

COURT OF COMMON PLEAS
PROBATE DIVISION
CLERMONT COUNTY, OHIO

F I L E D
MAR 18 2020
JAMES A. SHRIVER
JUDGE

IN RE: :
: **JOURNAL ENTRY**
ORDER DECLARING A JUDICIAL :
EMERGENCY AND CONTINUITY OF :
OPERATIONS OF THE COURT DUE TO :
COVID-19 PANDEMIC

The Probate Division Judge of the Clermont County Court of Common Pleas makes the following Findings of Fact:

1. The Centers for Disease Control and Prevention (CDC) is responding to an outbreak of respiratory disease caused by a new coronavirus that was first detected in China and which has now been detected in more than 100 locations internationally, including in the United States. The virus has been named “SARS-CoV-2” and the disease it causes has been named “coronavirus disease 2019” (abbreviated “COVID-19”).
2. On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization (WHO) declared the outbreak a “public health emergency of international concern”. On January 31, 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19. On March 11, 2020, WHO publicly characterized COVID-19 as a global “pandemic” requiring “urgent and aggressive action” to control the spread of the virus.
3. According to the CDC, more cases of COVID-19 are likely to be identified in the United States in the coming days, including more instances of community spread. It is likely that at some point, widespread transmission of COVID-19 in the United States will occur. Widespread transmission of COVID-19 would translate into large numbers of people needing medical care at the same time. Public health and healthcare systems may become overloaded, with elevated rates of hospitalizations

and deaths. Other critical infrastructure, such as law enforcement, emergency medical services, and sectors of the transportation industry may also be affected. Healthcare providers and hospitals may be overwhelmed. At this time, there is no vaccine to protect against COVID-19 and no medications approved to treat it. Non-pharmaceutical interventions would be the most important response strategy.

4. The United States government has taken unprecedented steps to respond to the coronavirus and protect the health and safety of Americans. The U.S. government has cautioned that Americans should be prepared for the possibility of a COVID-19 outbreak in their community. The community can take measures to reduce the spread of COVID-19. As a vaccine or drug is not available for COVID-19, community-based interventions such as school dismissals, event cancellations, social distancing, and creating employee plans to work remotely can help slow the spread of COVID-19. Decisions about the implementation of community measures will be made by local and state officials, in consultation with federal officials as appropriate, and based on the scope of the outbreak and the severity of illness. Implementation will require extensive community engagement, with ongoing and transparent public health communications.
5. 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. Sporting events have been canceled, including OHSAA, NBA, MAC, Big Ten, NCAA and all professional teams. 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. On March 16, 2020, the number permitted to gather was reduced to 50 people and all bars and restaurants were ordered closed. On March 17, 2020, the Ohio primary was cancelled by the Director of the Ohio Department of Health.

6. The Clermont County Probate Court has received communications from the Clermont Commissioners, Clermont Sheriff, Clermont General Health District, Clermont Telecommunications and Information Technology departments, the Supreme Court of Ohio, all Clermont County Courts and other local and state agencies, and upon recommendations obtained from the foregoing, including the U.S. government, hereby declares an emergency and makes the following orders regarding the continuity of operations of the court.
7. Based upon these findings of fact, the Clermont County Probate Court has developed a continuum of flexible responses in case the public health crisis escalates, and to be in effect starting March 20, 2020 until such time as the response to the COVID-19 local health crisis has resulted in control of the spread of the disease or otherwise until further order of the court. 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 Probate Division Local Rules of Court may be temporarily adapted to allow Court flexibility, within Constitutional limits, in response to the public health emergency.
2. The Probate Division security policies may be temporarily amended or supplemented to protect public health while maintaining essential court functions.
3. The Probate Division authorizes the use of audiovisual devices and technologies for all actions and proceedings.
4. The public health emergency may be considered to be a finding of good cause for

continuances deemed necessary by the Judge on a case-by-case basis.

