

CC: ✓ Lisa I. Swenski, Administrative Judge
✓ Judge Sherry Glass
✓ Judge Frank Janik
5/28 ✓ Jody Barilla, Court Administrator
CH

LOURAIN COUNTY
JUVENILE DIVISION

2021 MAY 28 PM 2: 14

FILED
DOMESTIC RELATIONS

JOURNAL ENTRY
COURT OF COMMON PLEAS
JUVENILE DIVISION
Lorain County, Ohio

Case No. 21JA60778

In Re:

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

Date: 05/26/2021 Volume _____ Page _____

The Lorain County Domestic Relations Court takes the health and safety of both the public conducting business with the court and the staff conducting business on behalf of the court very seriously. Due to the continued need for caution and safety procedures because of the Coronavirus disease (COVID-19) pandemic, the Court issues the following orders:

- (1) **The Domestic Relations Court will continue to limit face-to-face Court business to essential functions only, effective May 28, 2021, through June 30, 2021, to be re-evaluated at that time. Essential functions generally include, but are not limited to:**
- a. **Ex-Parte Petitions for Domestic Violence Civil Protections Orders and review hearings;**
 - b. **Ex-Parte Petitions for Juvenile Protection Orders and review hearings;**
 - c. **Ex-Parte Motions for Emergency Temporary Custody and review hearings;**

- d. Adjudication and Dispositional Hearings in Abuse/Neglect/Dependency Cases;
 - e. Shelter care hearings for Abuse/Neglect/Dependency Cases;
 - f. Juvenile Detention Matters;
 - g. Judicial Bypass of Consent Hearings;
 - h. Any hearings for Juveniles in detention; and
 - i. Any hearings for supervising Juveniles in detention or Turning Point Shelter.
- (2) The Court will evaluate all other types of “nonessential” hearings or meetings for participation through video or telephonic means, or in person if deemed necessary. The assigned Judge will have the discretion to continue or proceed with any “nonessential” matter by teleconference, video conference, other technological methods, or in person if deemed necessary. The Court will be notifying those who have hearings scheduled during this time frame regarding the status and mode of those hearings;
- (3) The Court authorizes the use of audio-visual devices and technologies for all actions and proceedings;
- (4) The Juvenile Clerk’s office remains open to accept filings and payments. The Juvenile Clerk’s office accepts payments online; visit the Court website at www.lcdrc.org . The Domestic Relations Clerk’s office accepts payments online; visit the Clerk of Court’s website at www.loraincounty.us/clerk/ ;
- (5) The local rules of court for the Domestic and Juvenile Division may be temporarily adapted to allow court flexibility, within constitutional limits, in response to the public health emergency;
- (6) The Court’s security policies may be temporarily amended or supplemented to protect public health while maintaining essential court functions;

- (7) The Court's Personnel Policies and Procedures Handbook and other usual and customary human resource provisions may be temporarily adjusted to maintain essential court operations and functions;
- (8) The Court will 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 declared public health emergency;
- (9) All individuals, including Court judicial officers and personnel, entering the Justice Center and desiring to conduct business with and/or appear in the domestic relations court must wear a face covering and may be subject to available health screening or testing, and may be excluded from admission based upon the refusal to wear a face covering unless medically excused or upon the results of such screening or testing. In the Justice Center, this includes the Juvenile Clerk's Office, Room 110, the second floor and the fourth floor, in the lobby areas as well as courtrooms and Magistrate hearing rooms. This also includes the Court's Juvenile Complex buildings, including but not limited to the Juvenile Detention Home, Turning Point Shelter, the Assessment Center, the Multipurpose Building, and Crossroads evening reporting program;
- (10) Any Court employee who exhibits signs of illness must notify their direct supervisor by telephone or e-mail and shall not come into the courthouse or report for duty. Any individual within the courthouse who exhibits signs of illness shall be directed to leave the building immediately and seek medical advice before being permitted to re-enter the building at a later date;
- (11) Employees who have not been vaccinated shall wear a mask or face covering while at work and maintain social distancing. Upon showing proof of

vaccination to Administration with the final vaccine at least two weeks prior, employees who have been vaccinated may remove their masks while at work. Vaccinated employees may choose to continue to wear a mask. All Detention Home and Turning Point employees will continue to wear a mask while at work. Probation Department staff will wear a mask when interacting with youth and their families.

