

IN THE ASHTABULA MUNICIPAL COURT
ASHTABULA, OHIO

FILED

IN RE:

2020 MAR 17 A 11:39

ASHTABULA MUNICIPAL COURT

**ORDER DECLARING A JUDICIAL EMERGENCY
AND CONTINUITY OF OPERATIONS OF
THE COURT DUE TO COVID-19 PANDEMIC**

JOURNAL ENTRY

The Judge of the Ashtabula Municipal Court makes the following findings of fact:

1. The Centers for Disease Control and Prevention (CDC) is responding to an outbreak of respiratory disease caused by a new coronavirus. The virus has been named "SARS-CoV-2" and the disease it causes has been named "coronavirus disease 2019" (abbreviated "COVID-19).
2. 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. Governor DeWine and public health officials urged people to avoid large, indoor gatherings to minimize close-contact and potential exposure to the coughs or sneezes of others. Governor DeWine has ordered that all Ohio schools take an extended 3-week spring break beginning Monday, March 16.
3. On March 12, 2020, Governor DeWine and Ohio Department of Health Director Amy Acton, M.D., MPH signed an order to prohibit mass gatherings in the state of Ohio. Mass gatherings are defined as any event or convening that brings together 100 or more persons in a single room or single space at the same time such as an auditorium, stadium, arena, large conference room, meeting hall, theater, or any other confined indoor or outdoor space.
4. The Ashtabula Municipal Court has consulted with the Ohio Supreme Court, judges of various other Ohio courts, the Ashtabula County Board of Commissioners, local and state agencies, and upon recommendations obtained from the foregoing, including the U.S. Government, hereby declares an emergency and makes the following orders regarding the continuity of operations of the court.
5. Based upon these findings of fact, The Ashtabula Municipal Court has developed a continuum of flexible responses in the event this public health crisis escalates, and the same shall be in effect such time as the response to the COVID-19 local health crisis has resulted in control of the spread of the disease or otherwise until further order of the court. The continuum of responses is intended to protect public health, to maintain essential court functions, and to continue to protect the rights of all individuals subject to authority of the court.

THEREFORE, IT IS HEREBY ORDERED effective March 18, 2020:

1. It is the intention of the Ashtabula Municipal Court to remain open and maintain court operations and functions, subject to further order of Court.
2. The local rules of court may be temporarily adapted to allow court flexibility, within constitutional limits, in response to the public health emergency.
3. The Ashtabula Municipal Court security policies may be temporarily amended or supplemented to protect public health while maintaining essential court functions.
4. The Ashtabula Municipal Court's, and county's (to the extent that it affects court employees) employee handbook and human resource provisions may be temporarily adjusted to maintain essential court operations and functions.
5. The Ashtabula Municipal Court authorizes the use of audiovisual devices and technologies for all actions and proceedings which would be feasible for use based upon the nature of the action or proceeding involved.
6. This public health emergency identified herein may be considered to be a finding of "just cause" for continuances deemed necessary on a case-by-case basis.
7. The Ashtabula Municipal Court will have 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.
8. The Court Administrator/Clerk of Ashtabula Municipal Court shall conduct business in the clerk's office as determined by the Judge, and may determine to conduct the receipt of filings and other transactions via facsimile (440) 998-5789, email tamato@ashtabulamunicipalcourt.com, or U.S. Mail (110 W. 44th St., Ashtabula, OH 44004) to advance the safety goals identified herein.
9. Judicial Officers may file orders via email or facsimile, and serve orders by email or facsimile notification, an effort to reduce the number of people who come into the Ashtabula Municipal Court each day.
10. Any proceedings conducted electronically shall be held and recorded, and the recording saved as the official record in the case. If a recording capability is not available or accessible, and a record is desired or necessary, the court and parties shall jointly craft a statement in lieu of a transcript of the proceedings in accordance to the appellate rules.
11. Court staff, attorneys, witnesses, necessary persons and security personnel who exhibit signs of illness notify Court Administrator/Clerk of Court, Tonja Amato, by telephone or email and shall not come into the courthouses or report for duty unless specifically instructed to do so by Court Administrator/Clerk of Court. Any person employed by the Ashtabula Municipal Court may be subject to health screening or testing, if testing is available, and exclusion from admission based upon the results of such screening or testing. The Ashtabula Municipal Court shall use the Ohio Department of Health phone line, 1-833-4ASKODH (1-833-427-5634) as its first line of defense to determine if an employee or other person impacted by this policy should be tested under existing guidelines.
12. When the emergency subsides, the court shall enter an order declaring an end to the emergency and resumption for normal operations.

13. This "Temporary Order" is ordered to be served on the Supreme Court of Ohio, Ashtabula County Court of Common Pleas, General Division, Ashtabula City Police Department, 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 City Health Department, Ashtabula County Board of Commissioners, Ashtabula City Solicitor, Ashtabula City Manager, Ashtabula City Council, Glenbeigh, Lake Area Recovery Center, Signature Health, Community Counseling Center and the media. A Copy of this judgment shall be posted in the Court Office, and shall be published on the website of the Ashtabula Municipal Court, and the Ashtabula Municipal Court's FaceBook Page.

IT IS SO ORDERED.


LAURA DIGIACOMO, JUDGE
ASHTABULA MUNICIPAL COURT

28-141