

Technology Plan, Per Sup.R. 5(E) and Loc.R. 15.5

Court's utilization of technology in the delivery of court services and maintenance of judicial operations.

The applications outlined in this Plan include both public-facing technologies serving litigants, attorneys, members of the public, and other justice system stakeholders, as well as internal technology systems utilized by judicial officers and court staff. IT infrastructure information is not included in this list for safety and security reasons, including firewall, storage system, backup, anti-virus, disaster recovery, and cyber security.

The purpose of this Plan is to:

- Define how the Court uses technology to support attorneys, parties, and the public to be aware these services are available for case management, case filing, recordkeeping, efficient communications, and administrative functions
- Provide a list of the Court's IT functions and applications that support serving the public
- Assist the Court in more readily identifying opportunities for improved efficiency and cost savings through the use of technological solutions
- Promote the alignment of IT initiatives with the goals of the Court

A. Docket Management and General Administrative Tasks

The Court uses the following application(s) to manage their docket and related case records and general administrative tasks:

Application	Purpose	How Users Receive Instructions	Dept/Role Responsible
C-Track	Docket Management and Generation of forms and data reports	From In-house instructions (verbal and written manuals), collaboration with other Districts and assistance from Supreme Court of Ohio and Thomson Reuters	Admin Staff have primary responsibility but individual chambers' staff process some data and rely on the reports
Word	Prepare letters, documents, Orders, etc.	From In-house instructions (verbal and written manuals)	All staff
Outlook Email	Send and receive email	From In-house instructions (verbal and written manuals)	In-house IT and Stark County IT

Adobe Acrobat (PDF)	Create Orders and Sit Schedules	From In-house instructions	In-House IT
Outlook Calendar	Track due dates and manage scheduled phone calls and mediations	From In-house instructions (verbal and written manuals)	Mediation Attorney
Gmail	Circulate draft Opinions and Orders for review and signature	From In-house instructions	In-house IT
Shared Drive from Stark County	Store and share documents for individuals and office as a whole	From In-house instructions	In house IT and Stark County IT
Zoom	Video conferencing and phone conferences with staff, parties and Clerks of Court	From In-house instructions	In-house IT
Excel	Track information for the Court and individual Judges; Purchasing	In house IT	All Staff
Access	Prepare data to merge with word for letters, documents, etc.	From In-house instructions	Admin Staff

B. Clerk of Court Functions

Each elected appellate clerk of courts chooses their own applications, in the performance of clerk related functions. While the Court uses the applications as possible to gather and review data for its' own use, it is not responsible for these applications. Parties, attorneys and the public may access an appellate clerk of court's information regarding a case or filing procedures by contacting the appropriate clerk of court. The procedures and systems involved are not consistent across the District.

Should parties, attorneys and the public wish to ask an administrative question of the Court directly, they may email the Court at Info1@fifthdist.org, send a letter to the Court at Fifth District Court of Appeals, Suite 320, 110 Central Plaza S., Canton Ohio 44702, fax to 330-451-7249, or call the Court at 330-451-7765.

IMPORTANT NOTE: Motions, records, briefs, and all other documents required to be filed in this Court or with the Clerk of this Court shall be filed with the Clerk of the Court of

Appeals of the county in which the trial of the action appealed took place or, in the case of original actions, with the Clerk of the Court of Appeals of the county in which the complaint is filed, such county properly being any county where this Court may obtain personal jurisdiction over the parties. Documents mailed, faxed, or delivered directly to the offices of the judges in Canton, Delaware or Newark will not be considered filed either when mailed or when received.

