

SANDRA KURT

2020 MAY 28 PM 1:09

SUMMIT COUNTY
CLERK OF COURTS

**IN THE COURT OF COMMON PLEAS
GENERAL DIVISION
SUMMIT COUNTY, OHIO**

**MISC ORDER 2020 700
May 28, 2020**

**UPDATED EMERGENCY ORDER IN RESPONSE TO THE COVID-19
PUBLIC HEALTH CRISIS
MAY 28, 2020**

Administrative Judge Amy Corrigan Jones, hereby makes the following

Findings of Fact:

1. On March 9, 2020 Ohio Governor Mike DeWine issued Executive Order 2020-01D "Declaring a State of Emergency" in response to the growing COVID-19 public health crisis.
2. On March 11, 2020, the World Health Organization officially declared COVID-19 to be a global "pandemic" requiring "urgent and aggressive action" to control the spread of the virus.
3. President Donald Trump proclaimed and declared a state of emergency for the United States of America on March 13, 2020.
4. The Summit County Court of Common Pleas General Division Judges addressed the threat of COVID-19 to the public health in Misc. Order 2020-700, filed on March 13, 2020, and incorporated and referenced herein.
5. On March 13, 2020, all trials were suspended for fourteen days up and through March 27, 2020, with the exception of State vs. Stanley Ford. This timeframe may be extended if deemed necessary and appropriate.
6. On March 13, 2020, the Court ordered that inmates shall not be transported from the Summit County Jail to the Summit County Courthouse for fourteen days up and through March 27, 2020. This timeframe may be extended if deemed necessary and appropriate.

7. On March 13, 2020, the Court ordered that all criminal matters with incarcerated individuals other than Stanley Ford shall be conducted via video conference in coordination with the Summit County Jail for fourteen days up and through March 27, 2020. This timeframe may be extended if deemed necessary and appropriate.
8. On March 13, 2020, the Court ordered that all civil matters shall be conducted by telephone or video conference for fourteen days up and through March 27, 2020. This timeframe may be extended if deemed necessary and appropriate.
9. On March 13, 2020, the Court ordered that all mediations shall be continued for fourteen days up and through March 27, 2020. This timeframe may be extended if deemed necessary and appropriate.
10. On March 13, 2020, the Court ordered that all probationers shall report via telephone for fourteen days up and through March 27, 2020. This timeframe may be extended if deemed necessary and appropriate.
11. To protect the public health by reducing the spread of COVID-19, Governor DeWine limited public gatherings to less than 50 persons as of March 16, 2020.
12. On March 16, 2020, the President of the United States recommended that public gatherings be restricted to no more than 10 persons.
13. On March 17, 2020, the Ohio Director of Public Health, Amy Acton, M.D. MPH, issued an order in accordance with President Trump's recommendations that public gatherings be restricted to no more than 10 persons.
14. On March 19, 2020, the Court issued Misc. Order 700 enumerating further restrictions in the General Division. That Order is incorporated and referenced herein.
15. On March 20, 2020, the Court issued Misc. Order 700 suspending all Sheriff Sales up and through April 24, 2020. That Order is incorporated and referenced herein.

16. On March 22, 2020, the Ohio Director of Public Health, Amy Acton, M.D. MPH, issued a “Stay at Home’ order. That Order is incorporated and referenced herein.
17. Both the United States District Court, Northern District of Ohio and the United States District Court, Southern District of Ohio have issued orders addressing the public health emergency in response to the spread of COVID-19. Those Orders are incorporated and referenced herein.
18. On April 2, 2020, the Ohio Director of Public Health, Amy Acton, M.D. MPH, issued a “Stay at Home’ order up and through 11:59 p.m. on May 1, 2020. That Order is incorporated and referenced herein.
19. On April 3, 2020, the Court issued Misc. Order 700 enumerating further public health protections in the General Division. That Order is incorporated and referenced herein.
20. On April 10, 2020, the Court issued Misc. Order 700 enumerating further public health protections in the General Division. That Order is incorporated and referenced herein.
21. On April 27, 2020, Ohio Governor Mike DeWine issued a plan to restart Ohio's economy during the ongoing COVID-19 pandemic. Governor DeWine did not lift or modify Ohio's Stay at Home order currently in effect. That Order is incorporated and referenced herein.
22. On May 4, 2020, certain environments were permitted to reopen if businesses were able to meet mandatory safety requirements for members of the public and employees.
23. Safe practices include requiring face coverings for all employees and recommending them for members of the public at all times, conducting daily assessments, maintaining good hygiene such as social distancing and sanitizing workplaces, and limiting capacity to meet social distancing guidelines.
24. Certain establishments were ordered to remain closed, including schools, daycares, dine-in restaurants, older adult daycares, senior centers,

entertainment, recreation and gyms. Large gatherings of more than 10 people were still prohibited.

25. On April 29, 2020, the Court issued Misc. Order 700 enumerating further public health protections in the General Division. That Order is incorporated and referenced herein.

26. Throughout May 2020, Governor DeWine lifted certain restrictions and implemented further recommendations.

27. On May 22, 2020, the United States District Court, Northern District of Ohio issued Misc. Order 2020-08. That Order is incorporated and referenced herein.

