

IN THE MEIGS COUNTY COURT, MEIGS COUNTY, OHIO

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**IN THE MATTER OF THE
COVID-19 PUBLIC HEALTH
EMERGENCY AND COURT
OPERATIONS**

SAMANTHA MUGRAGE
CLERK OF COURTS
MEIGS COUNTY, OHIO

GENERAL ORDER NO 20-LRD-001

The Meigs Common Pleas Court, General Division, Judge Linda R. Warner, in consultation with the Meigs Common Pleas Juvenile Court Judge L. Scott Powell and Meigs County Court Judge Michael L. Barr hereby makes the following Findings of Fact:

1. On March 2, 2020, Ohio Governor, Mike DeWine initially issued Executive Order 2020-01D "Declaring a State of Emergency" in response to the growing COVID-19 public health crisis through May 1, 2020. On/about April 20, 2020, Governor DeWine (via Dr. Amy Acton) issued a "State Safe Ohio" Order through May 29, 2020.
2. On March 11, 2020, 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.
3. On March 18, 2020, the Court issued its first Administrative Orders addressing the COVID-19 public health emergency detailing a continuum of flexible responses designed to protect public health, to maintain essential court functions, to protect the safety and welfare of its staff and customers and to protect the rights of all individuals subject to the authority of the Court.
4. On May 27, 2020, the Courts in Meigs County joined in an Order regarding COVID-19 screening as part of the centralized security screening at the Meigs County Courthouse.
5. The existing public health emergency has not been abated. In fact, drastic spikes in the level of COVID-19 infections dictate the Court's resumption of curtailed or limited operations through January 29, 2021. Thus, the following plan is necessary as COVID-19 is a highly contagious viral ailment for which there is presently no direct treatment, nor any available vaccination.
6. The Court hereby acknowledges the relevant portions of the written guidance of the Supreme Court of Ohio, most reaffirmed via e-mailed dated October 28, 2020. Additionally, the Court acknowledges that on November 15, 2020 the public health Director's Orders for a new limitation of public and private gatherings being no more than 10 people and a 10 p.m. curfew was announced by Ohio Governor Mike DeWine, which took effect November 17, 2020.

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CLERK OF COURT

Based upon these Findings of Fact, Linda R. Warner, Judge of the Meigs Common Pleas Court General Division **HEREBY ORDERS:**

1. The Court hereby reinstates **curtailed or limited operations** from **Tuesday, December 2, 2020 through the close of business on Friday, January 29, 2021**, and it reserves the right to further extend this Administrative Order should the existing public health emergency so dictate.
2. From Tuesday, December 2, 2020 through close of business on Friday, January 29, 2021, **the Court shall remain open for business**; however, the Court's in-person hours shall be significantly limited.
3. Effective Tuesday, December 2, 2020, only persons necessary to support essential in-person hearings and essential administrative court functions shall be physically present at the Meigs County Common Pleas Court (MCCP). Outside persons interacting with the Court shall continue to do so remotely.
4. Through January 29, 2021, the Court will prioritize hearing cases utilizing videoconferencing technology to the extent possible. Priority shall be given to "Essential cases", which are:
 - a. Civil Protection Orders (CPOs),
 - b. Emergency Domestic Relation Matters
 - c. Bond hearings
5. Due to the increased risk of spreading COVID in large groups and in order to comply with the Governors mandate of having 10 or less persons in any event, **jury trials must be suspended until February 1, 2021. This date will be re-evaluated on a daily basis and is subject to change at any time.**
6. The Court shall have a policy of **not requiring** litigants or attorneys to appear in-person at this time. Persons who are unwilling or unable to attend an in-person hearing due to COVID-19 concerns/complications may request a continuance or request to participate virtually using the Zoom platform. Reasonable, advance continuance requests will be liberally granted. If a hearing is essential and a party needs to appear remotely but is without access to the internet or to the Zoom application, the Court can and will provide facilities within the Courthouse ("zoom room") to participate and still be isolated from other persons..
7. The Court will continue to accept pleadings, forms and other paperwork via email or fax (which is preferred) and emergency filings in-person at the Clerk's Office. Motions for Continuance and/or Motions to Modify an *ex parte* Civil Protection Order (CPO) may also be filed by email directly to the Clerk of Courts. A list of those contact telephone numbers, email addresses and Zoom meeting IDs are as follows:


