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MAY 01 2020

COURT OF COMMON PLEAS, GENERAL DIVISION
MUNICIPAL COURT
HAMILTON COUNTY, OHIO

IN RE: COURTHOUSE OPERATIONS AND : M200001
ACCESS UNDER EXIGENT :
CIRCUMSTANCES CREATED BY : JOINT AMENDED
COVID-19 : ADMINISTRATIVE
ORDER

In response to the public health crisis created by COVID-19 and the actions taken by federal, state, and local officials, the Hamilton County Courts have taken proactive steps in an effort to maintain critical Court functions while attempting to mitigate the unprecedented risks to participants, Court staff, and the public caused by the COVID-19 pandemic. Through a series of Administrative Orders, the Hamilton County Court of Common Pleas, General Division and the Hamilton County Municipal Court (the "Courts") have limited operations and access to the Courthouse at 1000 Main Street and other court facilities to comply with public health orders and guidelines.¹

On April 27, 2020 the Governor introduced Responsible RestartOhio which is intended to protect the health of employees, customers, and their families, support community efforts to control the spread of COVID-19, and responsibly get Ohio back to work.² The Governor has not lifted the Emergency Order and the mandate that people work from home wherever possible remains in effect.

On April 28, 2020 the Chief Justice of the Ohio Supreme Court issued updated guidance to Ohio Courts. The Supreme Court's Guidance to Local Courts COVID-19 Public Health Emergency issued on March 30, 2020 remains valid. In her message to Ohio judges, the Chief Justice advised that the courts need to "continue to operate within the directives of the Governor and the Director of Health" and urged courts to adopt mandatory practices and recommended best practices. The Courts have already limited access and monitor all who enter Court Facilities to assess health. In addition to these measures, the Chief Justice directed "[s]ocial distancing, masks, cleaning, etc. as outlined in the Responsible RestartOhio General Office Environments must be in place for everyone."

Given the continued threat to public safety caused by the COVID-19 crisis, and with the foregoing directives and guidance in mind, effective immediately and through

¹ See March 13, 2020, Joint Administrative Order in re Courthouse Operations Under Exigent Circumstances Created by Covid-19, No. M200001; March 24, 2020, Joint Administrative Order in re Courthouse Access Under Exigent Circumstances Created by COVID-19, No M20001; April 6, 2020, Amended Administrative Order re Courthouse Access under Exigent Circumstances Created by COVID-19, M200002; and, April 6, 2020 Joint Administrative Order in re Courthouse Access Screening Under Exigent Circumstances Created by COVID-19.

² <https://coronavirus.ohio.gov/wps/portal/gov/covid-19/responsible-restart-ohio/welcome/>



June 1, 2020, or further order, the Courts modify their previous COVID related Administrative Orders, and hereby Order as follows:

1. This Joint Amended Administrative Order applies to all Court Facilities. For purposes of this order, "Court Facilities" includes the Hamilton County Courthouse at 1000 Main Street, and to Common Pleas, General Division and Municipal Court employees who work in the Hamilton County Justice Center at 1000 Sycamore Street and the Times Star Building at 800 Broadway, and to anyone entering those buildings to access Common Pleas, General Division and Municipal Court services offered therein.
2. Access to Court Facilities is hereby limited to those whom are conducting or are necessary to critical court proceedings. For purposes of this Order, "critical court proceedings" are limited to:
 - a. Criminal matters involving individuals in custody and set (docketed) for:
 - i. Arraignment;
 - ii. Sentencing;
 - iii. Plea (does not include cases set for "Plea or Trial Setting");
 - iv. In-person hearing on motion to modify bond; and,
 - v. Probation violation.
 - b. No more than five (5) additional, non-lock up criminal matters at the discretion of the assigned judge, which are limited to:
 - i. Matters scheduled in advance which appear on the docket on the judge's assigned day;
 - ii. Matters that cannot reasonably be accomplished remotely though teleconferencing; and
 - iii. Matters that do not require large gatherings (no more than 10 people in addition to court staff provided social distancing can be maintained), including proceedings that require the presence of victim(s) and multiple witnesses. If a party, victim, or witness that would be compelled to attend such a proceeding expresses concern due to COVID-19, the matter shall be continued until after the expiration of this Order.
 - c. Any matters that do not meet the definition of "critical court proceedings" may only proceed with the express prior consent of the Presiding and Administrative Judge of the respective Court.
 - d. Limited in-person services provided by Adult Probation and Pretrial Services as authorized by Court Administration.

