



For Immediate Release

July 29, 2020

***Summit County Common Pleas Court General Division
Plan for Addressing COVID-19 – Update***

Summit County, Ohio: Judge Amy Corrigan Jones, Administrative Judge of the Summit County Common Pleas Court General Division, announced today in a continued effort to be proactive in addressing issues associated with the pandemic, the Court has issued an updated Order that includes the following:

On July 13, 2020, Ohio Supreme Court Chief Justice Maureen O'Connor issued an email to judges across the State of Ohio stating,

“that on June 17, 2020, the U.S. Department of Housing & Urban Development extended the CARES Act moratorium on foreclosure filings in connection with the COVID-19 national emergency until August 31, 2020.”

Chief Justice O'Connor further stated,

“We must appreciate that courts are not businesses like stores, restaurants, or salons. When people come into our courthouses, they most often are not doing so by choice but instead, they are appearing because they have been summoned to appear either as a party to a case, as a witness, or as a juror. As such, we must be cautious about who we require to appear, and we should require an in-person appearance only in cases with immediate need. We must remember those vulnerable populations and their risk to appear.

In the event you do have members of the public in your courthouse, please consider how you can conduct business consistent with Governor DeWine’s and the Director of Public Health’s latest orders. Safety means requiring staff and the public alike to have their temperature taken at the door, wear face coverings, make hand sanitizer readily available in multiple locations, following social distancing for both common areas and courtrooms, thorough cleaning after each in-person court event and granting continuances for jury trials.”

On July 23, 2020, the Interim Ohio Director of Public Health, Lance D. Himes, issued a “Director’s Order for Facial Coverings throughout the State of Ohio”. That Order is incorporated and referenced herein.

On July 23, 2020, Governor Mike Dewine issued a travel advisory stating,

“All individuals coming into Ohio from states reporting positive COVID-19 testing rates of 15 percent or higher.

Those traveling from one of the following states should self-quarantine for 14 days at home or in a hotel.

*Alabama
Arizona
Florida
Georgia
Idaho
Mississippi
Nevada
South Carolina
Texas*

The self-quarantine recommendation applies to those who live in Ohio and to people who are traveling into Ohio from any of these states.”

The State of Ohio has been designated by surrounding state governments as a location that if entering from, an individual must self-quarantine for fourteen days.

On July 27, 2020, Akron Public Schools Board of Education voted to begin the school year remotely. Akron Public Schools Superintendent David W. James, Ed.D. stated,

“We have studied and researched. We have followed guidance from all of the experts locally, regionally, statewide and nationally. We have also met with and discussed plans with other Ohio schools large and small. It is our belief this is the best way to begin; the safest way for the greatest number of students and staff.”

On July 28, 2020, the United States District Court, Northern District of Ohio issued Misc. Order 2020-08. That Order is incorporated and referenced herein.

Chief Judge Patricia A. Gaughan ordered that all courthouses of the United States District Court for the Northern District of Ohio shall be closed to the public until further notice. Only persons having official business authorized by the Order, the Chief Judge or a Presiding Judge.

Chief Judge Patricia A. Gaughan ordered that jury trials will not commence any earlier than September 21, 2020.

Chief Judge Patricia A. Gaughan stated,

“Jury trials during the pandemic present unique challenges. The Court recognizes that jury selection in this District involves large jury venire pools. These pools often consist of many individuals in the categories identified by the Centers for Disease Control and Prevention as being particularly at risk, individuals involved in essential public functions, and individuals responsible for children unable to attend school or daycare due to the pandemic. Further, it will be a challenge to provide for jury trials while abiding by necessary precautions to reduce the possibility of exposure to the disease, not only to jurors but to other trial participants as well. Jury trials particularly present a challenge to attorneys who must continuously communicate with clients during the course of a trial.”

IT IS HEREBY ORDERED:

1. All individuals entering the building shall wear a mask and shall wear a mask while present in any courtroom, public space, conference room, or other space that is considered to be confined, as determined by the Administrative Judge. This requirement applies at all times, including, but not limited to, all jury trials. Individuals seeking entrance to the building without a mask will be asked to contact the Court Executive Office by telephone to discuss alternatives to entering the courthouse.

This provision may be modified or extended at anytime, if deemed necessary and appropriate to address public safety concerns.

2. The General Division and all individuals herein shall continue to function under current physical distancing protocols as ordered by the Governor of Ohio and should the Governor order further protective protocols, all individuals within the courthouse shall abide by said protocols, including but not limited to, 6 feet distance separation at all times, including jury trials, with no exceptions. This provision may be modified or extended at anytime, if deemed necessary and appropriate to address public safety concerns.
3. Ohio Revised Code § 2945.72 (H) provides in pertinent part that: the time within which an accused must be brought to trial, or, in the case of felony, to preliminary hearing and trial, may be extended ** the period of any reasonable continuance granted other than upon the accused's own motion.

