

FILED

MAR 17 2020

**IN THE COURT OF COMMON PLEAS
ASHTABULA COUNTY, OHIO
JUVENILE DIVISION**

**ALBERT S. CAMPLESE
JUVENILE JUDGE**

In Re:) **Case No: 2020 JK 04**
)
ORDER DECLARING A JUDICIAL EMERGENCY)
AND CONTINUITY OF OPERATIONS OF) **JOURNAL ENTRY**
THE COURT DUE TO COVID-19 PANDEMIC)
[Addendum regarding Court procedures and rules]

Whereas, the Governor of Ohio, Michael DeWine, declared a State of Emergency in Executive Order 2020-01D, and the Director of the Ohio Department of Health, Amy Acton, has declared there currently exists a "...high probability of widespread exposure to COVID-19 with a significant risk of substantial harm to a large number of people in the general population, including elderly people and people with weakened immune systems and chronic medical conditions" by Director's Order issued March 16, 2020.

The Ashtabula County Common Pleas Court, Juvenile Division [hereinafter "Juvenile Court"], provides the following information, and temporarily modifies routine Court procedures and Local Rules of Court as follows:

1. JUVENILE COURT CLERK'S OFFICE OPEN WITH RESTRICTIONS

Unless otherwise stated specifically herein, the Juvenile Court is **OPEN WITH RESTRICTIONS**. See, Definition, Order Declaring a Judicial Emergency and Continuity of Operations of the Court Due to COVID-19 Pandemic filed March 16, 2020.

2. SUSPENSION OF "WALK-IN" SERVICE

Until further Order of Court, all "walk-in" counter service shall be, and hereby is, suspended effective March 18, 2019, and shall remain suspended during the period of the COVID-19 public health crisis. Any party desiring information concerning a pending or anticipated matter, or who wishes to obtain a copy of a court document, shall contact the Juvenile Court via any method set forth herein.

3. CONTACT WITH THE JUVENILE COURT

Email: JLDimare@ashtabulacounty.us

Phone: 440-994-6000

Fax: 440-994-6020

Mail: Ashtabula County Juvenile Court, 3816 Donahoe Dr. Ashtabula, OH 44004

Website: http://courts.co.ashtabula.oh.us/juvenile_overview.htm

4. FILINGS

Absent a demonstrable exigency, no filings shall be accepted across the counter at the Juvenile Court. A complaint alleging delinquency, abuse, neglect, dependency, judicial by-pass and/or an emergency motion in a pending case shall be, and hereby are, declared to be a "demonstrable exigency." Filings must be mailed, emailed or faxed. Non-exigency filings *to initiate* a proceeding must be mailed, and shall be accompanied by law firm check or money order for the appropriate filing fee. Filing fees may also be paid by credit card over the telephone for a convenience fee of \$2.95.

5. CONDUCT WITHIN THE COURTHOUSE

The courtrooms are OPEN WITH RESTRICTIONS. Only attorneys, parties, victims/representatives, and witnesses (and limited media if requested) will be permitted into the Juvenile Court Courthouse [hereinafter "Courthouse"] for scheduled proceedings. All individuals entering the Courthouse shall be subject to the following:

- a) No individual, including but not limited to staff, county employees, attorneys, litigants or members of the public, shall enter or remain in the Courthouse if ANY of the following apply:
 - He or she has a fever;
 - He or she exhibits all three of the following symptoms: 1) respiratory symptoms (chronic cough), 2) sore throat, and 3) shortness of breath;
 - He or she has traveled out of the country within the last 14 days;
 - He or she has been in contact with a person who is under investigation or has tested positive for COVID-19.
- b) Any person entering the courthouse may be subject to health care screening or non-invasive testing (the taking of body temperature using a touch-free thermometer), and exclusion from admission based upon the results of such screening or testing.

- c) All individuals shall maintain appropriate social distancing of 4-6 feet whenever possible.
- d) To the extent possible, interaction between individuals and court staff shall be done by telephone, email and/or facsimile.
- e) While individuals are used to a level of courthouse decorum that encourages close contact to whisper, etc., so as not disturb court proceedings, this decorum is secondary to maintaining appropriate social distancing.
- f) The following areas are **CLOSED TO NON-JUDICIAL STAFF**: Clerk's Office and Juvenile Resource Center. Attorneys and persons seeking to file a complaint alleging delinquency, abuse, neglect, dependency, judicial by-pass, and/or an emergency motion in a pending case are subject to item 4, above. Juveniles on probation, intervention and/or who are detained for pre-trial services shall be allowed access to the clerk's office by court order. Law enforcement personnel shall be permitted entry into the Clerk's office for the purpose of conducting law enforcement business.

6. MASS ARRAIGNMENT

All mass arraignment proceedings, including delinquency or unruly arraignments, diversion, traffic and/or criminal proceedings shall be, and hereby are, postponed until further notice. Charges on such offenses shall be accepted for filing; however, any law enforcement officer seeking to issue a minor misdemeanor unruly and/or traffic violation is encouraged to delay the service of such citations until he/she has consulted with the local prosecuting authority.

