

Court of Appeals of Ohio, Eighth District
County of Cuyahoga

Journal Entry

The administrative orders dated March 18, 2020, April 7, 2020, and May 5, 2020 Declaring a Judicial Emergency and Continuity of Operations of the Court of Appeals due to the COVID-19 Pandemic remain in effect and are incorporated herein by reference.

On April 30, 2020, the Ohio Department of Health issued a Director's Stay Safe Ohio Order regarding the Director's Order that Reopens Businesses, with Exceptions, and Continues a Stay Healthy and Safe at Home Order. This order provides that employers "should strongly encourage as many employees as possible to work from home by implementing policies in areas such as teleworking and video conferencing, subject to the discretion of the employer." The order further provides for the use of facial masks, with limited exceptions, for visitors and employees. As of this date, the community spread of COVID-19 continues at extremely high rates. Governor DeWine has imposed a statewide curfew and the Cuyahoga County Executive and Mayor of the City of Cleveland have issued a stay-at-home advisory through December 17, 2020. In line with these new directives and all previous orders issued by the Governor, the Ohio Department of Health, and the Ohio Supreme Court, the Eighth District Court of Appeals will continue to implement the measures established by the orders of March 18, 2020, April 7, 2020, April 28, 2020, and May 5, 2020 and the following measures are reiterated with additional measures included:

- (1) The local rules of court for the Eighth District Court of Appeals may be temporarily adapted to allow 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) The Court's Employee Manual and other policies and usual or customary human resource provisions may be temporarily adjusted to maintain essential court operations and functions, and in order to protect public health.

- (4) The Court authorizes the use of audio-visual devices and technologies for all actions, appeals, and proceedings.
- (5) The public health emergency may be deemed good cause for continuances deemed necessary by the administrative judge, the assigned judges, or the magistrate.
- (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 health emergency.
- (7) The Court shall attempt to minimize the social interaction of litigants, attorneys, witnesses, jurors, law enforcement personnel, and judicial personnel by conducting proceedings, to the extent practicable, by remote video, telephonic or other available technological means.
- (8) To that end and until further notice all appeals will be determined by submission of the briefs unless oral argument is requested prior to the submitted on brief date. Any matters that are scheduled for oral argument will be held by remote technology until further notice. Recording of any argument is prohibited except as provided by Loc.App.R. 50.
- (9) All mediations will be held by remote technology or telephone conference until further notice.
- (10) The Court will continue to operate remotely as much as possible and will remain available by telephone for any public inquiries.
- (11) The Cuyahoga County Clerk of Courts shall conduct business in the clerk's office with personnel as determined by the clerk, and may determine to conduct the receipt of filings or other transactions by electronic filing or other designated methods determined by Clerk.
- (12) All individuals, including Court judicial officers and personnel, desiring to enter the courthouse will be subject to available health screening or testing and may be excluded from admission based upon the results of such screening or testing.

- (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 supervisor or assigned judge and in compliance with the safety directives of the Ohio Department of Health.
- (14) All individuals entering the courthouse must wear a face covering while they are in the courthouse, they must observe social distancing requirements, and they must maintain good hygiene including hand washing and sanitizing.
- (15) Any Court employee who exhibits signs of illness must notify their direct supervisor by telephone or electronic mail and shall not come into the courthouse or report for duty.
- (16) Any court employee or judge who is awaiting COVID-19 test results must notify the Court Administrator or, in her absence, the Deputy Court Administrator and shall not enter the courthouse.
- (17) Any individual in 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.
- (18) This Order supersedes and amends any conflicting provisions in the March 18, 2020, April 7, 2020 April 28, 2020 and May 5, 2020 Orders. All non-conflicting provisions of those Orders remain in effect.
- (19) This Order will remain in effect until June 1, 2021 or as otherwise modified by order of this court.

IT IS SO ORDERED

COURT OF APPEALS OF OHIO, EIGHTH DISTRICT



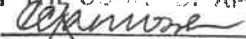
Hon. Eileen T. Gallagher
Administrative & Presiding Judge

November 20, 2020

Dated

RECEIVED FOR FILING

NOV 20 2020

CUYAHOGA COUNTY CLERK
OF THE COURT OF APPEALS
By  Deputy