

**IN THE ASHTABULA COUNTY COURT
WESTERN DIVISION
ASHTABULA COUNTY, OHIO**

IN RE:

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

JUDGMENT ENTRY

The Court hereby 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 crises.
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 14, 2020, the President of the United States declared a “national emergency” as a result of the COVID-19 public health crisis.
4. Governor DeWine issued an executive order the closing of all schools in Ohio effective Monday, March 16, 2020, and ordering that all nursing and assisted living facilities are closed to visitors, that all gatherings of 100 or more persons are prohibited, and that all Restaurants and bars shall be closed except for take-out or delivery, among other things.
5. All sporting events throughout the United States have been cancelled.

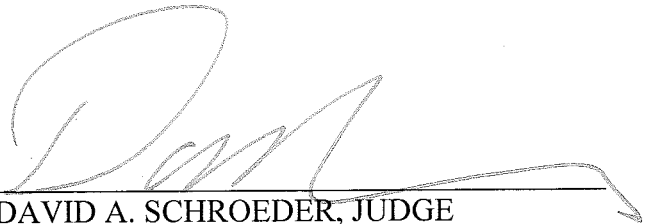
Based upon these Findings of Fact, the Ashtabula County Court, Western Division has developed a continuum of flexible responses in case the public health crisis escalates. The continuum of responses is intended to protect public health, to maintain essential court

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 Local Rules of Court may be temporarily adapted to allow Court flexibility, within Constitutional limits, in response to the public health emergency.
2. The Court security policies may be temporarily amended or supplemented to protect public health while maintaining essential court functions.
3. The Ashtabula County Personnel Manual, upon which the Court has relied with respect to Court employees, may be temporarily adjusted by the Court to maintain essential court operations and functions.
4. To the extent possible based on available resources, the Court authorizes the use of audiovisual devices and technologies for all actions and proceedings.
5. The public health emergency may be considered to be a finding of good cause for continuances deemed necessary on a case-by-case basis.
6. 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.

IT IS SO ORDERED.



DAVID A. SCHROEDER, JUDGE
ASHTABULA COUNTY
WESTERN DIVISION

Date: 3/18/20

**IN THE ASHTABULA COUNTY COURT
WESTERN DIVISION
ASHTABULA COUNTY, OHIO**

IN RE:)
)
EMERGENCY ORDER)
IN RESPONSE TO THE)
COVID-19 (CORONAVIRUS))
PUBLIC HEALTH CRISIS)
(LOCAL RULES OF COURT)
MODIFIED))
)

**EMERGENCY
JUDGMENT ENTRY
EFFECTIVE 3-23-20**

The Court hereby temporarily modifies the Local Rules of Court, effective immediately:

Jury Trials

All jury trials, both criminal and civil, that are to occur during March and April, 2020, are hereby suspended and shall be rescheduled for May 2020 and thereafter, subject to further order of the Court.

Misdemeanor Criminal/Traffic Cases:

All discovery shall be exchanged electronically between the prosecutor and defense counsel. No discovery shall be exchanged at the courthouse.

All criminal pre-trials shall be conducted via telephone or video conference between the parties without the Court's presence.

The Court shall be notified in writing on the "Pretrial Report Form" by the prosecutor of the outcome of the pre-trial within twenty-four (24) hours of the scheduled hearing. Upon completion of the scheduled pre-trial, the matter will be set for a final pre-trial, change of plea hearing or bench trial, based on notification from the prosecutor. The Court will consider written guilty pleas in absentia on a case by case basis.

Prosecutors, counsel, and defendants shall report to the courthouse as scheduled for all scheduled final pre-trial, bench trial, and change of plea and sentencing hearings unless the court approves and accepts a written guilty plea in absentia with written acknowledgment of rights attached.

Criminal/Traffic Arraignments

Subject to further order of the Court, all criminal/traffic arraignment shall proceed in the courthouse as scheduled: provided, however, that Court security and other staff shall take all precautions necessary to ensure that those in attendance who appear sick or ill are directed to leave the courthouse after being issued a notice/summons to appear again at least thirty (30) days thereafter, and shall immediately report to the Court if they believe someone appears to be sick or ill. Children will not be permitted in the courthouse under this period of emergency.

Felony Preliminary Hearings

All plea offers in felony cases shall be made in writing by the prosecutor to defense counsel, forty-eight (48) hours prior to the scheduled Preliminary Hearing. If an offer is accepted, the Court shall be notified within

twenty-four (24) hours of the hearing.

Pleas: If the defendant is incarcerated, a plea to a misdemeanor charge will occur via video conference from Jefferson Jail. Counsel for the defendant shall report to the Ashtabula County Jail to appear on video. If the defendant has been released on bond, the defendant and defense counsel shall report to the Court for a change of plea hearing unless the court has accepted the written guilty plea in absentia.

Waivers: If the defendant is incarcerated, preliminary hearing waivers shall take place via video conference between the Court and Ashtabula County Jail. Counsel for the defendant shall report to the Ashtabula County jail to appear on video. If the defendant has been released on bond, the defendant and defense counsel shall report to Court for a change of plea hearing.

Evidentiary Preliminary Hearings: If the defendant is incarcerated, the defendant shall be transported to Court for hearing. If the defendant has been released on bond, the defendant and counsel shall report to Court for hearing.

Civil

Commencing on March 23, 2020 and until May 1, 2020, subject to further order of the Court, all civil pre-trials shall be conducted via telephone conference only between the attorneys for the parties and the Court. The attorneys for the parties shall get on a conference call with each other before calling the Court for the Judge to join the call.

All trials, small claims hearings, garnishment hearings, objections, and bank attachments shall be rescheduled after April 24, 2020.

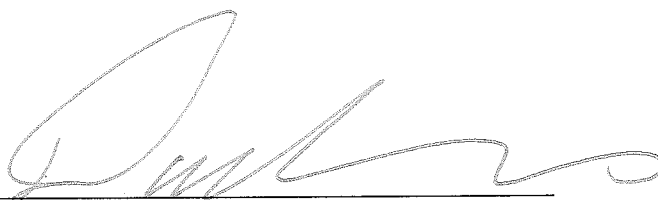
Forcible Entry and Detainer

All hearings shall proceed in the courthouse as scheduled. All requests for Writ of Restitution shall be set for a hearing.

Weddings

All weddings are cancelled until further order of the Court.

IT IS SO ORDERED.



DAVID A. SCHROEDER, JUDGE
ASHTABULA COUNTY COURT
WESTERN DIVISION

Date: 3-18-20