C. Mediation

The Court uses the following applications to conduct mediation:

Application	Purpose	How Users Receive Instructions	Dept/Role Responsible
C-Track	Docket management and generation of forms and data reports	From In-house instructions (verbal and written manuals), collaboration with other Districts and assistance from Supreme Court of Ohio and Thomson Reuters	Admin Staff have primary responsibility but individual chambers' staff process some data and rely on the reports
Zoom	Video conferencing for remote mediation	From In-house instructions	Mediation Department has primary responsibility
GoTo	Conference calls	From In-house instructions	Mediation Department
Outlook Calendar	Track due dates and manage scheduled phone calls and mediations	From In-house instructions (verbal and written manuals)	Mediation Attorney
Word	Prepare letters, documents, Orders, etc.	From In-house instructions (verbal and written manuals)	Mediation Department has primary responsibility

D. Court Website

The Court uses the following applications to develop and maintain the Court's website:

Application	Purpose	How Users Receive Instructions	Dept/Role Responsible
Revize	Website software	Stark County IT and in-house IT	In-house IT

E. Pay and Leave Functions

The Court uses the following applications to manage the payroll and leave accrual systems:

Application	Purpose	How Users Receive Instructions	Dept/Role Responsible
ABRA	Track in-house accrual and use of leave	From In-house instructions	Admin Department has primary responsibility
OAKS	DAS tracking of accrual and use of leave	Supreme Court of Ohio Training	DAS, Supreme Court of Ohio and HR Coordinator
Excel	Compare leave accruals	From In-house instructions	HR Coordinator

F. Fiscal

The Court uses the following applications for financial management and accounting:

Application	Purpose	How Users Receive Instructions	Dept/Role Responsible
Superion	Manage financial accounts and pay the bills of the Court	From Stark County Auditor	Stark County Auditor and Deputy Court Administrator

G. Remote Oral Argument

The Court uses the following applications to conduct remote oral arguments:

Application	Purpose	How Users Receive Instructions	Dept/Role Responsible
C-Track	Docket management and generation of forms and data reports	From In-house instructions (verbal and written manuals), collaboration with other Districts and assistance from Supreme Court of Ohio and Thomson Reuters	Admin Staff have primary responsibility but individual chambers' staff process some data and rely on the reports
Zoom	Video conferencing for remote mediation	Users obtain instructions and tips for use from Court's website and from the Orders issued setting the matter for remote oral argument	Mediation Department has primary responsibility
GoToMeeting	Conference calls	From In-house instructions	Mediation Department has primary responsibility
Word	Prepare letters, documents, Orders, track preparation for arguments, etc.	From In-house instructions (verbal and written manuals)	
OneDrive	Prepare recordings to be sent to persons upon request		Admin Staff

FIFTH DISTRICT REMOTE ORAL ARGUMENTS

The Court is pleased to announce it will be transitioning from telephonic remote oral arguments to Zoom video remote oral arguments. The transition will occur beginning with the April, 2021 oral arguments.

This change corresponds with the Court's revised Local Rules concerning requesting oral argument. **For all Appeals instituted March 1, 2021 and thereafter, oral argument will not be scheduled for oral argument unless it is requested on a party's initial brief.** See 5th Dist.Loc.R. 10(A). Any appeal that is pending before the Court prior to March 1, 2021, may request oral argument on their briefs or request oral argument within 15 days of the filing of an Order announcing the case will be submitted on the briefs, unless a request for oral argument is made by one of the parties. When such an Order is issued, a party must file a request for remote oral argument even if the party has previously requested an oral argument in another way. In any event, once an Order is issued setting a case for remote oral argument, any party who has filed a brief in the matter may participate in remote oral argument even if that party has not made a separate request for oral argument. See App.R. 18(C).

FOR MARCH, 2021 REMOTE ORAL ARGUMENTS:

Once a valid motion requesting oral argument is filed, an Order will be issued providing the parties with a call-in phone number, access code and any other relevant instructions. **IF YOU FAIL TO RECEIVE THIS ORDER AND INFORMATION IN A TIMELY FASHION, PLEASE CONTACT THE COURT AT 330-451-7765.** Attorneys may share the call-in information so the parties may listen to the argument.

