

**STATE OF OHIO, WARREN COUNTY
COMMON PLEAS COURT
ALL DIVISIONS**

IN RE:

Temporary Order in Response
to the COVID-19 (Coronavirus)
Public Health Crisis

:
:
:
:
:
:

20MS000328

(All Court Facilities)

This matter is before the Court on the joint consideration of Jeffrey T. Kirby, Domestic Relations Judge; Joseph W. Kirby, Probate/Juvenile Judge; Donald E. Oda II, Robert W. Peeler and Timothy N. Tepe, General Division Judges, in response to the COVID-19 (Coronavirus) Public Health Crisis.

For the purpose of this Temporary Order, ‘the Court’ shall refer to all divisions of the Common Pleas Court: General, Criminal, Civil, Probate, Juvenile and Domestic Relations.

For the purpose of this Temporary Order, ‘the Courthouse’ shall include the facility located at 500 Justice Drive, Lebanon, Ohio, excluding the Board of Elections and the Warren County Prosecutor’s Office and the facility located at 900 Memorial Drive, Lebanon, Ohio, including the Juvenile Detention Center and the Mary Haven Youth Center.

The Court makes the following Findings of Fact:

- 1) On January 30, 2020, the World Health Organization (WHO) declared the outbreak a “public health emergency of international concern.”
- 2) 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, limiting large gatherings and ordered the closure of schools K-12 for a period of three weeks beginning March 16, 2020.
- 3) On March 11, 2020, the WHO officially declared COVID-19 to be a global “pandemic” requiring “urgent and aggressive action” to control the spread of the virus.
- 4) On March 13, 2020, President Donald J. Trump declared the COVID-19 virus a national emergency.
- 5) As of March 15, 2020, there have been reported cases of COVID-19 in at least two counties adjacent to Warren County.

- 6) According to the Centers for Disease Control and Prevention, more cases of COVID-19 are likely to be identified in the United States in the coming days, including more instances of community spread infections.

The Court is aware of its constitutional and statutory obligations. The Court has consulted with public health agencies and other leaders in order to make the best decision for the community, while balancing constitutional obligations with public safety.

In light of the evolving public health emergency, and in order to combat the spread of the virus, the Court has developed a continuum of flexible responses in order to protect public health, to maintain essential court functions, and to continue to protect the rights of all individuals subject to the authority of this Court.

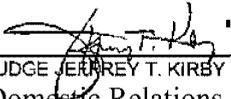
THEREFORE, IT IS HEREBY ORDERED:

1. Beginning March 16, 2020, the Courthouse is OPEN WITH RESTRICTIONS, as defined herein.
2. CONDUCT WITHIN THE COURTHOUSE. All individuals entering the Courthouse shall be subject to the following:
 - a) No individual, including but not limited to staff, county employees, attorneys, litigants or members of the public, shall enter or remain in the Courthouse if ANY of the following apply:
 - He or she has a fever;
 - He or she exhibits all three of the following symptoms: 1) respiratory symptoms (chronic cough), 2) sore throat, and 3) shortness of breath;
 - He or she has traveled out of the country within the last 14 days;
 - He or she has been in contact with a person who is under investigation or has tested positive for the COVID-19 virus.
 - b) All individuals shall maintain appropriate social distancing of 4-6 feet where possible.
 - c) To the extent possible, interaction between individuals and court staff shall be done electronically: by phone, email, text, skype, etc.
 - d) While individuals are used to a level of courthouse decorum that encourages close contact, such as whispering, etc., so as not to disturb courtroom proceedings, this decorum is secondary to maintaining appropriate social distancing.
 - e) Paperwork for filing shall be placed in the designated bins. It shall not be transmitted by handing it person-to-person.

