

COURT OF COMMON PLEAS
CLERMONT COUNTY, OHIO

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BARBARA A. WIELENGEIN
CLERK OF COMMON PLEAS COURT
CLERMONT COUNTY, OH

IN RE:

ORDER RELATED TO ACCESS TO :
THE COURTHOUSE AND ITS :
CONTINUING AND SAFE OPERATION :
IN RESPONSE TO THE :
COVID-19 PANDEMIC AND PUBLIC : JUDGMENT ENTRY
HEALTH EMERGENCY : (CORONAVIRUS)
:

The Court of Common Pleas, General Division, finds that, in order to continue and to safely expand operations in the Courthouse, the following COVID-19 safety and operational plan shall be adopted and implemented forthwith. The goal is to enable the Court to expand operations safely and efficiently and in accordance with the recommendations of public health professionals and the guidance of the Chief Justice of the Ohio Supreme Court for the benefit of all persons who enter or use the Courthouse, including the general public, the staffs of the Court of Common Pleas, Clerk of Courts, and Court Services, and those persons who have business before the court or with any of the offices contained in the Courthouse. The goal is also to enable the Court to safely schedule and hold jury trials beginning July 31, 2020.

COURT OF COMMON PLEAS COVID-19 SAFETY AND OPERATIONAL PLAN

The following is a plan which has been prepared in order for the court to proceed with the further re-opening of the court, consistent with the directions and guidelines

provided by the Supreme Court of Ohio, and also consistent with best practices as set forth in the following:

Responsible Restart Ohio: Court Access (promulgated by the Ohio Supreme Court with requirements included therein as to what is to be included in a court re-opening plan)

Updated Guidance for the Courts of Ohio dated May 7, 2020 (prepared by Chief Justice Maureen O'Connor)

Continuing Jury Operations dated May 2020 (prepared by the Ohio Judicial Conference Jury Service Committee)

Standards and Practices Essential to the Resumption of Jury Trials in Ohio:

Report and Recommendations dated May 12, 2020 (prepared by Ohio State Bar Association's Ohio Jury Trial Advisory Group)

Courts and Coronavirus Webinar: Health and Safety in the Courthouse dated May 8, 2020

Courts and Coronavirus Webinar: Opening Up the Court dated May 29, 2020

Requirements for County Offices prepared by Tom Eigel, Clermont County Administrator dated May 1, 2020

ACCESS TO THE COURTHOUSE: SCREENING AND GENERAL REQUIREMENTS

Until further notice, access to the building will be limited to:

- A. Officials and staffs of the following offices and departments: Court, Clerk of Courts, Adult Probation Department, and Law Library;

- B. Persons present for scheduled cases, including parties to cases and their immediate family members, pro se litigants, victims and their immediate family members, a victim representative, witnesses, and jurors and prospective jurors;.
- C. Persons seeking to file or access papers in any office, or seeking to file a petition for a civil protection order, or paying court costs or restitution;
- D. Attorneys and staff having business before the Court or with any office in the Courthouse;
- E. Law enforcement officers having business before the Court or with any office in the Courthouse; and
- F. Members of the press;

Court Services shall continue to enforce the screening requirements currently in place as routine safety measures for the Courthouse.

In addition, court services shall perform COVID-19 health screening as to all persons entering the courthouse.

Screening will include taking of temperature using a temporal thermometer and the following questions, and others like them:

_____ Within the past 24 hours, have you felt like you had a fever?

_____ Within the past 24 hours, have you had a new or worsening cough, shortness of breath, a sore throat, or headaches?

_____ Is your health being monitored by a doctor or any local health department for any COVID-19 symptoms?

_____ Within the past 14 days, have you had contact with anyone known to be

infected by COVID-19?

_____ Have you traveled outside the United States within the last 21 days or have you been quarantined by any health department or director of health?

If persons are asked to empty belongings onto a common surface, such as a tray, the common surface should be sanitized after each use.

Court Services may deny entrance to anyone they determine may present a risk to the health and safety of others, based upon the results of these screening protocols.

Appropriate markings shall be made to maintain social distancing of at least six feet between persons when entering the courthouse.

Persons entering the building shall be informed of the six foot social distancing requirement.

Face coverings (covering both mouth and nose) or masks shall be required for entry into the building. This does not need to be a hospital-grade mask (does not need to be N95).

A facial mask or covering shall be provided to a person wishing to enter the courthouse if the person does not have a suitable mask.

Anyone permitted to enter the Courthouse shall be required to clean his/her hands, immediately upon entrance, with appropriate hand sanitizer that will be available at the Courthouse checkpoint.

