

IN THE ASHTABULA COUNTY COURT
EASTERN DIVISION
ASHTABULA COUNTY, OHIO

3/13/20 10:13:01

JUDGMENT ENTRY

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

The Court hereby makes the following Findings of Fact:

1. 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.
2. 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.
3. On March 14, 2020, the President of the United States declared a “national emergency” as
a result of the COVID-19 public health crisis.
4. Governor DeWine issued an executive order the closing of all schools in Ohio effective
Monday, March 16, 2020, and ordering that all nursing and assisted living facilities are
closed to visitors, that all gatherings of 100 or more persons are prohibited, and that all
restaurants and bars shall be closed expect for take-out or delivery, among other things.
5. All sporting events throughout the United States have been cancelled.

Based upon these Findings of Fact, the Eastern County Court has developed a continuum of
flexible responses in case the public health crisis escalates. 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 Local Rules of Court may be temporarily adapted to allow Court flexibility, within Constitutional limits, in response to the public health emergency.
2. The Court security policies may be temporarily amended or supplemented to protect public health while maintaining essential court functions.
3. The Ashtabula County Personnel Manual, upon which the Court has relied with respect to Court employees, may be temporarily adjusted by the Court to maintain essential court operations and functions.
4. To the extent possible based on available resources, the Court authorizes the use of audiovisual devices and technologies for all actions and proceedings.
5. The public health emergency may be considered to be a finding of good cause for continuances deemed necessary on a case-by-case basis.
6. 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.

IT IS SO ORDERED.


HAROLD E. SPECHT JR., JUDGE
EASTERN COUNTY COURT

FILED
2020 MAR 18 P 12:01
JEFFERSON, OH 44047

IN THE ASHTABULA COUNTY COURT
EASTERN DIVISION
ASHTABULA COUNTY, OHIO

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JEFFERSON COUNTY

IN RE:

***EMERGENCY ORDER
IN RESPONSE TO THE
COVID-19 (CORONAVIRUS)
PUBLIC HEALTH CRISIS
(LOCAL RULES OF COURT
MODIFIED)***

***EMERGENCY
JUDGMENT ENTRY
EFFECTIVE 3-23-2020***

The Court hereby temporarily modifies the Local Rules of Court, effective immediately:

Jury Trials

All jury trials, both criminal and civil, that are to occur during March and April, 2020, are hereby suspended and shall be rescheduled for May 2020 and thereafter, subject to further order of the Court.

Misdemeanor Criminal/Traffic Cases:

All discovery shall be exchanged electronically between the prosecutor and defense counsel. No discovery shall be exchanged at the courthouse.

All criminal pre-trials shall be conducted via telephone, video conference, or email between the parties without the Court's presence. However, the Prosecutor's are encouraged to attempt contact with Pro se defendant's possibly eliminating the need for in-person Pre Trials.

Traffic pre-trials with *pro se* defendants shall proceed as scheduled in the courthouse. All traffic pre-trials where the defendant is represented by counsel shall be conducted via telephone, video conference, or email between the parties.

The Court shall be notified in writing on the "Pretrial Report Form" by the prosecutor of the outcome of the pre-trial within twenty-four (24) hours of the scheduled hearing. Upon completion of the scheduled pre-trial, the matter will be set for a final pre-trial, change of plea hearing, or bench trial, based on notification from the prosecutor.

Prosecutors, counsel, and defendants shall report to the courthouse as scheduled for all scheduled final pre-trial, bench trial, and change of plea and sentencing hearings unless the court approves and accepts a written guilty plea in absentia with written acknowledgment of rights attached.

Criminal/Traffic Arraignments

Subject to further order of the Court, all in person arraignments of individuals released on bond or summons shall be continued until Thursday May 7, 2020.

Felony Preliminary Hearings

All plea offers in felony cases shall be made in writing by the prosecutor to defense counsel, forty-eight (48) hours prior to the scheduled Preliminary Hearing. If an offer is accepted, the Court shall be notified with twenty-four (24) hours of the hearing.

Pleas: If the defendant is incarcerated, a plea to a misdemeanor charge will occur via video conference from the Ashtabula County Jail. Counsel for the defendant shall report to the Ashtabula County Jail to appear on video. If the defendant has been released on bond, the defendant and defense counsel shall report to Court for a change of plea hearing unless the court has accepted the written guilty plea in absentia.

Waivers: If the defendant is incarcerated, preliminary hearing waivers shall take place via video conference between the Court and Ashtabula County Jail. Counsel for the defendant shall report to the Ashtabula County Jail to appear on video. If the defendant has been released on bond, the defendant and defense counsel shall report to Court for a change of plea hearing.

Evidentiary Preliminary Hearings: If the defendant is incarcerated, the defendant shall be transported to Court for hearing. If the defendant has been released on bond, the defendant and counsel shall report to Court for hearing.

Civil

Commencing March 23, 2020 and until May 1, 2020, subject to further order of the Court, all civil pre-trials shall be conducted via telephone conference only between the attorneys for the parties and the Court. The attorneys for the parties shall call (440)576-5433 no longer than five (5) minutes after the hearing is scheduled to join the call.

All trials, small claims hearings, garnishment hearings, objections, and bank attachments shall be rescheduled after May 1, 2020.

Forcible Entry and Detainer

All hearings shall proceed in the courthouse as scheduled. All requests for Writ of Restitution shall be set for a hearing.

Weddings

All weddings are cancelled until further order of the Court.

IT IS SO ORDERED.


HAROLD E. SPECHT JR., JUDGE
EASTERN COUNTY COURT

JEFFERSON COUNTY
CLERK OF COURT
2020 MAR 18 P 12:01
FILED