

**IN THE COURT OF COMMON PLEAS, COSHOCTON COUNTY, OHIO
PROBATE & JUVENILE DIVISIONS**

JUDGMENT ENTRY

**IN RE: CONTINUING TEMPORARY ORDER IN RESPONSE TO THE COVID-19
(CORONAVIRUS) PUBLIC HEALTH CRISIS: RESTORATION PHASE**

The Coshocton County Common Pleas Court, Juvenile and Probate Divisions, makes the following additional orders effective **May 11, 2020**, and supplementing the Temporary Orders In Response to the COVID-19 (Coronavirus) Public Health Crisis, filed March 26 and April 13, 2020.

GENERAL

This Plan shall guide the general operations of the Coshocton County Probate/Juvenile Court for the duration of the Covid-19 pandemic. This viral ailment is highly contagious for which there is no known direct treatment, nor vaccination. Therefore, this Plan is necessary to protect the health of the public, the court staff, and to ensure sufficient healthy court staff to operate the court at all times. Changes in the nature or severity of the pandemic may result in the amendment of this plan at any time.

STAFFING

Staff will continue to work on a modified or alternating schedule. Staff rotating out of the building will continue to work from home as during the “Stay at Home” and the now “Safe at Home” order.

IN PERSON HEARINGS

Matters in which Confrontation Clause issues are implicated will return to in-person status with the highest priority. Those matters include contested adjudicatory hearings in abuse/neglect/dependency and delinquency cases, delinquency violation of probation hearings, permanent custody trials, bind-over proceedings, contempt proceedings, will contests, establishment of guardianships and other matters as determined by the Judge and Magistrate. All other matters have been conducted primarily by video conference or other electronic means at the request of the parties; and therefore, will be scheduled for remote appearance unless otherwise requested by a party. This complies with guidelines to reduce the number of persons coming into a workplace, keep gatherings under ten (10) people at a time, and maintain appropriate social distancing of six (6) feet or more. Special proceedings, including some traffic matters that can be handled via the traffic

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violations bureau, and marriage licenses being handled under the court's prior emergency order, will continue to be conducted via those alternative procedures.

In-person hearings will be subject to continuing restrictions. Only parties, and counsel if represented, will be permitted access at the scheduled time. Witnesses may not be permitted into the building until they are called to testify. Parties/counsel should have the ability to contact witnesses electronically when the court is ready. Be advised, this procedure may slow the process and result in exceeding time allotted for a matter, which may require continuing a matter in progress to a later date.

VIDEO CONFERENCE HEARINGS

During the public health crisis and at the request of party(s) for hearing by remote appearance, most matters have proceeded via video conference. Therefore, except as set forth above, all matters will be scheduled for remote appearance unless otherwise requested by a party. The preferred method of attendance is via Zoom, instructions and guidelines will be provided. Contact the Court immediately, and no less than one (1) week before the hearing, to request a different video conference platform. If no other option is available, upon written request, the Court may grant a pro se litigant or witness further accommodation, such as appearing by telephone.

Each party shall file with the Court and provide to opposing parties a witness list at least 24 hours in advance of the hearing, which shall include a valid email address for each party, attorney if represented, and witness. All exhibits the parties intend to use during the hearing must be provided to the Court and opposing parties at least 24 hours prior to the hearing. Exhibits and documents may be submitted via facsimile (740)623-6514 or email to doc426@coshocountynet.net, if less than twenty (20) pages, otherwise a hard copy shall be timely provided to the Court. The exhibits shall be pre-marked with the Plaintiff/Petitioner using numbers and all Defendants/Counter-Petitioners/Respondents using letters with name identifier (i.e. Defendant Smith A). Failure to timely submit the witness list or exhibits may result in the Court not permitting a witness to testify or an exhibit to be used.

To allow the Court to conduct the matter and maintain the record, it is mandatory that each remote location be free of noise and clutter, which includes clearing pets and others from the room and silencing cell phones. In the event any party becomes disconnected during the hearing, the Court will recess the matter to allow the party to reconnect and then continue the hearing. Failure to immediately reconnect may result in the matter proceeding in the party's absence.

The Court is accommodating the party(s) remote appearance by providing the video-conference platform, but cannot guarantee the connection or quality of the connection. The Court shall not be responsible for any adverse consequences suffered due to the

foregoing, including, but not limited to a dropped connection, poor reception, inability to see exhibits or witnesses, difficulties in audio or any other problems encountered by remote appearance.

No video or audio recording may be made of any video conference matter. Any person in violation of this Order shall be subject to a contempt of court proceeding.

PUBLIC ACCESS

The Court remains open for business and staffed during regular business hours. To maintain the safety of the public and Court employees, and to comply with guidelines, physical access to the Court will continue to be restricted. All persons entering the building will be subject to a Health screening, including the taking of their temperature. Any person with a fever in excess of 100.0 degrees or otherwise not meeting the conditions of the screening questionnaire will not be permitted access.

FILINGS

Filings will continue to be accepted via fax, U.S. Mail and drop box filing. Except as set forth below, no in-person filing option will be available to the public until further order of the Court. The in-person filing of Civil Protection Orders and Motions for Emergency Temporary Orders shall be permitted. All filings opening or re-opening a case shall be made by mail or dropped off at security at the front door to the Courthouse and shall include the deposit or cost associated with such filing. All other filings, shall be required to be made via fax, U.S. Mail or drop box filing. Any deposit or cost associated with a fax filing shall be due and received by the Court via regular mail within three (3) days of the faxed filing. All documents received will be deemed filed the date it is received and accepted for filing in compliance with this Court's local rules.

Fax Filing: (740)623-6514

FACE MASK REQUIREMENT

All persons entering the building shall wear at all times a face mask or material that covers the mouth and nose. Court personnel must wear the masks while having contact within six (6) feet of persons entering the building. Any person refusing or violating this requirement will be denied entry or escorted from the building. The Court does not have the ability to provide face masks.

DISTANCING

Physical distancing shall be strictly maintained and enforced in accordance with federal and state guidelines. Because droplets containing live virus may travel six (6) feet or more, seating in waiting rooms/areas shall be minimized or eliminated, and seating in the

courtrooms shall be rearranged to assure compliance with distancing guidelines. In all cases, use of the waiting room/areas shall be discouraged, with parties taken to the courtroom or a conference room as soon as practical.

SUPERVISION

Intake, Diversion and Probation supervision should continue to be conducted by electronic means where possible. In-person contact for drug testing, GPS electronic monitoring, assessments and searches may be used where necessary. All non-essential in-person contact should be minimized, and when necessary appropriate personal protective gear must be worn and safety precautions must be taken.

PROGRAMS

Court programs should continue to use electronic contact whenever possible. All non-essential in-person contact should be avoided, and when necessary appropriate personal protective gear must be worn and safety precautions must be taken.

SUSPECTED OR CONFIRMED VIRUS INFECTIONS

To the fullest extent possible within HIPPA regulations, labor laws and the employee handbook, employees to the Court shall be informed when s/he has been exposed to a confirmed or suspected COVID 19 case. Any ill employee and persons identified by contact tracing shall be quarantined in accordance with applicable guidelines.

PUBLICATION

This ORDER shall be served on the Supreme Court of Ohio, Ohio Judicial Conference, Coshocton County Court of Common Pleas Court, Coshocton County Clerk of Courts, Coshocton County Bar Association, Coshocton County Prosecutor's Office, Coshocton County Public Defender's Office, Coshocton County Sheriff, Coshocton County General Health District, Coshocton County Board of Commissioners, the website of this court, and the media.

IT IS SO ORDERED.


VAN BLANCHARD II, JUDGE

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