28. In Its Order, the United States District Court, Northern District of Ohio addressed the necessity and obligation of the Court to protect the health and safety of the public, court personnel, counsel, litigants, jurors, and all other case participants by implementing a multi-phase recovery plan to gradually resume court operations. The Court acknowledged the necessity to reduce the size of public gatherings necessarily attendant to jury selection, reduce unnecessary travel and ensure effective trial preparation of counsel.

Specifically, the Court indicated that:

“Throughout all phases of recovery, to the extent possible, the Court will protect the vulnerable: 1) People 65 years or older; and 2) people of all ages with underlying medical conditions, particularly if not well-controlled, including those who suffer from chronic lung disease, moderate to severe asthma, serious heart conditions, immune disorders, obesity, diabetes, or chronic kidney or liver disease.

Reasonable accommodations will be provided wherever possible for individuals and employees who: 1) are vulnerable individuals; 2) are caring for vulnerable individuals in their households; 3) rely solely on public transportation; and 4) have child care issues due to the closure of schools and/or daycare centers due to COVID-19.

The Court recognizes that jury selection in this District involves large jury venire pools. These pools often consist of many individuals in the categories identified by the Centers for Disease Control and Prevention as being particularly at risk, individuals involved in essential public functions, and individuals responsible for children unable to attend school or daycare due to the pandemic. Further, it will be a challenge to provide for jury trials while abiding by necessary precautions to reduce the possibility of exposure to the disease. Additionally, attorneys are severely limited, or in some cases prohibited, from physical visitation of detained clients for purposes of consultation and trial preparation.”

The Court has considered the guidance and orders of the Governor of Ohio, the President of the United States, the United States District Courts, the Chief Justice of the Ohio Supreme Court, Centers for Disease Control and Prevention, and local public health authorities to effectuate the public health goals and to serve the public.

In response to the public health emergency; recognizing current testing continues to be insufficient/limited Summit County, further analyzing factors identified by the United States District Court, Northern District of Ohio, recognizing this Court’s obligation to protect our community for those ordered to appear in the General Division, to reduce the substantial health risks to the community; to maintain essential court functions, and to continue to protect the rights of all individuals subject to the authority of the Court,

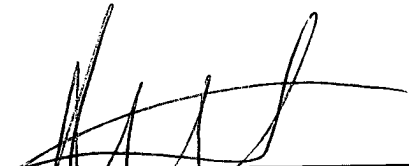
THEREFORE, IT IS HEREBY ORDERED:

1. All trials are suspended up and through July 31, 2020. This timeframe may be extended if deemed necessary and appropriate.
2. Inmates shall not be transported from the Summit County Jail to the Summit County Courthouse up and through July 31, 2020, unless authorized by the Administrative Judge. This timeframe may be extended if deemed necessary and appropriate.
3. All scheduled criminal and civil matters, including mediations, shall continue to be conducted via video/telephone conference, unless authorized by the Administrative Judge, up and through July 31, 2020. This timeframe may be extended if deemed necessary and appropriate.
4. No in person appearance shall be conducted by any judge, attorney or party, without prior approval by the Administrative Judge, up and through July 31, 2020. This timeframe may be extended if deemed necessary and appropriate.
5. All probationers shall report via telephone/video conference, unless authorized by the Administrative Judge, up and through July 31, 2020. This timeframe may be extended if deemed necessary and appropriate.
6. All arraignments shall be conducted via video conference up and through July 31, 2020, unless:
 - a. As otherwise ordered by the Administrative Judge; or
 - b. As determined by the Administrative Judge as necessary and appropriate; or
 - c. Defendant and counsel have made arrangements as authorized by the Court for an alternative hearing.
 - d. This timeframe may be extended if deemed necessary and appropriate.
7. All visitation with any inmate at the Summit County Jail shall be conducted via video/telephone conference up and through July 31, 2020, unless authorized by the Administrative Judge.

8. Sheriff sales are hereby SUSPENDED up and through July 31, 2020. This timeframe may be extended if deemed necessary and appropriate.
9. All foreclosures, evictions and any judgment relating to real property shall be suspended up and through July 31, 2020, unless authorized by the Administrative Judge. All filing deadlines imposed on any party or interested party pertaining to any foreclosure or judgment relating to real property shall be tolled up and through July 31, 2020. This timeframe may be extended if deemed necessary and appropriate.
10. All individuals entering the building shall be subject to having his/her temperature taken. No one exhibiting signs of illness, including a temperature of 100.4 degrees shall be admitted or permitted to remain on the premises.
11. All individuals entering the building shall wear a mask and shall wear a mask while present in any courtroom, public space, conference room, or other space that is considered to be confined, as determined by the Administrative Judge.
12. The General Division and all individuals herein shall continue to function under current physical distancing protocols as ordered by the Governor of Ohio and should the Governor order further protective protocols, all individuals within the courthouse shall abide by said protocols.
13. At no time in the General Division shall there be more than 10 individuals in any courtroom, office, conference room, or other space that is considered to be confined, as determined by the Administrative Judge. The only exception shall be for purposes of a Judge's meeting, if approved by a majority of the judges.

14. The General Division shall continue to have the lawful authority, within constitutional limits, to do and direct to be done all things necessary to ensure the orderly and efficient administration of justice for the duration of the delared public health emergency.

IT IS SO ORDERED.



**AMY CORRIGALL JONES
ADMINISTRATIVE JUDGE
GENERAL DIVISION**