Each Remote Oral Argument will be scheduled for 30 minutes and will proceed as directed by the judicial panel, per 5th Dist.Loc.R. 10. Please call into the remote oral argument 5-10 minutes before the argument is scheduled to begin. Once you enter the call, please identify yourself and then mute your phone. Only unmute your phone to speak when prompted by the court. If you are not an attorney or a party representing yourself, after introducing yourself on the call, you are prohibited from making any further statements during the remote oral argument. If the argument has already begun when you enter the call, please announce yourself at an appropriate time, as if you were in a courtroom and then mute your phone. Use of a speaker phone is discouraged as it may cause an echo.

Remote oral arguments are open to the public. Any other interested person or media may listen to the oral arguments. To obtain call-in information, please call the Court at 330-451-7765 or email the Court at info1@starkcountyohio.gov.

If you have any other questions, please contact the Court at 330-451-7765 or email us at info1@starkcountyohio.gov.

FOR APRIL, 2021 REMOTE ORAL ARGUMENTS AND THEREAFTER:

If oral argument is requested, the Court will use Zoom Webinar to allow the Judges and attorneys to appear remotely. Please note that should you need or wish to appear by phone, without video, phone numbers and access codes will be provided by the Court in addition to the video link.

Remote oral arguments on Zoom Webinar will be conducted as if they were in the courtroom. You should prepare as if you were appearing in a courtroom. You do not need to stand to present your oral argument. Further, you should not do anything during your video conference oral argument that you would not do in the courtroom.

Remote oral arguments remain open to the public. For more information or to listen to an oral argument, please contact the Court by emailing info1@starkcountyohio.gov or calling 330-451-7765.

Information about Zoom Oral Arguments

If you have not used Zoom before, you can visit Zoom's video tutorial to learn more about how to join a meeting. To use Zoom on your computer, phone, or tablet, you will need to install an app. You can find the app in the Apple App Store or Google Play Store on your device. You can also find links to download at the Zoom Download Center. You do not need to create a Zoom account to present your oral argument. You can join a meeting or webinar without creating an account.

When a request for oral argument is made, an Order will issue setting the case for remote oral argument. That Order will set the time and date of the remote oral argument. **It will also ask you to send an email to the Court to identify the email address at which you want to receive the link and to identify who will be presenting your argument.**

Two to three days before the video oral argument, a Zoom Invite, including the link and phone numbers, will be emailed to the attorneys and pro se parties who will present oral argument. That link and phone numbers can be shared with others who wish to attend the remote oral argument.

On the day of the remote oral argument, you should sign into the remote oral argument 10-15 minutes prior to your scheduled argument. After clicking on the link to the remote oral argument, Zoom will ask for a name and email address. Those who will argue should enter their name (as they want the Judges to see it) and identify the party they represent. Those observing the argument do not need to enter their full names (a first name or initials are sufficient) or any other information. Zoom also requires an email address. The Court will not gather or record names and email addresses of attendees, but attendees must complete this information.

Because this will be a Zoom Webinar, the Judges will join the oral argument as "Panelists" while attorneys, pro se parties and observers will join as "Attendees." Attendees are able to watch, but their video does not appear on the screen and they will not be able to speak.

Cases will be scheduled at twenty-minute intervals. The cases will be heard "back to back," just as in the courtroom. **Specifically, when one argument concludes, the Court will proceed to call the next case for argument.** When it is time for the argument to begin, the bailiff will change the attorneys or pro se parties who will present oral argument from "Attendees" to "Panelists." Their video will appear along with the judges, and they will be able to present the oral argument. At the conclusion of the argument, the bailiff will return the attorneys and pro se parties to "Attendee" status, where they can exit the webinar or remain and watch the next argument.

What you should expect

The Court will send you an email with a link to join the webinar. When you tap on the link on your phone or tablet, you may initially see the internet browser and be asked "Open this page in "Zoom"?" You should select "Open."

Once Zoom opens, if you are asked, you should select "Join with Video." You will then be connected to the meeting and asked another question about joining audio. You should select, "Call using Internet Audio," which means

that you will hear audio and see video through your device rather than calling a phone number to hear audio.

