

**IN THE COURT OF COMMON PLEAS,  
CHAMPAIGN COUNTY, OHIO**

STATE OF OHIO,

Case No.

Plaintiff,

Judge Nick A. Selvaggio

- vs. -

,

Defendant.

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**WAIVER OF DEFENSE COUNSEL'S IN PERSON APPEARANCE AND CONSENT  
TO DEFENSE COUNSEL'S APPEARANCE BY VIDEO CONFERENCING**

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Counsel for the State, Counsel for the Defendant and the Defendant are present for hearing. Counsel for the State and the Defendant are physically present in the courtroom. Counsel for the Defendant appears through video conferencing. The hearing is being audio recorded.

The Court reviews the following language on the record with the Defendant:

I understand I have a constitutional right to counsel to assist me in my defense as given to me by the United States Constitution.

I understand that I have a right to appear and defend in person with counsel as given to me by the Ohio Constitution.

I understand that on March 9, 2020, Ohio Governor Mike DeWine issued an Executive Order "Declaring a State of Emergency" in response to the growing COVID-19 public health crisis.

I understand that on March 11, 2020, the World Health Organization officially declared COVID-19 to be a global "pandemic" requiring "urgent and aggressive action" to control the spread of the virus.

I understand that on March 13, 2020, President Donald J. Trump declared the COVID-19 virus pandemic a “national emergency beginning March 1, 2020”.

I understand that the Centers for Disease Control and Prevention (CDC) and other national and State of Ohio health authorities have advised people to take precautions to reduce the possibility of exposure to the COVID-19 virus.

I understand that specifically, the CDC and Ohio health officials are recommending that people attempt to keep physical distance between themselves and other people. This technique, known as social distancing, is especially important for people who have a higher health risk should they contract the disease.

I understand that the CDC is also recommending employers try to minimize exposure between employees and the public and to consider the public health and safety when scheduling group or public events.

I understand that on March 22, 2020 and April 2, 2020, Ohio Department of Health Director Amy Acton issued a Director’s “Stay at Home Order,” in order to prevent the spread of COVID-19 into and throughout the State of Ohio.

I understand that my attorney is pregnant and is concerned for the health of her unborn child due to the current declared public health emergency.

I understand that my attorney desires to continue to represent me, but would rather appear by video conferencing instead of appearing in person.

After speaking with my attorney, I have no objection to my attorney representing me at this hearing, or at any other hearing moving forward in this case, by video conferencing.

I understand that I can withdraw my consent to have my attorney appear through video conferencing at any time by informing the judge and the judge will schedule the hearing for another date into the future when the declaration of public health emergency has been terminated.

I have reviewed this waiver with my attorney and through my signature below knowingly, intelligently and voluntarily approve of her presence at my hearing through video conferencing.

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Defendant

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Date

The Court finds, after hearing that the Defendant has, after review with counsel, knowingly, intelligently and voluntarily waived any objection to having counsel present via video conferencing instead of in person. Based on this finding, the Court approves the Defendant's Waiver made in open Court.

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Nick A. Selvaggio  
Judge

Copies: Kevin S. Talebi, Prosecuting Attorney  
Jessica M. Hall, Defense Counsel