

IN THE COURT OF COMMON PLEAS PORTAGE COUNTY

JUVENILE DIVISION 2020 NOV 19 11:30

STATE OF OHIO)
)
COUNTY OF PORTAGE)

CASE NO.: XX-XXXX

IN THE MATTER OF:

EMERGENCY ORDER:
MODIFYING PORTAGE COUNTY
JUVENILE COURT
PROCEDURES AND LOCAL RULES

JOURNAL ENTRY
ORDER OF REFERENCE

The Novel Coronavirus (COVID-19) has been declared to be a Pandemic by the World Health Organization. The President of the United States has declared a National Emergency as a result of the Pandemic. Governor DeWine has declared a State of Emergency for Ohio and the Ohio Department of Youth Services, the Ohio Department of Health and Portage County Department of Health have issued certain guidelines. A spike has recently incurred in Portage County and the State of Ohio. The Portage County Juvenile Court in order to keep the Court Open and protect the health, safety and welfare of its staff and the citizens it serves makes the following Emergency Order which shall remain in effect from 8:00 a.m., November 19, 2020 until further Order of the Court:

MODIFICATION OF COURTHOUSE PROCEDURES

- 1.) All foot traffic, person-to-person contact, and counter service shall be limited during the period of the COVID-19 public health crisis.

2.) HOW TO CONTACT THE PORTAGE COUNTY JUVENILE COURT:

Mailing Address: 8000 Infirmery Road, Ravenna, Ohio 44266
Phone #: 330-297-0881
Fax #: 330-297-2227
Website: co.portage.oh.us/juvenileprobate-court

3.) FILINGS:

- Filings shall be by US Mail or faxed, addressed to the Clerk of the Portage County Juvenile Court unless a demonstrated exigency exist. All filing fees shall be paid to the Juvenile Clerk as a condition for filing. Payments can be made thru US Mail by check or money order payable to: Portage County Juvenile Court. Time stamped copies of pleadings shall be returned to the filer by United States Mail.
- *Pro Se* parties (parties without an attorney) may call the clerk's office and *Pro Se* parties may refer to the forms on the website or forms may be mailed to *Pro Se* parties upon telephone request. If parties have questions about forms *Pro Se* parties may telephone the Clerk for clarification. If forms are required to be notarized *Pro Se parties* may call the Clerk's office for an appointment to accomplish the same. Clerks cannot provide legal advice.

4.) ENTERING PORTAGE COUNTY JUVENILE COURTHOUSE:

All persons entering the Portage County Juvenile Court must obey the Emergency Order of the Portage County Juvenile Court filed November 19, 2020 (a copy of which is posted on the Portage County Juvenile Court's website).

5.) STATUS CONFERENCES – PRE-TRIALS-RULE 21 CONFERENCES:

- All Status Conferences and Pre-trials shall take place as telephone conference.
- Parties at the initiation of the action shall provide the Court with all parties' current address and phone number. All parties shall update the same pursuant to the Court Order within 72 hours of any change (see attached Journal Entry).
- Parties and attorneys scheduled for a Status or Pre-trial Conference shall, no later than 24-hours before the scheduled time, call the Clerk's Office and provide the telephone numbers where the party will receive the conference call if different from the phone numbers or addresses listed in the Court file (pursuant to the Court's Order). All parties and attorneys shall make themselves available to receive the telephone conference calls at the time and date designated. All attorneys shall assure their clients are accessible.
- Rule 21 telephone conference calls shall be held promptly on the time and date designated. All parties and attorneys shall call the Juvenile Prosecutor at 330-298-3915 promptly on the date and time designated. All attorneys shall assure their clients are accessible.

- If an agreement is reached at the telephone conference the matter shall be set for a hearing on the agreement. If no agreement is reached the matter shall be set for adjudication/trial.

6.) PRIORITY HEARINGS:

- All delinquency hearings for felony or violent misdemeanor offenses, all delinquency hearings for a youth detained, or competency motions will be scheduled within the timeframe of the Juvenile Rules and statute.
- All Abuse, Neglect and Dependency hearings that concern either: shelter care; adjudication; and disposition; shall be scheduled as a priority matter within the Juvenile Rules and statute.
- All Judicial Bypass and Juvenile Protection Orders are priority hearings which shall be heard within the Juvenile Rules and statute.
- Emergency Orders: For Emergency Order see Local Juvenile Rule 31.

7.) NON-PRIORITY HEARINGS

- Parentage, Custody, Visitation, Child Support, Misdemeanor Delinquency cases, and most status offenses are non-priority hearings which will be set at the Court's convenience unless exigent circumstances are found by the Court.
- Any pending parenting, custody or visitation trials may proceed at the discretion of the Magistrate or Judge. Each party shall call the Judicial Officer to determine the status of their case.

LOCAL RULE 10.04

- 8.) Portage County Juvenile Court Local Rule 10.04 shall be suspended during the pandemic at the discretion of the Judge or Magistrate assigned to the case.

9.) JUVENILE TRAFFIC OFFENSES:

Juvenile Traffic arraignments shall continue according to the Juvenile Rules and Statute.

During the pandemic:

- Youths may file a waiver (and not appear) on lesser traffic moving violations by mailing a waiver by US mail.
- Youths may file a waiver and apply for traffic diversion, if eligible.
- Waiver and application for traffic diversion shall be made by US mail and must be received before or at the date set for arraignment. Correspondence should be directed to: Portage County Juvenile Court, Traffic Clerk, 8000 Infirmary Road, Ravenna, Ohio 44266.

- Parties wishing to contest a traffic charge may mail a denial and avoid appearing at Juvenile Traffic Arraignment if the denial is received on or before the traffic arraignment date.
- If you are unsure of the procedure telephone the traffic clerk at 330-297-0881.
- No more than four (4) parties/cases shall appear at each session for traffic arraignments.

10.) TELEPHONE NUMBERS:

All parties shall give a current working telephone number to the Clerk once they become a party (file a pleading or are served with a pleading or summons) (See Court's Order attached).

11.) PARENTING CLASSES AND CARTEENS:

Parenting Classes for December 2020 and January 2021 are modified. New classes will be offered by Order of the Court. Traffic Diversion may still be elected by a party by mailing election to participate in Traffic Diversion to the Portage County Juvenile Court Traffic Clerk.

- 12.) All Emergency Orders from March 16, 2020 forward not inconsistent with this Order are incorporated by reference.

This Emergency Order shall be reviewed by the Court after March 1, 2021.

IT IS SO ORDERED

November 19, 2020
November 19, 2020

Robert W. Berger
ROBERT W. BERGER, JUDGE
ADMINISTRATIVE AND PRESIDING JUDGE

PORTAGE COUNTY
IN THE COURT OF COMMON PLEAS FILED
JUVENILE DIVISION 2020 NOV 18 AM 9:52

STATE OF OHIO)
)
COUNTY OF PORTAGE)

COMMON PLEAS COURT
JUVENILE DIVISION
CASE NO.: XX-XXXX

IN THE MATTER OF:

MANDATORY NOTICE

JOURNAL ENTRY
ORDER OF REFERENCE

All parties and attorneys shall provide the Clerk's Office with a current address and telephone number in all cases at the Portage County Juvenile Court. If there is any change of address or telephone number the party or attorney shall notify the Clerk's Office within 72 hours of such change.

A failure to notify the Clerk's Office may lead to the party or attorney not receiving notice of hearing and the hearing proceeding without the attorney or party.

IT IS SO ORDERED

November 17, 2020
Date

Robert W. Berger
ROBERT W. BERGER, JUDGE
ADMINISTRATIVE AND PRESIDING JUDGE