5. 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 duration of the declared public health emergency.
6. Any person who has been diagnosed with, has come into contact with anyone who has been diagnosed with, or is exhibiting symptoms of COVID-19 shall not be permitted to enter the Probate Court.
7. Any person who has or has come into contact with anyone who has recently travelled from an area with a widespread COVID-19 outbreak or has been asked to self-quarantine by any doctor, hospital or health agency shall not be permitted to enter the Probate Court.
8. The Probate Court will have the lawful authority to require any person who is within the Probate Court, but would otherwise be barred from entering the Probate Court by the restrictions stated above, to exit the premises.
9. Questions regarding any pending hearings should be directed to counsel. If an individual does not have counsel, questions should be directed to 513-732-7243, option 6.
10. Telephone calls are welcome. The Court may be reached by phone at (513) 732-7243 Option 6.
11. Filings by mail are encouraged. The Clermont County Juvenile Court, located at 2340 Clermont Center Drive, Batavia, OH 45103, will be accepting filings on behalf of the Clermont County Probate Court. The existing Probate Court facility, located at 2379 Clermont Center Drive, Batavia, OH 45103, will remain in operation for as long as there is staff available. The Probate Court facility, located at 2379 Clermont Center Drive, Batavia, OH 45102, will not be open to the public, including counsel. It will be locked to prevent public entry. All in-person business of the Probate Court will take place at the Juvenile Court. The Probate Court will only accept fax filings as authorized by Local Rule 57.5 at (513) 732-8183.

IT IS FURTHER ORDERED, that the following procedures be implemented to protect interested parties and court staff and assist in containment of the Coronavirus:

1. Uncontested adoption hearings where the minor is less than twelve years old shall be conducted by teleconference or videoconference. If the child is more than twelve years old the uncontested adoption hearing shall be held in the Juvenile Court. Hearings are limited to petitioners, essential witnesses, the minor to be adopted, and counsel. No other persons will be permitted to attend.
2. All pre-trials and hearings will be completed by teleconference or videoconference, unless the Court orders that the hearing take place in person.
3. All adult name changes and all minor name changes where both parents have consented will be heard telephonically. When both parents have not consented, the hearing will be continued unless there are extenuating circumstances. Attendees at the hearing are limited to the Applicant, necessary witnesses, and minor(s) subject to the name change who are more than twelve years of age.
4. Contested matters such as adoptions, guardianship, name changes and objections to inventories and accounts are continued until further notice.
5. Attorneys with pending hearings must contact the Court prior to the hearing to make arrangements to attend by phone.
6. Attorneys shall personally appear for citation hearings. Clients shall be available by phone and shall not attend the hearings.
7. All uncontested matters such as wrongful death hearings, insolvencies and minor settlements shall proceed by phone with attorneys and their clients available telephonically. All necessary paperwork shall be filed prior to the hearing date.
8. Review hearings on guardianship are continued until further notice.
9. The Guardianship class scheduled for April 16, 2020 is cancelled. Guardians scheduled for the April training should contact the Court for a new training date.
10. An automatic extension of 90-days is granted on all of the following:

- a. The filing of all Inventories, including Estates, Guardianships and Trusts;
 - b. The filing of all Accounts, including Estates, Guardianships and Trusts;
 - c. The filing of Guardian's Reports, Statements of Expert Evaluation, Annual Guardian Plans and Compliance with Guardianship Education.
11. Marriage Licenses may be obtained by appointment only. Applicants are encouraged to review the Instructions for Marriage License Application which can be found on the Clermont County Probate Court's website at: www.probatejuvenile.clermontcountyohtio.gov. Applicants are required to bring with them the completed Application, \$50 cash, their driver's licenses or government issued photo ID, and a certified copy of their final divorce decree or death certificate, if applicable. Appointments will be scheduled for Tuesdays and Fridays and can be made by calling 513-732-7243, option 6. Appointments shall be held at the Clermont County Juvenile Court located at 2340 Clermont Center Drive, Batavia, OH 45103. All individuals who appear without an appointment will be turned away. Applicants are encouraged to check with their church and/or venue to ensure the ceremony will take place within the required sixty days before applying for a marriage license.
12. Personal inspection of records and walk-in request for copies of documents will not be permitted until further order of the court.
13. Persons may request copies of documents, including marriage licenses, both certified and uncertified, from the Court by mailing a request to the Clermont County Probate Court at 2379 Clermont Center Drive, Batavia, Ohio 45103.

Those persons requesting a certified copy of the marriage license shall include the following: full name of both applicants at the time the marriage license was issued; Month, date, and year of marriage; \$3.00 (cash or money order only, no personal checks) per certified copy; and a self-addressed stamped envelope so we can mail your certified copy to you. These requests will be processed in as efficient and expedited manner as possible under the current circumstances.

These procedures will remain in effect until further notice.

IT IS SO ORDERED.

A handwritten signature in blue ink that reads "James A. Shriver". The signature is written in a cursive style with a large, stylized initial "J".

Judge James A. Shriver