

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

Temporary Orders in Response to the COVID-19, Coronavirus

The Judges of the Wayne County Common Pleas Court make the following findings of fact:

1. More than 150 countries, including the United States, have been impacted by the outbreak of a novel and highly contagious coronavirus disease ("COVID-19"). The State of Ohio has a number of confirmed cases of COVID-19 and many more under health supervision.
2. On March 9, 2020, Ohio Governor Mike DeWine issued Executive Order 2020-01 D, "Declaring a State of Emergency," in response to the growing COVID-19 public health crisis.
3. On March 11, 2020, the World Health Organization declared COVID-19 to be a global "pandemic" requiring "urgent and aggressive action" to control the spread of the virus.
4. On March 13, 2020, United States President Donald Trump declared the COVID-19 outbreak in the United States to be a National Emergency.
5. Certain "mass gatherings" are banned throughout Ohio to control the spread of the virus from person to person. In addition, numerous International, Federal, State, and Local health agencies strongly urge limitations on public interactions.

Based upon these findings of fact, the Judges of the Wayne County Common Pleas Court hereby declare a judicial emergency. The Judges further conclude that a continuum of flexible responses—including temporary modification of the current rules, practices, and procedures of the Court—is necessary to ensure the orderly and efficient functioning of essential operations; to protect the rights of all individuals subject to the authority of the Court; and to promote the health and wellbeing of parties, attorneys, staff, and the general public.

THEREFORE, IT IS HEREBY ORDERED:

1. The local rules of practice for all divisions of the Court may be temporarily modified or suspended to provide the Court flexibility, within constitutional limits, in response to the public health emergency.
2. The Court's security policies may be temporarily amended or supplemented to protect public health while maintaining essential court functions.
3. All parties and attorneys are encouraged to limit their presence at the courthouse only insofar as to attend a scheduled hearing. All other dealings or communications with the Court shall be done electronically.
4. All individuals, including Court judicial officers and personnel, desiring to enter the courthouse may be subject to available health screening or testing and excluded from admission based upon the results of such screening or testing.
5. The Court's Personnel Policy Manual and other usual and customary human resource provisions may

7. E-filing through the Court's case management software shall be the preferred method of filing. However, the Court may permit other methods of filing on a case-by-case basis.
8. This public health emergency may be considered a finding of "just cause" for continuances deemed necessary on a case-by-case basis.
9. 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.
10. Any Court employee who exhibits signs of illness must notify their direct supervisor by telephone or e-mail and shall not come into the courthouse or report for duty. Any individual within the courthouse who exhibits signs of illness shall be directed to leave the building immediately and seek medical advice before being permitted to re-enter the building at a later date.
11. The Court shall attempt to minimize the social interaction of litigants, attorneys, witnesses, jurors, law enforcement personnel, and judicial personnel by continuing non-essential proceedings or conducting proceedings, to the extent practicable, by remote video, telephonic or other available technological means.
12. In any proceeding conducted electronically where a record is desired or necessary and not otherwise able to be made through the use of technology, the Court and parties shall jointly craft a statement in lieu of a transcript of the proceedings in accordance with the appellate rules.
13. Employees of the Court not on duty in the courthouse shall work, to the extent possible, remotely, and in accordance with the directives of their department head and/or supervisor.
14. These provisions shall remain effective until further order of the Court.

IT IS SO ORDERED.



JUDGE LATECIA E. WILES

3/20/2020

DATED



JUDGE MARK K. WIEST

3/20/20

DATED



JUDGE COREY E. SPITZER

3/20/20

DATED

cc: Ohio Supreme Court
Ohio Judicial Conference
Wayne County Bar Association
Wayne County Prosecutor's Office
Wayne County Public Defender's Office
Wayne County Commissioners' Office