

IN THE GALLIPOLIS MUNICIPAL COURT, GALLIA COUNTY, OHIO

IN RE: Order for Continuing Court Operations  
in connection with the  
COVID-19 (coronavirus) public health emergency

FILED

JUL 31 2020

GALLIPOLIS  
MUNICIPAL COURT

Now comes the Court and finds that circumstances dictate updating protocols and superseding the Orders filed March 13, 2020 and April 30, 2020 in regard to the current public health situation. The Court finds that the Ohio Supreme Court and the Ohio Judicial Conference have consistently provided local trial courts with recommendations regarding best practices, that some recommendations have evolved as circumstances have changed, and that any Orders crafted by the Court have been in conformity with those recommendations. The Court's protocols also change as circumstances change.<sup>1</sup>

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<sup>1</sup> The Ohio Supreme Court's tolling order expired on July 30, 2020. The Court has monitored the daily and weekly data compiled by the Ohio Department of Health and reported at *coronavirus.ohio.gov* and *cleveland.com/coronavirus* since the beginning of the public health emergency, and finds that 140 days have passed since the declaration of emergency, that knowledge of the virus and how to combat its spread has increased, that the state has launched a public awareness campaign describing best practices, that the state has announced new public health mandates, and that Ohio now reports recoveries in addition to a cumulative number of coronavirus cases, all of which has afforded both the Court and the public a more complete overall understanding of the situation. As of the date of this Order, Ohio's cumulative number of cases, initially projected to be significantly higher than the number currently reported, represents approximately .007% of the state's population (and approximately 70% of those have recovered); approximately .0008% of the population has been hospitalized at some point because of the disease; the ratio of infection, also initially projected to be significantly higher, is below a one to one ratio, meaning that an infected person on average infects less than one other person; and cases per capita are significantly lower across southern Ohio than the state average. Additionally, approximately 70% of Ohio's coronavirus-related deaths are connected to congregate living situations such as nursing homes and prisons (approximately .0003% of the state's population has died with the disease). Further, the Ohio Public Health Advisory System has been created as a tool for local governments to consult when making decisions that may impact the public health. Finally, the Court now has experience updating and improving its enhanced daily cleaning procedures and the visitor screening protocols that take place at the entrance to the Justice Center, and has had the opportunity to increase its supply of personal protective equipment for staff and visitors.

Therefore, with the intent to protect the health of the public, members of the bar and employees; to maintain essential functions; to provide the public with access to justice; and to ensure the rights of all individuals subject to the authority of the Court, the Court hereby

ORDERS:

1. No person who has symptoms associated with COVID-19 (persistent dry cough, fever, chills, muscle pain, sore throat, shortness of breath/difficulty breathing, new loss of taste or smell) may enter the Justice Center.
2. The Court will continue to observe social distancing guidelines in the lobby and the courtroom. No more than six (6) people should remain in the lobby at any one time. No more than ten (10) people should remain in the courtroom at any one time unless necessary for the administration of a hearing/trial. In the event that ten (10) or more people are in the courtroom, additional access to the courtroom will be limited to the actual participants in a case and no spectators will be permitted.
3. The public is encouraged to continue on a permanent basis to use the options available by telephone, FAX, mail, and online to transact business with the Court.
4. Civil pre-trials will continue on a permanent basis to be conducted by telephone conference. The plaintiff is responsible for initiating the conference call and connecting every other party and the Court to the call.
5. Attorneys and their clients, in criminal and traffic cases, generally are expected to personally appear for scheduled hearings and trials, although the parties are encouraged to submit a scheduling entry signed by the defendant and counsel in lieu of a pre-trial.

6. The Court will continue to be very lenient in accommodating requests for continuances and requests to appear by telephone or video conferencing, in particular for persons who are ill or who are at high risk of severe illness from COVID-19, as identified in the April 30, 2020 Ohio Department of Health Director's Stay Safe Ohio Order, including:

- People who are age 65 or older;
- People with chronic lung disease or moderate to severe asthma;
- People who have serious heart conditions;
- People who are immune compromised;
- People with severe obesity (body mass index [BMI] of 40 or higher);
- People with diabetes;
- People with chronic kidney disease undergoing dialysis; and
- People with liver disease.

Attorneys who request to appear, and/or to instruct their clients to appear, by telephone or video conferencing are responsible for providing the Court with original documents (including exhibits and signed plea forms) necessary for the administration of the hearing/trial.

7. The Court may, at any time, adjust these general provisions in the event that any significant change occurs locally in the public health situation.

Effective Date: August 3, 2020

All of the above So Ordered.

  
Eric Mulford, Judge

The Clerk is directed to serve a copy of the foregoing upon all members of the Gallia County Bar Association and the Gallipolis Police Department.