(12) The Court shall attempt to minimize the social interaction of litigants, attorneys, witnesses, jurors, law enforcement personnel, and judicial personnel and promote a safe court environment by following all Department of Health recommendations when conducting hearings in person. The Court requires face coverings, maintaining appropriate social distance, and limiting the number of people gathered. The Court will not require proof of vaccination from attorneys or members of the public. However, should anyone appearing for a court hearing choose to show a copy of their vaccination card that supports it has been two weeks or longer since their last vaccination, the court may allow that person to remove their mask. The Judge or Magistrate before whom the person is appearing will determine whether a person may remove their mask while in his/her courtroom. The court will not retain a record of vaccination cards. It will need to be shown each time a person appears for court;

(13) Employees of the Court not on duty in the courthouse may work, to the extent possible, remotely, and in accordance with the directives of their department head and/or supervisor; and

(14) This Court order will be served upon the Lorain County Prosecutor's Office, the Lorain County Clerk of Courts, the Lorain County Common Pleas-General Division, the Lorain County Sheriff, the Lorain County

Commissioners, and the Ohio Supreme Court, will be published on the website of this Court, and will be provided to the Lorain County Bar Association to be disseminated to the local bar.

It is so ordered.



Administrative Judge Lisa I. Swenski

I hereby certify this to be a true and certified copy of the original on file in this office.

By  Deputy

COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION
LORAIN COUNTY, OHIO

FILED
LORAIN COUNTY
2021 MAY 28 PM 3:43

COURT OF COMMON PLEAS
LORAIN COUNTY
CASE NO. 2021 MISC

In re: Local Rule 5

Date: May 26, 2021

The Court hereby finds that the need for having temporarily amended Loc.R. 5 no longer exists. The Court hereby restores Loc.R. 5 to the rule that existed prior to the Court's emergency orders, consistent with the Court's current administrative orders, effective May 28, 2021. This rule is hereby set forth below:

5. PLEADINGS AND MOTIONS; FAX FILING

A. Form

1. All pleadings, motions, briefs and other papers shall be legibly typewritten or printed on letter size paper (approximately 8 ½" x 11"), without backing or cover, and printed on only one side.
2. The caption in every complaint or petition shall state the name, address, Social Security Number and date of birth, if known, of each party.
3. The caption of subsequent pleadings, motions and other papers shall state the case number, the name of the Judge to whom the case is assigned, and the name of the first party Plaintiff and the first party Defendant.
4. All captions shall briefly describe the general nature of the action.
5. Every pleading, motion and other paper filed in the cause shall be identified by title and shall bear the name, address, telephone number, fax number, and business e-mail address of the attorney or the party filing the same. If the

filing is made by an attorney, the Supreme Court Registration Number of the attorney and the name of the firm with which the attorney is affiliated, if any, must also be included.

6. In all cases, a blank space of at least three (3) inches shall be left at the top of the first page.

B. Parenting Proceeding Affidavit

All parties involved in a proceeding concerning the allocation of parental rights and responsibilities shall file a Parenting Proceeding Affidavit pursuant to O.R.C. 3109.27(A). The affidavits shall be attached to and filed with each party's initial pleading or motion regarding parenting. A party who has filed no pleading, motion or other document regarding parenting shall nonetheless file the affidavit. All Parenting Proceeding Affidavits shall be served upon each of the parties as provided under the Civil Rules.

