

**PROCEDURES FOR ELECTRONIC FILING OF DEPOSITION TRANSCRIPTS AND  
TRANSCRIPTS OF PROCEEDINGS  
EFFECTIVE 8/9/10**

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**I. ELECTRONIC FILING OF WRITTEN DEPOSITION TRANSCRIPTS AND  
TRANSCRIPTS OF PROCEEDINGS**

A. All written deposition transcripts or transcripts of proceedings, including attachments and/or exhibits, shall be electronically filed by the attorney of record through the Court's authorized electronic filing system. The transcript must be filed in a PDF format. The PDF document cannot be an encrypted secured document. A scanned copy of the transcript that has been converted to a PDF will not be accepted for filing. Scanned images of exhibits are acceptable.

1. In the event that the transcript, attachments and/or exhibits exceed the maximum document size of 10 megabytes, the attorney shall attempt to reduce the document size either by using a lower resolution for scanned exhibits and/or by splitting the PDF document into multiple files.

a) For example, if a transcript including attachments and/or exhibits is a 1,000 page document and after converting the document to a PDF format, the file size is 11 megabytes, the document should be divided (or split) into two 500 page PDF files. The lead document should be the beginning of the transcript with the remaining file set as an attachment to the lead document. The additional text for the lead document should contain wording that identifies the deposition, such as "Deposition Transcript of John Doe Taken on July 1, 2010." The additional text for the attachment should contain wording that identifies the attachment, such as "Attachment I of the Deposition Transcript of John Doe Taken on July 1, 2010."

b) The submission can include as many documents (attachments) as needed as long as the total size of the submission is not over 30MB.

c) In the event the attorney is not able to reduce the size of the PDF files so that they may be uploaded to the Court's authorized electronic filing system, the attorney must submit to the Clerk's Office a CD-Rom containing the transcript and all exhibits in PDF format.

B. Pursuant to Sup. R. 45 (D), the attorney of record shall omit or redact all personal identifiers from the written transcripts and all exhibits prior to filing the transcript. Personal identifiers include social security numbers, except for the last four digits; financial account numbers, employer and employee identification numbers and a juvenile's name in an abuse, neglect, or dependency case.

C. All written deposition transcripts shall be filed in accordance with Local Rule 1.27, Local Rule 2.09, Civil Rule 30, Civil Rule 31, and Civil Rule 32.

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1. Unless otherwise ordered by the Court, no written deposition transcript shall be filed prior to the deadline for filing of any pretrial statement or seven (7) days prior to trial, whichever is later.

2. The Clerk shall not accept for filing any written deposition transcript unless it is accompanied by a Notice of Filing Deposition Transcript and a Certificate of Compliance.

a) The attorney of record filing the written deposition transcript shall file a Notice of Filing Deposition. See attached example of a notice. The notice shall identify the deponent and the date the deposition was taken. The notice shall also include a certification that the written deposition transcript being filed is a true record of the deposition that was certified by the officer who took the deposition and that testimony has not been altered in any way.

b) The attorney of record filing the written deposition transcript shall also file a Certificate of Compliance stating that the deposition is being filed on order of the Court or for support of a motion or for use as evidence at trial. See attached example.

**II. ELECTRONIC AVAILABILITY OF DEPOSITION TRANSCRIPTS AND  
TRANSCRIPTS OF PROCEEDINGS**

A. Access to written deposition transcripts and transcripts of proceedings in electronic format will be limited to internal users in the Court and Clerks' office. It will not be made available to attorneys or parties via the Court's authorized electronic filing system or Clerk's Public Records Online System (PRO).

B. Any party or attorney of record on the case shall forward all requests for copies of a transcript to the officer who took the depositions.

**III. FILING OF AUDIO/VIDEO VERSION OF DEPOSITION TRANSCRIPTS**

A. If an audio/video version of a deposition transcript is to be presented during trial or hearing, the attorney presenting the audio/video version of the deposition transcript shall submit the audio/video version of the deposition to the Court (**NOT THE CLERK**) three (3) working days prior to trial or hearing.

1. Note: An audio/video version of the deposition transcript will not be accepted by the Court unless a written transcript of the deposition has been filed by the attorney of record through the Court's authorized electronic filing system.

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B. The audio/video version of the deposition transcript shall have an attached written certification from the officer who took the deposition. The certification shall state that the witness was fully sworn or affirmed by the officer and that the audio/video version of the deposition is a true record of the testimony given by the witness. The officer's log of the deposition shall be included with the certification.

C. If the audio/video version of the deposition is presented at trial or a hearing and the proceedings are digitally recorded, the audio/video version of the deposition will be returned to the attorney upon completion of the proceedings. If the proceedings are recorded by a court reporter, the audio/video version of the deposition shall be marked as an exhibit of the party who presented the deposition and shall be retained as evidence in the trial or hearing.

