

IN THE COURT OF COMMON PLEAS  
MAHONING COUNTY, OHIO

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

The General Division, Probate and Domestic Relations Judges of the Mahoning County Court of Common Pleas make the following findings of fact:

1. On March 9, 2020, Ohio Governor Mike Dewine issued Executive Order 2020-010 “Declaring a State of Emergency” in response to the growing COVID-19 public health crisis.
2. On March 11, 2020, the World Health Organization officially declared COVID-19 to be a “pandemic” requiring “urgent and aggressive action” to control the spread of the virus.
3. On March 13, 2020, President Donald J. Trump declared that the COVID-19 outbreak in the United States constitutes a national emergency.
4. The United States Centers for Disease Control and Prevention (CDC) is directing that Americans must practice “social distancing”, which is defined as “remaining out of places where people meet or gather, and maintaining a distance of six feet from others.”

Based upon these findings, the General, Probate, and Domestic Relations Divisions of the Mahoning County Court of Common Pleas have developed a continuum of flexible responses in response to this public health crisis. 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 General Division, Probate, and Domestic Relations Local Rules of Court are temporarily adapted to allow court flexibility, within constitutional limits, in response to the public health emergency.

2. The Court Security Policies and Manual may be temporarily amended or supplemented to protect public health while maintaining essential court functions.
3. The County's Employee Handbook and Human Resource provisions, as they relate to court employees, may be temporarily adjusted to maintain essential court operations and functions.
4. This public health emergency shall be considered to be a finding of "just cause" for continuances deemed necessary by assigned judges 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 the duration of the declared public health emergency.
6. Judicial staff, employees, attorneys, and deputies assigned to the courthouse who exhibit signs of illness consistent with COVID-19, or are aware that they have come in contact with anyone who has tested positive for COVID-19, shall notify their employing or reporting authority by telephone or email and shall not come into the courthouse or report for work unless specifically instructed to do so by the employing or reporting authority.
7. Any person employed by the Court, any person who is assigned to the courthouse, and any person who has business in the courthouse may be subject to health screening or testing, if testing is available, and may be denied access into the courthouse based upon the results of such screening and testing.
8. If a trial, hearing, or other proceeding must be held, the Judge assigned to that case shall determine, on a case by case basis, who may be permitted in the courtroom. Any person who may be admitted under this provision may be subject to health screening or testing, if testing is available, and may be excluded from admission based upon the results of such screening or testing.
9. The Court shall attempt to minimize the amount of travel and social interaction of litigants, attorneys, witnesses, jurors, law enforcement and judicial personnel by continuing non-essential proceedings, or conducting proceedings, as far as practical, by remote video or telephonic means.
10. Any defendant held in the Mahoning County Justice Center who exhibits signs of illness consistent with COVID-19, or who tests positive for COVID-19, shall not be transported to the courthouse for any

scheduled hearing, and that hearing shall be continued for a period deemed necessary by the assigned judge.

11. Unless otherwise determined by the judge assigned to the case, jury trials, both criminal and civil, are suspended for two (2) weeks, commencing March 16, 2020, and may be suspended for a greater period of time that would include the duration of this public health crisis.
12. When the public health emergency subsides, the court shall enter an Order declaring an end to the emergency and a resumption of normal court operations.
13. This “Temporary Order” shall be served on the Supreme Court of Ohio, the Seventh District Court of Appeals, the Municipal and County Courts in Mahoning County, the Mahoning County Prosecutor’s Office, the Mahoning County Bar Association, the Mahoning County Sheriff, the Mahoning County Clerk of Courts, the Mahoning County Board of County Commissioners, the Mahoning County Health Department, and the Daily Legal News.
14. All this until further Order of this Court.

---

Judge R. Scott Krichbaum

---

Judge Beth A. Smith

---

Judge John M. Durkin

---

Judge Maureen A. Sweeney

---

Judge Robert N. Rusu, Jr.

---

Judge Anthony D’Apolito

---

Judge Anthony Donofrio