

FILED
LUCAS COUNTY

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COMMON PLEAS COURT
BERNIE QUILTER
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS, GENERAL DIVISION
LUCAS COUNTY, OHIO

TEMPORARY ADMINISTRATIVE ORDER IN RESPONSE TO THE COVID—19
(CORONAVIRUS) PUBLIC HEALTH CRISIS

President Trump has declared a National Emergency to respond to the Coronavirus Pandemic.

Governor DeWine has declared an Ohio State of Emergency in response to COVID-19.

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.

The Lucas County Board of Commissioners, City of Toledo, and Toledo-Lucas County Health Department have requested all public officials take every means available to prevent the spread of the contagious virus.

The Judges of the General Division of the Court of Common Pleas recognize that the most effective way to mitigate the spread of the COVID-19 virus and protect public health is to keep the amount of in-person individual interaction within the court to the minimum level possible while maintaining essential court functions and protecting the rights of all individuals subject to the authority of this court.

Therefore the Administrative Judge of the Lucas County Court of Common Pleas, General Division, in consultation with the other Judges of the General Division, hereby issues the following **TEMPORARY ORDERS**; (Note: these orders do not apply or impact the Domestic Relations, Juvenile, or Probate Court Divisions)

TEMPORARY ORDERS REGARDING CIVIL PROCEEDINGS

- 1) No jurors will be summoned for civil trials through May 4, 2020. Parties may proceed with a bench trial after consultation and approval of the assigned Judge.
- 2) The parties are **ORDERED** to continue with good faith efforts to resolve all issues by the originally assigned trial date.
- 3) All settlement pre-trials are **ORDERED** to be conducted by teleconferencing on the scheduled settlement pre-trial date. Parties should contact the assigned Judge's civil bailiff to coordinate conferencing efforts.

4) If litigants have a trial date set between the date of this Order and May 4, 2020, and no other scheduled hearing date before the trial date, all parties are **ORDERED** to contact the appropriate civil bailiff no later than seven (7) days before the scheduled trial date.

5) If litigants have any other (non-trial) hearing scheduled prior to May 4, 2020 they are instructed to contact the appropriate civil bailiff no later than seven (7) days before the scheduled hearing date. Parties should expect their hearing to be rescheduled.

6) All initial pre-trials are **ORDERED** to be conducted by telephone or the court will issue a scheduling order to the parties by its own Order.

7) Discovery should continue as normal. Depositions are recommended to be conducted by video link when possible, but left to the agreement of the parties. If the parties cannot agree, they are **ORDERED** to present this disagreement to the assigned Judge, with the expectation that the court will grant a continuance of the deposition if there is no agreement by the parties, unless circumstances warrant otherwise.

8) All civil filings not currently exempted by Local Rule 10 are encouraged to be E-filed.

9) Hearings regarding Temporary Restraining Orders will still be adjudicated and Cognovit notes will still be processed.

10) Proceedings in Aid will continue to be processed, but all debtor exams are hereby continued until after May 4, 2020. Contact the assigned judge as to the new exam date.

11) All cases currently scheduled for mediation between the date of this Order and May 4, 2020 are hereby canceled, subject to being rescheduled. Parties are instructed to contact the assigned judge for further instructions.

TEMPORARY ORDERS REGARDING CRIMINAL PROCEEDINGS

12) No jurors will be summoned for out-of-custody defendants and their trial date UNLESS there are speedy trial issues. The Lucas County Prosecutor's Office, through its assigned assistant prosecutors, is responsible for accurate calculation of the remaining time left on each individual case regarding speedy trial deadlines.

If a defendant's speedy trial rights expire less than fifteen (15) days after the scheduled trial date, both defense counsel and the assigned assistant prosecutor are **ORDERED** to appear before the assigned Judge for an attorney-only pre-trial to discuss relevant dates as soon as practicable, but in no event less than seven (7) days before the scheduled trial date. All parties are **ORDERED** to continue good faith discussions working toward resolution of all issues.

13) The trial dates of all defendants held in-custody or out on bond are **ORDERED MAINTAINED**. The assigned lawyers are **ORDERED** to appear before the designated Judge for an attorney-only pre-trial as soon as practicable to discuss scheduling. Be advised that if speedy trial constraints allow, the presently set trial date may be continued.

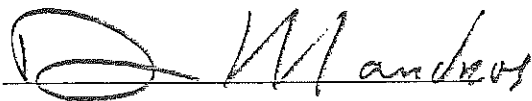
14) The public health emergency identified herein may be considered to be a finding of good cause for the granting of a continuance of jury trials, court trials, and hearings as deemed necessary by each Judge on a case-by-case basis.

15) Court proceedings are open to the public. Victims, defendants and all parties are permitted by law to have friends, family, and the press present for these proceedings. However, because of the declared State of Emergency, it is appropriate and strongly encouraged that the lawyers aligned with these parties discourage the appearance in court of nonessential observers. Any non-party exhibiting signs of illness is subject to being removed from the courthouse.

16) The court is in the process of increasing its capacity to have video hearings between inmates held in the Lucas County Corrections Center and the court. This is an ongoing process and attorneys will be updated as to details. When fully operational it is the ORDER of the court that official court proceedings between inmates in the Lucas County Corrections Center and the court may be conducted by video conferencing and on the record.

17) All payments ordered in criminal cases (court costs, restitution) are stayed until May 4, 2020. Individuals are prohibited from coming to court to make in-person payments.

Interested parties should regularly monitor this site for updates during the pendency of the public health crisis.

A handwritten signature in black ink, appearing to read "D. Mandros". The signature is written in a cursive style with a large, stylized initial "D".

Dean Mandros, Administrative Judge