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JUVENILE COURT
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COURT OF COMMON PLEAS
**IN THE COURT OF COMMON PLEAS, HARDIN COUNTY, OHIO
PROBATE AND JUVENILE DIVISIONS**

**In re: Temporary Orders Necessitated
By the COVID-19 (Coronavirus) Public
Health Emergency and State of
Emergency in the United State and State of Ohio**

Case # ADM 2020-1

TEMPORARY ORDER IN RESPONSE TO THE COVID-19 PUBLIC HEALTH CRISIS

The undersigned Common Pleas Judge of Hardin County Probate and Juvenile Divisions makes the following Findings of Fact:

1. On March 9, 2020 Ohio Governor Mike DeWine issued an 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. On March 12, 2020 the State of Ohio Dir. of Public Health issued a ban on "mass gatherings" and Ohio Gov. DeWine ordered the closure of schools in the State of Ohio to control the spread of the virus.
4. On March 13, 2020 President of United States, Donald J. Trump declared a National Emergency pursuant to the Stafford Act as a Result of the Corona Virus Pandemic.
5. On March 15, 2020 the State of Ohio Dir. of Health issued orders limiting access to Ohio's jails to control the spread of the virus.
6. Various federal, state and local health agencies continue to urge limitations on public interactions in an effort to control the spread of the virus from person to person.
7. Temporary modification of the court rules, practices and procedures of the Hardin County Common Pleas Court's, Probate and Juvenile Divisions are necessary in order to ensure the orderly and efficient functioning of the court, to ensure that all the essential functions of the court are carried out, and to ensure the health and safety of the staff, parties, attorneys and general public.
8. On March 18, 2020 the Governor of Ohio activated the National Guard, closed most

State Offices and had previously closed all restaurants, liquor establishments and polling places.

Based upon these Findings of Fact the Hardin County Common Pleas Court, Probate and Juvenile Divisions has developed and will continue to develop a continuum of flexible responses in response to this Public health emergency. The continuum of responses is intended to protect health, to maintain an essential core functions, and to continue to protect the rights of all individuals subject to the authority of the Court.

THEREFORE, IT IS HERBY ORDERED:

1. All Local Rules of this Court may be temporarily adapted, modified or suspended to allow court flexibility, within constitutional limits, in response to the public health emergency.
2. The security policies and procedures of the court may be temporarily amended or supplemented to protect public health, safety, while maintaining essential core functions.
3. The Court's employee handbook provisions may be temporarily adjusted to maintain essential court operations and functions or temporarily suspended.
4. The Court authorizes, on a case-by-case basis, unless otherwise approved, the use of audiovisual devices and technologies for court actions and proceedings.
5. The public health emergency may be considered to be a finding of good cause for any purposes, including continuance if deemed necessary by the assigned judge, on a case-by-case basis.
6. The Court will have complete 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 declared public health emergency, and such time after the declaration is ended deemed necessary by this Court.
7. For all hearings, the Court shall be notified prior to the scheduled hearing. If any of the following apply to any party, attorney or witness: has traveled outside of the United States and returned to the United States within 21 days prior to the scheduled hearing; has been exposed to the COVID-19, virus, or anyone infected with the COVID-19 virus within 21 days prior to the scheduled hearing; or has been quarantined, isolated, or otherwise restricted by any health department, director, or similar entity.
8. All pre-trials and non-evidentiary hearings unless otherwise specifically ordered by the judge or magistrate handling the case, shall be conducted by telephone. The parties, unless appearing pro se, or otherwise approved by the court in advance, shall not participate in the telephone pretrial, but shall be available to counsel either in person or by telephone. In criminal cases defense counsel shall, prior to the pretrial occurring, have had appropriate contact with his/her client and shall have reviewed with the defendant any discovery provided by the State of Ohio up to that time.
9. For all hearings except trials where the defendant is currently incarcerated, the defendant shall not, unless specifically ordered by the assigned judge, be transported to the Court by the Hardin County sheriff. Counsel for the defendant shall meet with the defendant prior to the hearing with the court. No defendant and/or party will be transported unless a

request in writing is first made to the court.

10. The Court may make such modifications and authorizations in any manner deemed reasonable by the Court and need not follow former processes for modification of Rules of Court and Rules of Procedure, and shall provide notification of any modifications and authorizations in such manner as may be deemed reasonable by this Court, including but not limited to posting same to the website maintained by the Court, posting same in public spaces of the Hardin County Courthouse, and by providing same to parties or members of the bar by mail, fax or e-mail.

11. Until further order only the following will be heard by the Juvenile Court:

- a) Initial hearing for detained youth;
- b) Emergency removal/shelter care hearings;
- c) Ex Parte protection orders;
- d) Matters that the Court, in its sole discretion, determines would result in immediate and irreparable harm if delayed.

12. Until further order only the following will be heard by the Probate Court:

- a) Emergency guardianships;
- b) Involuntary Commitments;
- c) Matters that the Court, in its sole discretion, determines would result in immediate and irreparable harm if delayed.

This Court specifically finds that the public health interests are paramount and the ends of justice are best served by this Administrative Order and that Ohio Revised § 2151.01 and Rules 1 and 18 of the Ohio Rules of Juvenile Procedure provide the administrative judge broad discretion in executing this **ORDER**.



STEVE CHRISTOPHER, JUDGE

March 19, 2020