

IN THE COURT OF COMMON PLEAS
PROBATE DIVISION
STARK COUNTY, OHIO

FILED
MAR 16 2020

IN RE: TEMPORARY ORDER IN RESPONSE TO THE COVID-19 (CORONAVIRUS) PUBLIC HEALTH CRISIS

JUDGE DIXIE PARK
STARK COUNTY PROBATE COURT

CASE NO. 139022

The Probate Division Judge of the Stark County Court of Common Pleas makes the following Findings of Fact:

1. 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.
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 11, 2020, the first “community spread” positive case of COVID-19 in Ohio was confirmed in Stark County.
4. The Centers for Disease Control and other state and local authorities have issued guidelines and have advised people to take precautions to reduce the potential of exposure to the COVID-19 virus.
5. Social distancing is the CDC recommended technique for people to keep physical distance between themselves and other people to prevent further spread of the disease.
6. The CDC recommends employers minimize exposure between employees and the Public.

Based upon these Findings of Fact, the Probate Division of the Court of Common Pleas has developed a continuum of flexible responses in case the public health crisis escalates. 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 the authority of the Court.

THEREFORE, IT IS HEREBY ORDERED:

1. The Probate Division Local Rules of Court may be temporarily adapted to allow Court flexibility, within Constitutional limits, in response to the public health emergency.
2. The Probate Division security policies may be temporarily amended or supplemented to protect public health while maintaining essential court functions.
3. The Probate Division authorizes the use of audiovisual devices and technologies for all actions and proceedings.
4. The public health emergency may be considered to be a finding of good cause for continuances deemed necessary by the Judge on a case-by-case basis.
5. 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.
6. Any person who has been diagnosed with, has come into contact with anyone who has been diagnosed with, or is exhibiting symptoms of COVID-19 shall not be permitted to enter the Probate Court.
7. Any person who has recently traveled from an area with a widespread COVID-19 outbreak or has been asked to self-quarantine by any doctor, hospital or health agency shall not be permitted to enter the Probate Court.

8. The Probate Court will have the lawful authority to require any person who is within the Probate Court, but would otherwise be barred from entering the Probate Court by the restrictions stated above, to exit the premises.

IT IS SO ORDERED.



JUDGE DIXIE PARK



THE COURT OF COMMON PLEAS
Stark County Probate Court



HON. DIXIE PARK
PROBATE JUDGE

MEMORANDUM

DATE: March 16, 2020

TO: Sheriff George Maier, Prosecutor John Ferrero, Stark County Board of DD, Stark County Board of Mental Health, SCJFS, CommQuest, Pathway, GSS, APSI, Coleman Professional Services

RE: Coronavirus (COVID 19) procedures

Due to Governor DeWine declaring a state of emergency as a result of the Coronavirus (COVID 19), the Stark County Probate Court has implemented the following procedures to protect interested parties and court staff and assist in containment of the Coronavirus:

1. Adoption hearings are limited to immediate family members, counsel and the assessor.
2. Name change hearings will be rescheduled unless there are extenuating circumstances. Attendees are limited to the Applicant unless witnesses are necessary.
3. All civil commitment hearings shall be held remotely. Attorneys shall attend in person.
4. All civil litigation pretrial hearings shall be conducted telephonically with attorneys and their clients until further notice.
5. Case managements shall be conducted telephonically with attorneys and their clients.
6. Attorneys shall appear for citation hearings with clients available by phone.
7. All uncontested matters such as wrongful death hearings, insolvencies and minor settlements shall proceed with attorneys and their clients available telephonically. All necessary paperwork shall be filed prior to the hearing date.
8. Review hearings on guardianships are continued until further notice.
9. Contested matters such as contested guardianships, contested name changes and objections to inventories and accounts are continued until further notice.

10. Attorneys with pending hearings must contact the Court prior to the hearing to make arrangements for the hearing.
11. All non-attorney parties to Mediations shall attend said Mediations via teleconference until further notice. Attorneys shall attend in person.
12. All parties to Eldercaring Coordinations shall attend meetings via teleconference until further notice.
13. The Court has been disinfecting all of the Court premises occupied by interested parties as well as staff areas.
14. Volunteer Court Angel visits, trainings and meetings are suspended until further notice.
15. The Guardian of the Person training for March has been cancelled. Guardians scheduled for the March training should contact the Court for a new training date.

Questions regarding any hearings should be directed to counsel. If an individual does not have counsel, questions should be directed to 330-451-7755. Filings by mail are encouraged. Prior approval is required for filings by FAX. FAX filings do not include original pleadings. Telephone calls are welcome. These procedures will remain in effect until further notification.