



## Ohio Administrative Code Rule 4751-1-12.1 Electronic testimony.

Effective: December 1, 2022

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(A) Upon written motion of any party, and upon service of that motion to the other party's representative of record, the hearing examiner may order that the testimony of a prospective witness be taken by telephonic or real-time video testimony. The hearing examiner may grant the motion if it appears probable that:

- (1) The prospective witness will be unavailable to attend or will be prevented from attending a hearing; and,
- (2) The testimony of the prospective witness is material.

(B) The testimony shall be taken under such conditions and terms as the hearing examiner shall set forth. Moreover, the hearing examiner may order the production of any designated books, papers, documents or tangible objects, so long as not privileged, at the same time and place.

(C) The hearing examiner shall set the time and fix the place of telephonic or real-time video testimony.

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