C. FACSIMILE FILINGS

1. IN GENERAL

This rule has been instituted solely for the convenience of those filing documents with the Clerk of Courts. Neither the Clerk of Courts nor the Court assumes any new or additional responsibilities, obligations, or liabilities by virtue of this rule. This rule pertains only to the method of filing; it does not override, alter, amend, revoke or otherwise change any Local Rule or Ohio Rule of Civil Procedure.

2. FILINGS NOT ACCEPTED

Except for the following documents, this rule authorizes the filing of facsimile transmissions of pleadings, motions, and other documents that may otherwise be filed with the Clerk of Courts.

A. Commencement of an Action

Any filing commencing an action (e.g., a complaint, a third party complaint, a post-decree motion, a motion for injunctive relief) for which the Clerk of Courts must collect an initial case deposit against costs or a specific filing fee and/or for which the Clerk of Courts is required to effectuate service or summons;

B. Journal Entry

Any entry which must be signed by a Judge.

3. COVER PAGE

Any faxed document must include a cover page containing the following information:

- Case number;
- Caption of the case;
- Assigned Judge;
- Description of the documents being filed;
- Date of Transmission;
- Transmitting fax and contract number; and
- Number of pages, including cover.

If the cover page does not contain all required information, the faxed documents shall not be entered on the docket and shall be considered a nullity. The Clerk of Courts is not required to send any form of notice to the sender of a failed fax filing.

4. FACSIMILE MACHINE

The facsimile machine available for receiving fax filing for Domestic Relations Court Cases is (440) 329-5506. This line is available twenty-four hours per day, seven days per week. Fax filings may not be sent directly to the Court for filing but may only be transmitted through the Clerk of Courts. Transmissions sent to any other location are neither covered by nor permitted under this rule.

However, copies of filings otherwise properly filed with the Clerk of Courts, such as courtesy copies for the Court, may with Court approval be sent by facsimile directly to the Court. Facsimiles sent directly to the Court shall not be considered as having been filed thereby.

5. DOCUMENT RESTRICTIONS

A fax transmission may contain more than one document but may not apply to more than one case number per transmission. Motions and other filings making reference to or incorporating other documents attached to the motion or other filing as an exhibit thereof shall be considered as part of a single file. If exhibits are impossible or burdensome to send by facsimile the original exhibits may be separately filed if done so within forty-eight hours of the related transmission. If the exhibits are filed separately, then an insert page describing the exhibit must be

included in the facsimile transmission. Facsimile transmissions must comply with the filing requirements as otherwise stated in this rule and may not exceed twenty pages regardless of the number of documents being sent.

6. DATE AND TIME

Subject to the other provisions of the rule, all documents filed by fax shall be considered filed with the Clerk of Courts as of the date and time that the fax transmission has been received by the Clerk of Courts. For purposes of this provision and for entering such filings into the docket system, a facsimile filing shall be deemed to have been received by the Clerk of Courts as of the date and time printed at the top of each page of the incoming fax as printed out by the Clerk of Courts' facsimile equipment. There shall be no other date and time stamp required for the filing of a fax document with the Clerk of Courts. The risks of transmitting a document by fax to the Clerk of Courts shall be borne entirely by the sender.

7. ORIGINAL FILING

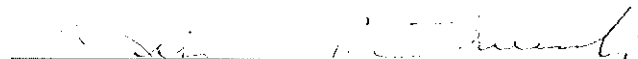
A document filed by fax shall be accepted as the original filing provided all the requirements set forth in this rule are satisfied. The source document shall not be filed with the Clerk of Courts. However, until the case is closed and all opportunities for post-judgment relief are exhausted, any source documents filed via facsimile shall be retained and available for production at the Court's request.

8. SIGNATURES

Facsimile filings shall contain a signature or a /s/ notation followed by the name of the person signing the source document.


9. ACCEPTANCE OR REJECTION

The Clerk of Courts is hereby authorized to reject and will not docket any facsimile transmission which fails to comply with these rules.



Lisa I. Swenski, Administrative Judge

Sherry L. Glass, Judge



Frank J. Janik, Judge