- a. Meigs Clerk of Courts email is legal@meigscountyclerkofcourts.com.
 - b. Meigs Clerk of Courts fax number is 740-992-4429.
 - c. Meigs Common Pleas Court Administrative Office email is meigscommonpleascourt@yahoo.com
 - d. Meigs Common Pleas Court fax number 740-992-3828
 - e. Zoom meeting room ID 901 017 0793, password 532019. Participants shall wait in a waiting room until verified and granted admission to join the zoom conference. The public may join the Zoom meetings but will not be permitted to be heard (i.e. will be muted).
8. The Court continues to encourage litigants and attorneys to waive in-person hearings to facilitate the Court's hearing of uncontested/agreed cases, pre-trial and status conferences, and other domestic and custody matters via videoconferencing technology (or Zoom). Parties may always submit requests for videoconference hearings in writing, by providing a copy of that written request to the Court, through the Clerk of Courts, and to the other parties and any attorneys of record.
9. Specific docket questions should be addressed directly to the staffs of the assigned Magistrates or Judges; telephones and email accounts shall be monitored remotely **Monday through Friday from 8am until 4pm.**
10. Public Access to the MCCP Court lobby, hallways, private offices and wait areas in all court facilities shall remain extremely limited to maintain the safety of the public and court employees; this is done in compliance with local, state, federal and Ohio Supreme Court guidelines. In most instances, in-person interaction with court staff will be facilitated through clear barriers, walk-up windows and video terminals to ensure proper social distancing.
11. The following measures will be taken to reduce the community spread of COVID-19:
 - a. Pursuant to this Court's March 18, 2020 and May 27, 2020 Orders all persons working in/ visiting any court space **must** wear a mask, covering the nose and mouth at all times.
 - b. Persons working in/visiting the courthouse must maintain 6-foot social distancing and observe the 10-person limit in courtrooms. Additionally, Court and COVID-19 screening and security staff will continue to monitor and enforce occupancy restrictions in all court facilities.
 - c. Staff are encouraged to perform a daily symptom assessment, including monitoring for a fever, cough or trouble breathing. Any staff member who exhibits signs of illness must notify his/her supervisor by phone or email and not report for duty. Any staff at the courthouse who exhibits symptoms will be directed to leave the

building immediately and seek medical advice before being permitted to re-enter the building at a later date. Any staff waiting on COVID-19 test results must notify his/her supervisor and shall not report for duty.

- d. To comply with social distancing guidelines, the maximum occupancy for persons in the elevator is two.
 - e. All high traffic areas will be sanitized no less than twice daily. Courtroom tables will be wiped down after each hearing. Spray air sanitizing systems will be used regularly in each courtroom and zoom room.
 - f. All persons entering the courthouse will be required to submit to a COVID-19 screening, including having their temperature taken and answer a series of question.
12. Pursuant to guidance from the Centers for Disease Control, the Meigs County/Ohio Department of Health and the Supreme Court of Ohio, litigants and/or counsel displaying any symptom that *could be construed* as COVID-19 related will be ordered to leave the courthouse; and upon providing a current accurate physical address, phone number and email address, will have their cases continued.
13. In order to preserve proper occupancy standards, scheduled cases will begin and end at the scheduled time; thus, tardy cases will be continued. All pre-hearing consultations and/or negotiations must occur *prior* to arrival in the courthouse and be concluded by the scheduled time; conference rooms shall remain locked.
14. Court programs shall continue to utilize telephonic, videoconference and other electronic services wherever possible.
15. This Administrative Order in Response to the COVID-19 (Coronavirus) Public Health Crisis shall be communicated to the Meigs County Commissioners, other Meigs County Courts and local justice partners. This order, and any amendments thereto, shall be filed with the Meigs County Clerk of Courts and the Supreme Court of Ohio.
16. During the period of curtailed or limited operations, Court Staff shall work onsite only as directed by their supervisors. The Court intends to resume its normal business hours and trial schedule on Monday through Friday, 8am until 4pm effective February 1, 2021. Court staff shall resume onsite work on or before that date, unless authorized to work remotely by their supervisors. On February 1, 2021, the Court intends to resume scheduling in-person hearings. Again, the Court will endeavor to conduct as many of its cases and interactions via available technology as practical, and persons who are unwilling or unable to attend an in-person hearing due to COVID-19 concerns/complications may request a continuance. Reasonable, advance continuance requests will be granted. Alternatively, the Court can provide a courthouse room in which to participate in hearings remotely, if the litigant has no means to do so otherwise.

17. The Court's security policies may be temporarily amended or supplemented to protect public health while maintaining essential court functions.
18. **Jury Trials are hereby suspended until February 1, 2021. This date will be re-evaluated on a daily basis and is subject to change at any time.**
- a. To accommodate trials and the effect of public health recommendations on trials, the period of the continuances implemented by this Order are excluded under O.R.C. 2945.72 and Ohio Constitution I, sec. 10. The Court specifically finds that the ends of justice served by ordering the continuance outweigh the interest of the public and any defendant's right to a speedy trial.
 - b. Further this Court finds that a continuance of a trial which supersedes a defendant's speedy trial right is hereby considered permissible by all judges of the General Division under the Ohio Constitution and O.R.C. 2945.72 (H) as a "reasonable continuance granted other than upon the accused own motion" due to current pandemic levels.
19. Curtailed and/or limited operation provisions and/or policies previously effectuated by the Court shall remain in effect, unless specifically modified herein. Where there is any discrepancy, this order supersedes any previous order. The local rules of court may be temporarily adapted to allow court flexibility, within constitutional limits, in response to the public health emergency.

IT IS SO ORDERED.



Judge Linda R. Warner

A copy of this order shall be provided to all members of the Ohio Supreme Court, Meigs County Bar Association, the Daily Sentinel, the Meigs Independent Press, all Meigs County Elected officials, the Meigs County Health Department, the court appointed Public Defenders, the Court and Clerk of Courts websites and social media pages.