

FILED

MAR 17 2020

**JUDGE
ALBERT S. CAMPLESE**

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

**In Re:)
)
ORDER DECLARING A JUDICIAL EMERGENCY)
AND CONTINUITY OF OPERATIONS OF)
THE COURT DUE TO COVID-19 PANDEMIC)
[Addendum regarding Court procedures and rules]**

Case No: 2020 MI 13

JOURNAL ENTRY

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.

Whereas, a very significant portion of the services provided by the Ashtabula County Court of Common Pleas, Probate Division [hereinafter "Probate Court"] is addressed to the maintenance of the ongoing legal, medical and financial needs of the elderly and the infirm.

The Ashtabula County Common Pleas Court, Probate Division, provides the following information, and temporarily modifies routine Court procedures and Local Rules of Court as follows:

1. 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 Probate Court via any method set forth herein.

2. CONTACT WITH THE PROBATE COURT:

Email: probate@ashtabulacounty.us
Phone: 440-576-3451
Fax: 440-576-3633
Mail: Ashtabula County Probate Court, 25 W. Jefferson St., Jefferson, OH 44047
Website: http://courts.co.ashtabula.oh.us/probate_court.htm

3. FILINGS:

Absent a demonstrable exigency, no filings shall be accepted across the counter at the Probate Court. An emergency guardianship application shall be, and hereby is, 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 a 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.

4. MARRIAGE LICENSES:

a. Application

Marriage license applications will not be accepted in person until further order of court. If at all possible, marriage license applicants are encouraged to wait to apply for a marriage license until after the public health crisis has passed. During the period of health crisis, marriage licenses shall only be issued by the Probate Court by appointment every Thursday. Marriage License Application forms are available online by visiting the Probate Court's website. Marriage license applications must be submitted to the Court by email or mail. The clerk's office will review the marriage license application for completeness, and contact the applicants for the purpose of scheduling an appointment to complete the application process. In order to have a marriage license issued during the week of application, the marriage license application must be received by the clerk's office *by Noon of the immediately preceding Wednesday*; otherwise, the appointment to complete the application process shall be scheduled for the following Thursday. Due to travel and facility access restrictions, no marriage licenses will be issued to inmates of Ohio detention facilities, jails, prisons or to any person confined to a nursing home, long-term care facility, hospital, or hospice. Marriage licenses issued by the court are valid for 60 days.

b. Appointments

Applicants are required to furnish a valid photo ID, such as a driver's license, passport or state-issued ID. If applicants do not have photo identification, a birth certificate and current proof of address shall be required.

Appointments will occur in the public meeting room just past security. Court security will have your appointment information, and will direct you to the meeting location. For public health reasons, no person other than the immediate applicants shall be permitted to attend the appointment.

Missed appointments will be rescheduled to the following week.

c. Fee

A \$45 marriage license fee must be paid at the time the completed application is submitted to the Court. This fee may also be paid over the telephone via credit card at the time your appointment is scheduled. A convenience fee of \$2.95 will be added to a credit card payment.

5. MARRIAGE LICENSE AND OTHER DOCUMENT REQUESTS

Requests for certified copies of marriage licenses and any other documents must be made to the Probate Court via email, fax, phone, or standard mail delivery.

Payment for requested a copy must be furnished before a search will be conducted. Payment may be made via money order, or over the telephone via a credit card. All credit card payments are subject to a convenience fee of \$2.95.

a. Case Research

Many community partners and attorneys rely on in-person access to probate court records and files. As the office will be closed to the public during this period, court clerks will provide a complimentary PDF of court dockets and individual instruments (non-certified.) Requests for dockets and instruments may be placed via email, telephone or fax and will be fulfilled by close of business the following day. Paper copies will be furnished at the standard rate. If the court does not possess an electronic copy of a requested instrument or document, paper copies will be furnished at the standard copy rate.

6. HEARINGS

All non-emergency hearings currently scheduled between March 18, 2020 and April 3, 2020 shall be, and hereby are, continued. Hearings conducted after April 3, 2020 shall be conducted by teleconference or telephone whenever possible. If teleconference or telephone hearing is not possible or practical, an in-court hearing may be scheduled on a case-by-case basis. Continuances shall also be granted on a case-by-case basis. Emergency hearings shall be conducted as required by law, and shall be scheduled accordingly by the clerk's office.

7. ENTRIES

Judgment Entries will be returned to counsel and unrepresented parties via USPS. Attorneys who typically pick up entries and copies of filings in "attorney folders" will not be permitted to enter the Probate office, and are encouraged to submit self-addressed, stamped envelopes. The court will mail entries, but NOT copies without a postage paid envelope. Stamped copies will be retained in attorney folders until such a time as the probate office re-opens to the public.

8. GENERAL INQUIRIES

Clerks have limited ability to help over the phone. Applicants are encouraged to consult with an attorney or waiting until the public health emergency has passed. Information packets concerning required forms for filings and other general information are available on the probate court website.

9. FURTHER ORDERS

When the emergency subsides, the court shall enter an order declaring an end to the emergency and resumption of normal operations.

10. SERVICE OF ORDER

This "Temporary Order" is ordered to be served on the Supreme Court of Ohio, 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, Ashtabula County General Health District, Ashtabula City Health Department, Ashtabula County Board of Commissioners, Mental Health and Recovery Services Board, Catholic Charities of Ashtabula County, Ashtabula County Children Services Board, Ashtabula County Board of Developmental Disabilities, Adult Protective Services, Signature Health, Community Counseling Center, Ashtabula County Courthouse Security Staff and the media. A copy of this judgment shall be posted in the Probate Court Clerk's Office, and shall be published on the website of the Probate Court.

IT IS SO ORDERED.



JUDGE ALBERT S. CAMPLESE