

**IN THE BARBERTON MUNICIPAL COURT
BARBERTON, OHIO**

FILED
OFFICE OF THE CLERK

20 MAR 17 PM 1:55

In Re:

**ORDER DECLARING A JUDICIAL EMERGENCY
AND CONTINUITY OF OPERATIONS OF
THE COURT DUE TO COVID-19 PANDEMIC**

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) CLERK OF COURT
) BARBERTON, OHIO
) JANA STEVENSON, JOURNAL ENTRY
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The Presiding Judge of the Barberton Municipal Court, Barberton, Ohio, makes the following Findings of Fact and Administrative Order.

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. Governor DeWine and public health officials urged people to avoid large, indoor gatherings to minimize close-contact and potential exposure to the coughs or sneezes of others. Many Ohio colleges are going to online learning and extending spring breaks to keep students out of classrooms. Governor DeWine has ordered that all Ohio schools take an extended 3-week spring break beginning Monday, March 16. Moreover, sporting events have been canceled, including OHSAA, NBA, MAC, Big Ten, NCAA, and all Lake County, Cleveland, Columbus, and Akron professional sports teams. Many local attractions have closed, including Playhouse Square, Cleveland Orchestra, concerts, shows, museums, and other events.
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 12, 2020, Governor DeWine and Ohio Department of Health Director Amy Acton, M.D., MPH signed an order to prohibit mass gatherings in the state of Ohio. Mass gatherings are defined as any event or convening that brings together 100 or more persons in a single room or single space at the same time such as an auditorium, stadium, arena, large conference room, meeting hall, theater, or any other confined indoor or outdoor space.

4. On March 15, 2020, Governor DeWine and Ohio Department of Health Director Amy Acton, M.D., MPH issued an Order directing all bars and restaurants to close effective 9:00pm, March 16, 2020.

Based upon these Findings of Fact, the Barberton Municipal Court will develop a continuum of flexible responses in case the public health crisis escalates or increases in size and scope. 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. It is the intention of the Barberton Municipal Court to remain open and maintain essential court operations and functions, subject to further Orders of the Court.
2. The Rules of Court of the Barberton Municipal Court may be temporarily adapted to allow Court flexibility, within Constitutional limits, in response to the public health emergency.
3. The security policies of the Barberton Municipal Court may be temporarily amended or supplemented to protect public health while maintaining essential court functions.
4. The Court and the City of Barberton (to the extent that it affects court employees) employee handbook and human resource provisions may be temporarily adjusted to maintain essential court operations and functions.
5. The Court hereby authorizes the use of audiovisual devices and technologies for all actions and proceedings which would be feasible for use based upon the nature of the action or proceeding involved.
6. The public health emergencies identified herein may be considered to be a finding of just cause for the granting of continuances of jury trials, court trials, and hearings as deemed necessary by the assigned Judge on a case-by-case basis.

7. 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.
8. Judicial and clerk's staff, attorneys, witnesses, jurors, and security personnel who exhibit signs of illness shall notify their employing or reporting authority by telephone or email and shall not come into the courthouses or report for duty unless specifically instructed to do so by the employing or reporting authority. Any person employed in the courthouse may be subject to health screening or testing, if testing is available, and exclusion from admission based upon the results of such screening or testing.
9. Court will work with staff to take steps to maintain work areas in a clean and sanitized manner.
10. The Court will work with security staff to look into means to identify sick individuals who will be entering the courthouses and take appropriate actions to insure a healthy work environment.
11. The Court will maintain common sense procedures in dealing with members of the bar and public, such as social distancing and conducting business remotely when practical, to reduce personal contact when such procedure would accomplish the task at hand and help keep all parties healthy.
12. When the emergency subsides, the Court shall enter an order declaring an end to the emergency and a resumption of normal operations.

IT IS SO ORDERED.

DATE: 3/17/2020



**TODD McKENNEY, Presiding
BARBERTON MUNICIPAL COURT**



Barberton Municipal Court

576 West Park Avenue, Barberton, Ohio 44203

Judge Todd McKenney
Nancy Collin, Bailiff

Judge Jill Flagg Lanzinger
Jason Adams, Bailiff

FOR IMMEDIATE RELEASE

March 16, 2020

March 16 Updates to Barberton Municipal Court Coronavirus (COVID-19) Response

Barberton, Ohio: The Barberton Municipal Building closed effective 12:00 noon Monday, March 16, 2020. In response to the closing of the municipal building which houses the Barberton Municipal Court and Clerk of Court, please note the following:

- Defendants may immediately request an automatic twenty-one (21) day continuance of their Traffic Arraignment by contacting the Clerk of Court at 330-861-7191
- Individuals requesting a payment plan extension are asked to call 330-861-7191
- Defendants with traffic, criminal and/or civil matters currently scheduled before the Court - other than arraignment - (pretrials, status hearings, sentencing, etc.) should call the judge's office to which their case is assigned:
 - for scheduled proceedings before Judge McKenney, please call 330-861-7215
 - for scheduled proceedings before Judge Flagg Lanzinger, please call 330-861-7217
- Defendants scheduled with the Barberton Probation Department are asked to call 330-848-6727 and leave a message. Please include your name and contact phone number. You will be contacted to discuss your case.
- In Court sessions with defendants held in custody will be conducted via video appearance. These sessions will be live streamed at their scheduled time through the court's Facebook page:
- Civil filings may be mailed to Diana Stevenson, Clerk of Court, with appropriate filing fee
- Clerk of Courts, will accept motions on pending cases faxed to 330-848-6779

We will continue to monitor reports from federal, state and local health experts and respond accordingly to advisories and directives from the Governor, Supreme Court of Ohio, and Department of Public Safety. Additional updates will be provided as this situation continues to evolve.

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Contact: Robert Incorvati, Court Administrator, Barberton Municipal Court - 330-861-7011

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