The 9th District Court of Appeals has held that a trial court may continue a trial date without violating a defendant's right to a speedy trial if the purpose and length of the continuance are reasonable. *State v. Brewer*, 2016 Ohio 5366.

The current public health emergency and the aforementioned findings of fact that are referenced and incorporated herein are reasonable for continuances deemed necessary by assigned Judges on a case-by-case basis.

4. All criminal trials are suspended through September 4, 2020, unless a speedy trial violation could occur within 7 days of the scheduled trial date, however time could be tolled or waived in accordance with the law under any other reasonable circumstance, including but not limited to, Paragraph #4.

This provision and timeframe may be modified or extended at anytime, if deemed necessary and appropriate to address public safety concerns.

- a. In the event that a criminal trial must proceed, a maximum of forty (40) jurors shall report directly to the Ceremonial Courtroom and all trials will commence in the Ceremonial Courtroom pursuant to the following schedule, with no scheduling modifications:

Judge Alison McCarty – Mondays 8:30 a.m.;
Judge Mary Margaret Rowlands – Mondays 1:00 p.m.;
Judge Christine Croce – Tuesdays 8:30 a.m.;
Judge Susan Baker Ross – Tuesdays 1:00 p.m.;
Judge Tammy O'Brien – Wednesdays 8:30 a.m.;
Judge Alison Breaux – Wednesdays 1:00 p.m.;
Judge Joy Malek Oldfield – Thursdays 8:30 a.m.;
Judge Kathryn Michael – Thursdays 1:00 p.m.;
Judge Amy Corrigall Jones – Fridays 8:30 a.m.;
Judge Kelly McLaughlin – Fridays 1:00 p.m.

- i. Each judge shall have 3 hours to conduct and complete voir dire.
- ii. The General Division will issue procedures for jury trials and all trials shall be conducted in accordance with the identified procedures.
- iii. Once the individual judge swears in the jury during her allotted time frame, the individual judge and staff shall direct jurors to her individual courtroom to proceed with the remainder of trial. All protective protocols and orders outlined herein shall be adhered to at all times, with no exceptions, including, but not limited to, masks and 6 feet distance separation at all times, with no exceptions.
- iv. All General Division areas, courtrooms, restrooms and elevators shall be regularly disinfected immediately prior to and after each voir dire session; after each morning session, regularly between witness testimony and at the end of each daily session.
- v. Hand sanitizer and disinfectant shall be readily available and accessible in all courtrooms, common areas, restrooms, elevators and any other area utilized by the community.
- vi. The visiting judge courtroom will designated as a viewing room and all safety protocols referenced herein shall be adhered to at all times.

5. Other than for trial purposes outlined above and incorporated herein, inmates shall not be transported from the Summit County Jail to the Summit County Courthouse through September 4, 2020, unless authorized by the Administrative Judge. This provision and timeframe may be modified or extended at anytime, if deemed necessary and appropriate to address public safety concerns.
6. All civil trials are suspended through September 4, 2020. This provision and timeframe may be modified or extended at anytime, if deemed necessary and appropriate to address public safety concerns.
7. All scheduled criminal matters other than those addressed in Paragraph #5 above and incorporated herein, shall continue to be conducted via video/telephone conference, unless the Defendant refuses to waive her/his personal appearance AND the in-person criminal matter is authorized by the Administrative Judge, through September 4, 2020. This provision and timeframe may be modified or extended at anytime, if deemed necessary and appropriate to address public safety concerns.
8. All civil matters, including mediations, shall continue to be conducted via video/telephone conference, unless authorized by the Administrative Judge, through September 4, 2020. This provision and timeframe may be modified or extended at anytime, if deemed necessary and appropriate to address public safety concerns.
9. Other than outlined above and incorporated herein, no in person appearance shall be conducted by any judge, attorney or party, without prior approval by the Administrative Judge, through September 4, 2020. This provision and timeframe may be modified or extended at anytime, if deemed necessary and appropriate to address public safety concerns.

Corrigall Jones said these actions have been taken as a proactive approach out of concern for the well-being of the employees and public. "In an effort to protect our employees and the public, we will continue to limit the number of people coming into this courthouse," Corrigall Jones said. "The courthouse continues with its daily operations utilizing technology and innovative ideas to still provide access to justice in the General Division." concluded Corrigall Jones.

###

Contact: Susan Sweeney, Assistant Court Executive Officer
330.643.7840 - ssweeney@cpcourt.summitoh.net