3. The Court's local rules may be temporarily adapted to allow Court flexibility, within constitutional limits, in response to the public health emergency.
4. The Court's security policies may be temporarily amended or supplemented to protect public health while maintaining essential court functions.
5. The Court's Employee Handbook provisions may be temporarily adjusted to maintain essential court operations and functions.
6. The Court authorizes the use of audiovisual devices and technologies for those actions and proceedings based upon the nature of the action or proceeding involved.
7. The public health emergency may be considered to be a finding of good cause for continuances deemed necessary by assigned jurists on a case-by-case basis.
8. 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.
9. The Court will maintain common sense procedures in dealings with the members of the bar association and the public such as social distancing as appropriate and conducting our business remotely when practical to reduce personal contact when other means such as video or telephonic conferences would accomplish the means to help keep all parties healthy.
10. Judicial and clerk's staff, attorneys, witnesses and security personnel who exhibit signs of illness shall notify their employing or reporting authority by telephone or email and shall not come into the courthouse or report for duty unless specifically instructed to do so by the employing or reporting authority.
11. Any person entering the courthouse may be subject to health care screening or non-invasive testing (the taking of body temperature using a touch-free thermometer), and exclusion from admission based upon the results of such screening or testing.
12. The Court shall have four states of opening, use and operations, as follows:
 - a) OPEN means normal operations with full staffing on hand and full hearings and trials.
 - b) OPEN WITH RESTRICTIONS means a designated area may be limited to essential judicial, court and clerk personnel, including security officers, litigants, attorneys, witnesses and media. The Court may limit access and/or entry to the designated area, subject to health care screening or non-invasive testing as enumerated above, and exclusion from admission based upon the results of such screening or testing.

- c) CLOSED TO NONJUDICIAL STAFF means a designated area is limited to judicial staff only.
- d) CLOSED means a designated area is off limits to all except essential personnel.
- 13) Each facility shall enter a separate order governing the conduct of individuals within that location which is tailored to the specific needs of the building and its occupants.
- 14) This Temporary Order shall be posted conspicuously throughout the Courthouse and on the Courts' websites.
- 15) The NOTICE attached hereto shall be posted at every entrance of the Courthouse.
- 16) When the emergency subsides, the Court shall enter an order declaring an end to the emergency and a resumption of normal operations.
- 17) This Temporary Order shall be served on the Supreme Court of Ohio, Ohio Judicial Conference, Warren County Bar Association, Warren County Prosecutor's Office, Warren County Sheriff's Office, Warren County Health District, and the Warren County Board of Commissioners.

IT IS SO ORDERED.



JUDGE JEREMY T. KIRBY
Domestic Relations Judge



Joseph W. Kirby
Probate/Juvenile Judge



Donald E. Oda II
General Division Judge



Robert W. Peeler
General Division Judge



Timothy N. Tepe
General Division Judge

NOTICE

TO ALL INDIVIDUALS SEEKING TO ENTER THE COURTHOUSE

Pursuant to the Court's Temporary Order in Response to the COVID-19 (Coronavirus) Public Health Crisis, filed on March 16, 2020, all individuals entering or remaining in the Courthouse are subject to the following orders:

- 1) No individual, including but not limited to staff, county employees, attorneys, litigants or members of the public, shall enter or remain in the Courthouse if ANY of the following apply:
 - He or she has a fever;
 - He or she exhibits all three of the following symptoms: 1) respiratory symptoms (chronic cough), 2) sore throat, and 3) shortness of breath;
 - He or she has traveled out of the country within the last 14 days;
 - He or she has been in contact with a person who is under investigation or has tested positive for the coronavirus.
- 2) All individuals shall maintain appropriate social distancing of 4-6 feet where possible.
- 3) To the extent possible, interaction between individuals and court staff shall be done electronically: by phone, email, text, skype, etc.
- 4) While individuals are used to a level of courthouse decorum that encourages close contact such as whispering, etc. so as not to disturb courtroom proceedings, this decorum is secondary to maintaining appropriate social distancing.
- 5) Paperwork for filing shall be placed in the designated bins. It shall not be transmitted by handing it person-to-person.

YOU MAY BE SUBJECTED TO A NON-INVASIVE HEALTH SCREENING PRIOR TO ENTERING THE COURTHOUSE.