or understand the nature and extent of the disability.

When a request to appear and testify remotely pertains to a hearing regarding a claim for restitution of premises (i.e., eviction) no written motion shall be required. The Magistrate presiding on the date the hearing is scheduled for shall rule on the request as soon as practicable after taking reasonable steps to seek the input of the opposing party. In seeking input from the opposing party, the Magistrate shall make reasonable efforts to maintain confidentiality of any private or sensitive information included in the request while also balancing the opposing party's right to be informed of the nature of the request and to be heard in response.

It shall be the responsibility of any person appearing and testifying remotely to have access to the necessary technology to do so, and to be prepared to submit electronically any documentary evidence they wish to proffer.