HEALTH AND SAFETY PRECAUTIONS

A facial covering or mask, that fully covers the nose and mouth, shall be worn at all times by any person in the Courthouse or any court facility, except masks shall not be required under the following specific circumstances:

- 1) During the time that an employee works alone in an assigned work area. An employee is working alone in an assigned work area when the employee is separated from his/her co-worker by at least six feet or by a physical barrier. Upon leaving the assigned work area, the employee is required to wear a mask. Employees traveling in a vehicle together are each required to wear a face mask.
- 2) A mask in a work setting is prohibited by law or regulation. *If this is the case, written justification is required.*
- 3) A mask is not advisable for health reasons. *If this is the case, a note from a doctor is required.*
- 4) Wearing a mask on the job is against documented industry standards. *If this is the case, written justification is required.*
- 5) Wearing a mask violates a safety policy. *If this is the case, written justification is required.*
- 6) There is a functional (practical) reason a mask cannot be worn. *If this is the case, written justification is required.*

Additionally, each judge, in his discretion, may modify this requirement as deemed necessary and appropriate for proceedings in his courtroom, except social

distancing shall be strictly required where a person is excused either temporarily or for a longer period of time from wearing a facial covering or mask.

Each person granted access to the Courthouse shall maintain social distancing from any other person in the Courthouse, including each courtroom, even in the case of family members. For purposes of this order, social distancing means a physical distance of six feet from any other person, except that a lesser distance may suffice where physical barriers are erected or present between persons. An example might be a Plexiglas barrier of sufficient height to provide a physical barrier between two jurors.

Each judge may, in his discretion, modify this requirement as deemed necessary and appropriate for proceedings in the courtroom (as, for example) between attorney and client, except facial masks and/or facial coverings shall be strictly required where there is an inability to provide adequate social distancing.

The main jury waiting room and auxiliary waiting rooms have been reconfigured to provide safe distancing for those summoned to serve on a petit or grand jury. Seating capacity in each has been limited and a maximum capacity has been determined for each to accommodate the social distancing requirements of at least six feet from any two people in a room. Additional guidelines will be provided separately to jurors when they are summoned to appear for any jury duty.

Such rooms, and other available rooms in the courthouse, may be utilized when they are not being used by jurors for streaming of court proceedings in order to maintain both social distancing and public access.

Everyone granted entry to any courtroom shall also comply with any additional requirements that may be imposed by the judge in the courtroom as deemed necessary and appropriate.

The court is exercising the best practices recommended to prevent the spread of COVID-19. These practices include: sanitizing of high contact areas throughout the Courthouse, including courtrooms; reconfiguring chairs and benches throughout the Courthouse to ensure safe distancing as is required by the Plan; placing signage throughout the Courthouse with reminders as to proper physical distancing, facial coverings, and proper hygiene; daily sanitizing of all common areas within the Courthouse, including but not limited to, chairs and benches, restrooms available to the public, external and internal door handles, stairway railing, elevators, and other common surfaces as is necessary; providing hand sanitizers for those entering the Courthouse and each courtroom; keeping soap containers full in restrooms; and providing face coverings to those entering who do not have such coverings. Each courtroom is also sanitized in the same manner as the common areas of the Courthouse on a daily basis and, if circumstances require, more frequently. Each Judge shall be responsible for maintaining the health and safety of those entering his courtroom consistent with this plan.

The use of stairways is preferable and only two people at a time may use any elevator.

Court Services shall be responsible for enforcing compliance with these health and safety requirements through the common areas of the Courthouse and in each courtroom under the direction of each Judge.

COURT WEBSITE

This plan shall be posted on the website, along with additional information related to the Court's response to the pandemic, changes in courtroom procedures by each judge as he deems necessary and appropriate, juror information, and updated changes as necessary.

The court's website shall continue to be used to encourage self-service and provide information for accessing forms, contact information for the Public Defender, Legal Aid, and the Bar Association, and information concerning the court operation and daily dockets.

The court's website may also be used as a location to stream proceedings from each of the courtrooms.

This Order will remain in full force and effect, subject to modifications as may be appropriate from time to time as a result in changes in the public health emergency or as may be recommended or required by the Ohio Supreme Court.

GENERAL PROVISIONS

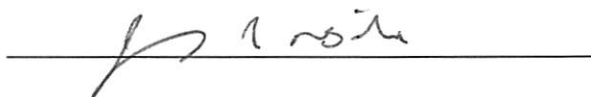
The Court's local rules may be temporarily adapted to allow the Court flexibility, within constitutional limits, in response to this public health emergency. Normal procedures for any modification need not be followed and notice will be provided via the Court's website and other reasonable means.

The Court's security policies may be temporarily amended or supplemented to protect public health while maintaining essential court functions.

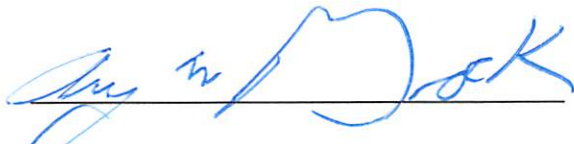
The Court's Employee Handbook provisions may be temporarily adjusted to maintain essential court operations and functions.

The Court will maintain common sense procedures in dealing with attorneys, parties, witnesses, and others having business before it, in order to reduce personal contact, by staggering appearance times, using available technology including telephone and video conferencing, and e-mail and text messaging, to limit the need for personal appearances, and by taking other appropriate measures.

IT IS SO ORDERED.



Judge Jerry McBride
Administrative Judge



Judge Anthony Brock
Presiding Judge



Judge Victor Haddad



Judge Richard Ferenc