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- e. Emergency civil matters, which are limited to:
 - i. Motion for Temporary Restraining Order;
 - ii. Civil Stalking Protection Order; and,
 - iii. Pending garnishment hearing.
 - f. Individuals who are required to report to the Hamilton County Sheriff's Office within the Courthouse to fulfill sex offender registration and arson offender registration requirements under Ohio law shall be admitted for reporting purposes and shall be escorted by a Sheriff's Deputy at all times while within the Courthouse.
 - g. Law enforcement officers with search warrants.
3. Aside from essential County and Court staff, access to Court Facilities shall be permitted only to individuals necessary to critical court proceedings, as defined herein, and are limited to:
 - a. Attorneys, witnesses, and victims;
 - b. Law enforcement officers with search warrants;
 - c. The press;
 - d. Parties to critical court proceedings; and,
 - e. No more than two (2) immediate family members of parties will be permitted to observe critical court proceedings. For purposes of this Order, "immediate family members" include: a spouse or partner; parents; siblings; and children. Minor children may be prohibited at the discretion of the individual judge.
 4. Judges and judicial officers may conduct in-court emergency civil matters, which include civil stalking protection orders and motions for temporary restraining orders, as necessary. Petitioners and attorneys associated with such emergency civil matters will be permitted to enter the Courthouse with file-stamped copies. All such emergency civil matters shall be filed in-person at the Clerk of Court's Office at the Hamilton County Justice Center.
 5. All civil filings, except for the emergency civil matters described herein, must be filed electronically through the Clerk of Courts e-filing portal. All such civil filings will be deemed accepted and filed on the date submitted without regard to when the Clerk of Courts is able to process filings due to reduced staffing within the Clerk's Office.
 6. The measures taken in this Administrative Order, which are intended to facilitate State of Ohio public health orders and guidelines, do not affect the Court's

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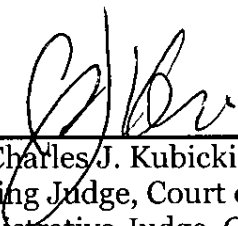
consideration of motions that can be resolved without in-court appearances. Telephonic conferences on civil matters may proceed as appropriate at the discretion of the individual judge.

7. With regard to criminal matters, due to the effect of public health orders and recommendations on the availability of counsel and court staff to be present in the courtroom, the continuances implemented by this Joint Amended Administrative Order, are subject to R.C. 2945.72(H), "Extension of Time for Hearing or Trial" and with regard to all matters continuances are subject to AM. SUB. H.B. 197 § 22. The Court specifically finds the public health interests are paramount and the ends of justice are best served by this Amended Joint Administrative Order. To the extent this Order conflicts with any of the Courts' previous COVID-19 related Administrative Orders, this Amended Joint Administrative Order supersedes.
8. The Chief Deputy Jury Commissioner is hereby ordered to suspend summons for petit juries until further order of the Court.
9. Anyone authorized to enter Court Facilities under this Joint Amended Administrative Order shall be required to follow all applicable public health guidelines. Specifically, it is hereby ordered that any person entering Court Facilities, including all Hamilton County employees, contractors, and anyone seeking to participate in or attend a Court proceeding, or anyone seeking to conduct business or access services within Court Facilities, shall:
 - a. Submit to screening questions and a noninvasive temperature check with touchless (forehead/temporal artery) thermometers administered at the discretion of Court Security Staff/Hamilton County Deputy Sheriffs prior to admission.
 - b. Anyone who, within the last 14 days, has been exposed to someone suspected or confirmed to have COVID-19 shall not be permitted to enter the Courthouse. Any individuals exhibiting signs of respiratory infection (cough, fever, shortness of breath) may be denied access at the discretion of the Court Security Officer/Deputy Sheriff. If the individual screened has a temperature that exceeds 100.3 degrees Fahrenheit, they shall not be admitted to the Courthouse.
 - c. Employees who are denied admission based on a temperature check shall report the incident as soon as practicable to their supervisor via telephone or email. Anyone seeking to attend a court hearing shall be instructed to call their attorney or the courtroom staff of the judge presiding over the proceedings. If any individual refuses to submit to screening they shall not be admitted to the Courthouse.

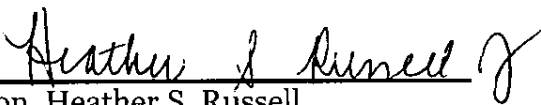
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- d. Employees must perform a daily symptom assessment before coming to work and must stay at home if they develop a fever or exhibit signs of a respiratory infection.
 - e. Observe social distancing, keeping a minimum of six (6) feet of distance between people, at all times in all areas.
 - f. Shall at all times wear a face covering or mask made of cloth or a similar material that covers the nose, mouth, and chin at all times, and is separate and apart from one's clothing, and does not obscure the identity of the person (ski masks and similar facial coverings are prohibited), unless:
 - i. A face covering is not advisable for a documented health reason;
 - ii. An employee is alone in an enclosed area;
 - iii. There is a practical reason a face covering cannot be worn (e.g., a judge may lower their facial covering to ensure litigants can hear the judge during a proceeding) and a judge expressly permits the temporary removal; and,
 - iv. The Sheriff or his or her designee, may regulate the use of face coverings in their designated office space located in Room 260 of the Courthouse at his or her discretion.
10. The Hamilton County Sheriff and his or her Deputies and other agents shall not be liable for anyone admitted or denied access to Court Facilities regardless of such person's medical health.
11. This Joint Amended Administrative Order is effective immediately and through June 1, 2020, or until further order of the Courts.

IT IS SO ORDERED.



 Hon. Charles J. Kubicki, Jr.
 Presiding Judge, Court of Common Pleas
 Administrative Judge, General Division



 Hon. Heather S. Russell
 Presiding and Administrative Judge
 Municipal Court

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