7. MEDIATIONS

All mediations shall be, and hereby are, suspended pending further order.

8. CURRENTLY SCHEDULED HEARINGS

Effective March 18, 2020 through March 27, 2020, **all hearings shall be, and hereby are, continued pending further order of court.** All statutory time limits for adjudication and/or disposition of Juvenile Court matters shall be, and hereby are, stayed effective through the next scheduled hearing date. This stay is deemed necessary, and is issued, due to the substantial and overriding public health concerns raised by the COVID-19 public health crisis. Matters shall be scheduled by the clerk's office for future hearing via any of the methods authorized by Paragraph 9, of this Court's Order Declaring a Judicial Emergency and Continuity of Operations of the Court Due to COVID-19 Pandemic filed March 16, 2020. This order is subject to further modification.

9. EMERGENCY HEARINGS

All emergency hearings will be held as required by law, and will not be affected by this temporary order. Any complainant and/or movant seeking emergency relief must first obtain a hearing date from the clerk's office, and notify all necessary parties of the date and time of hearing. A hearing date may be obtained by contacting the court via any of the methods set forth herein.

10. CHILD SUPPORT ENFORCEMENT AGENCY [CSEA] DOCKET

The entire CSEA docket shall be, and hereby is, suspended until further notice. This docket includes final sentencing and purge hearings. Any person arrested upon an arrest warrant issued in a child support matter shall be arraigned within the time limits otherwise provided by law.

11. JUVENILE RESOURCE CENTER OPEN WITH RESTRICTIONS

Unless otherwise stated specifically herein, the Juvenile Resource Center [hereinafter [hereinafter "JRC"] is OPEN WITH RESTRICTIONS. See, Definition, Order Declaring a Judicial Emergency and Continuity of Operations of the Court

Due to COVID-19 Pandemic filed March 16, 2020. JRC staff shall be on duty as scheduled. Juveniles on probation, intervention and/or who are detained for pre-trial services shall be allowed access to JRC in the discretion of the Court Administrator, Andrew Misiak, Diversion Supervisor, Caron Fenton and/or Chief Probation Officer, Stephen Keates Law enforcement personnel shall be permitted entry into the Juvenile Resource Center for the purpose of facilitating the intake process for juveniles who are alleged to be delinquent.

12. FAMILY DRUG COURT [FDC]

Unless otherwise stated specifically herein, the Family Drug Court Specialized Docket [hereinafter [hereinafter "FDC"] is OPEN WITH RESTRICTIONS. See, Definition, Order Declaring a Judicial Emergency and Continuity of Operations of the Court Due to COVID-19 Pandemic filed March 16, 2020.

a) Treatment Team

Treatment team members shall be required to provide written client updates to the FDC Coordinator no later than Thursday at Noon via email or facsimile.

Treatment team shall not meet in person prior to any FDC session absent further order of Court; however, each treatment team member shall be available via telephone on Fridays between the hours of 9:00 o'clock a.m. and 10:00 o'clock a.m., and shall provide the FDC coordinator with all necessary contact information without delay.

b) FDC Participants

FDC participants shall be required to attend each FDC session via the following method:

- i. Any FDC participant with a last name beginning with "A" through the letter "M" shall report on his/her scheduled Friday at 10:00 o'clock a.m.

- ii. Any FDC participant with a last name beginning with "N" through the letter "Z" shall report on his/her scheduled Friday at 11:00 o'clock a.m.

All other requirements of the FDC program shall remain unaffected at this time; however, the FDC Coordinator shall notify each participant of any changes as soon as is practicable.

13. SERVICE OF JUDGMENT ENTRY

This "Temporary Order" is ordered to be served on the Supreme Court of Ohio, Ohio Department Youth Services, Ashtabula County Court of Common Pleas, General Division, Ashtabula Municipal Court, Conneaut Municipal Court, Eastern County Court, Western County Court, Ashtabula and Lake County Bar Associations, Ashtabula County Prosecutor's Office, Ashtabula County Public Defender's Office, Ashtabula County Sheriff, Ohio State Patrol, all Ashtabula County Law Enforcement Agencies, all Ashtabula County School Districts, Ashtabula County Job and Family Services, Ashtabula County Board of Commissioners, Mental Health and Recovery Services Board, Ashtabula County Children Services Board, Ashtabula County Board of Developmental Disabilities, Ashtabula County Child Support Enforcement Agency, Cadence Care Network, Opportunities for Ohioans with Disabilities, Ashtabula County Mediation and Conflict Management Services, FDC Coordinator, all FDC participants and FDC treatment team members and the media. A copy of this judgment shall be conspicuously posted in the Juvenile Court Clerk's Office, and shall be published on the website of the Juvenile Court.

IT IS SO ORDERED.



JUDGE ALBERT S. CAMPLESE