#### **IV. EFILING WRITTEN DEPOSITIONS**

***Past Behavior:** The Notice of Filing Deposition(s), the Certificate of Compliance, and the Written Deposition(s) were delivered to the Clerk of Courts to be filed (either by the attorney or by the court reporter). The Videotape Deposition(s) were filed with the Clerk of Courts, usually at the same time as the Written Deposition.*

***New Behavior:** The attorney must file the Notice of Filing Deposition(s) (including the certification as to true record from the officer who took the Deposition), the Certificate of Compliance, and the Written Deposition through the Court's e-Filing system. These document types can be found in the document categories of "Trial and Hearing Documents" and "Other Documents." If the Written Deposition exceeds the size limitations, the attorney must deliver the Written Deposition by CD-Rom to the Clerk of Courts. Videotape Depositions must be delivered to the Judicial chambers within 3 days of the trial. **VIDEOTAPE DEPOSITIONS DO NOT GET FILED WITH THE CLERK OF COURT.***

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**Case Number : 2009 CV 05384    Case Title : ABC BANK vs JOHN SMITH**

Case Type : Civil

Document Category  ▾

Document Type \*  ▾

AdditionalText \*

Emergency

Document Location

Add to Submission

Document Name	View Document	Edit Data	Size	Pg Count	Remove
Modify Party Information	Form.xml		0.01 MB		
Notice: Filing Deposition OF DR. ABC	NOTICE.pdf		0.02 MB	2	
Notice: Filing Deposition OF NURSE XYZ	NOTICE_A.pdf		0.02 MB	2	
Certificate of Compliance: DEPOSITIONS TO USED IN TRIAL	CERTIFICATE OF COMPLIANCE.pdf		0.01 MB	2	
Written Deposition OF DR. ABC	WRITTEN DEPOSITION.pdf		0.02 MB	3	
Written Deposition OF NURSE XYZ PAGES 1-200	WRITTEN DEPOSITION_A.pdf		0.02 MB	3	
- Attachment DEPOSITION OF NURSE XYZ PAGES 201-400	WRITTEN DEPOSITION PAGES 201-400.pdf		0.02 MB	1	
- Attachment DEPOSITION OF NURSE XYZ PAGES 401-653	WRITTEN DEPOSITION PAGES 401-653.pdf		0.02 MB	1	
Total Size:			0.11 MB		

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**Case Number : 2009 CV 05384    Case Title : ABC BANK vs JOHN SMITH**

**Attach Attachment DEPOSITION OF NURSE XYZ PAGES 401-653 to a Document**

Attach Attachment DEPOSITION OF NURSE XYZ PAGES 401-653 to:

	Document Name
<input type="radio"/>	Notice: Filing Deposition OF DR. ABC
<input type="radio"/>	Notice: Filing Deposition OF NURSE XYZ
<input type="radio"/>	Certificate of Compliance: DEPOSITIONS TO USED IN TRIAL
<input type="radio"/>	Written Deposition OF DR. ABC
<input checked="" type="radio"/>	Written Deposition OF NURSE XYZ PAGES 1-200

Utilizing the “Attachment” feature is necessary at times in order to file a Written Deposition that is large in size. When you load the first group of pages as “Written Deposition”, you will then need to select “Attachment” as the document type. Add as many Attachments as the size will allow.

When you have to divide the Deposition into sections, please make sure you are selecting the correct Deposition for the Attachment to combine with. The system will combine the Attachments to the Written Deposition and make this one total document

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IN THE COMMON PLEAS COURT OF MONTGOMERY COUNTY, OHIO  
CIVIL DIVISION

	Plaintiff,	CASE NO.
-vs-		JUDGE
	Defendant.	NOTICE OF FILING DEPOSITION TRANSCRIPT OF _____

Now comes the Plaintiffs' (or Defendants') Attorney, \_\_\_\_\_, and hereby gives notice of the filing of the written deposition transcripts of \_\_\_\_\_ taken on \_\_\_\_\_, 2010.

I certify that the written deposition transcript being filed is a true record of the deposition that was certified by the officer who took the deposition and that testimony has not been altered in any way.

\_\_\_\_\_  
Attorney Signature  
Ohio Attorney Registration Number

CERTIFICATE OF SERVICE

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IN THE COMMON PLEAS COURT OF MONTGOMERY COUNTY, OHIO  
CIVIL DIVISION

Plaintiff,

CASE NO.

-vs-

JUDGE

Defendant.

CERTIFICATE OF COMPLIANCE

I certify that the filing of this (these) deposition(s) comports with Local Rules for the following reason(s):

\_\_\_\_\_ It (They) is (are) being filed pursuant to a Court Order.

\_\_\_\_\_ It (They) is (are) being filed in support of a motion.

\_\_\_\_\_ It (They) is (are) being filed to be used as evidence at trial.

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Attorney Signature  
Ohio Attorney Registration Number

CERTIFICATE OF SERVICE