You will now be connected and held in a waiting room. When the Judges are ready for your argument, the webinar will begin and you will be able to see the Judges. The bailiff will admit the attorneys or pro se parties who will argue to the virtual courtroom. The Presiding Judge will acknowledge that you are in the courtroom and confirm you are ready to proceed. When you are not speaking, please mute your microphone to limit background noise.

Depending on the device you are using, you will have an option to use Speaker View or Gallery View. Speaker View focuses only on the speaker, causing the speaker to take up almost all of the space on the screen. Gallery View, on the other hand, shows all of the participants so that you can see the judges and other parties.

Quick Tips for Using Zoom:

- For a YouTube video explaining how to configure audio and video settings in Zoom, please click the following: <https://youtu.be/-s76QHshQnY>
- A quick start guide for new Zoom users can be found at the following: <https://support.zoom.us/hc/en-us/articles/360034967471-Quick-start-guide-for-new-users>
- Prior to the date of the remote oral argument, it is recommended to run a Zoom test meeting in order to ensure that you are able to properly connect to your device's audio and video inputs. To join a Zoom test meeting in order to test your settings, including your video and audio settings, please follow the instructions located here: <https://support.zoom.us/hc/en-us/articles/115002262083-Joining-a-Test-Meeting>. If you would like to arrange a test session with the Court, please call the Court at 330-451-7765.
- If you are using an external camera and/or microphone, plug them in before opening the Zoom application.
- Remember to mute your microphone when you are not actively speaking in order to minimize audio disruptions to the other participants. You can mute Your audio by clicking the microphone icon (most likely in the lower left corner of the desktop application).

- Provide adequate lighting (ideally positioned behind the camera) in order to reduce shadows and improve your visibility.
- It is recommended to have a plain background in order to minimize visual distractions and disruptions. The Court does not recommend using a virtual background.

Technical Difficulties:

In the event you are unable to connect to oral argument via Zoom due to technical difficulties, please join the hearing by calling the number provided by the Court in your email. If you continue to have difficulty connecting or during the oral argument, please call the Court at 330-451-7765. If a technical difficulty arises and cannot be resolved within five minutes, you will be asked to call in using the phone numbers provided in the Zoom invite. While the Court is willing to conduct a test oral argument prior to the day of the scheduled oral argument, we cannot resolve computer issues or delay the oral argument, on the day oral argument is scheduled, due to technical difficulties.

Finally, if you have any questions about using Zoom for oral argument, please contact the Court at 330-451-7765.

PUBLIC ACCESS TO FIFTH DISTRICT ORAL ARGUMENTS

The Court is pleased offer both in-person and video or telephonic remote oral arguments. Parties should provide their preference to the Court either on their primary briefs or in response to an Order of the Court. Should the parties share different preferences, the matter will be set for in-person oral argument.

The public is welcome to watch oral arguments in either format. Our Schedule of Cases tab lists the upcoming dates and identifies cases scheduled for each date. That Schedule also indicates the location or means of any scheduled oral argument.

In-Person Oral Arguments:

All are welcome to attend and watch the argument, as long as they meet any security or other requirements of the particular courthouse or location.

Video or Telephonic Remote Oral Arguments:

Remote oral arguments may be watched or listened to by using a video Zoom link or telephonic call-in information. That link is provided at the top of the Schedule of Cases for the day of the remote argument or will be provided to anyone who requests it. To watch or listen to the remote argument, simply open the Schedule of Cases for the day and use the live link or phone number provided or call the Court's main office at 330-451-7765 or email the Court at Info1@starkcountyohio.gov before the day of the arguments.

Recordings of the Arguments:

All oral arguments are recorded, whether they are in-person or conducted via Zoom. The recordings are audio only. If you are interested in receiving a copy of any recent recording, please call the Court's main office at 330-451-7765 or email the Court at Info1@starkcountyohio.gov after the day of the arguments.