

**LUCAS COUNTY COURT OF COMMON PLEAS  
JUVENILE DIVISION**



**In the Matter of:**

**AMENDED TEMPORARY ORDER IN RESPONSE TO COVID-19  
(CORONAVIRUS) PUBLIC HEALTH EMERGENCY**

**JOURNAL ENTRY**

The Lucas County Court of Common Pleas, Juvenile Division (LCJC or Court), makes the following Findings of Fact Administrative Order.

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 (Coronavirus) public health emergency declared by the United States Health and Human Services Secretary, on January 31, 2020.
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 13, 2020, President Trump declared the Coronavirus pandemic to be a national emergency.
4. On March 27, 2020, Governor DeWine signed into law House Bill 197, which retroactive to March 9, 2020 and continuing until the end of the “State of Emergency” or July 30, 2020, whichever is sooner, tolls all statute of limitations, time limitations and deadlines in the Ohio Revised Code and Ohio Administrative Code.
5. On March 27, 2020, the Ohio Supreme Court issued an order, which retroactive to March 9, 2020 and continuing until the end of the “State of Emergency” issued by Governor DeWine or July 30, 2020, whichever is sooner, tolled all time requirements imposed by the rules of the Court.

6. The Lucas County Court of Common Pleas, Juvenile Division, Administrative Judge has consulted with the Lucas County Commissioners, the Lucas County Sheriff, the Lucas County Health Commissioner, the Lucas County Emergency Management Agency, the Lucas County Telecommunications and Information Technology department, and other local, state and federal governmental agencies, including the Supreme Court of Ohio, regarding means available to prevent the spread of the COVID-19 virus while maintaining Court functions.

Based upon these findings, the LCJC Administrative Judge has developed a continuum of flexible responses in case the public health emergency escalates, and to be in effect until such time as the local governmental response to the COVID-19 has resulted in control of the spread of the virus or otherwise until further order of the Court. 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.

It is therefore ***ORDERED, ADJUDGED and DECREED THAT:***

1. The local rules of the Lucas County Court of Common Pleas, Juvenile Division (LCJC or Court), may be temporarily adapted to allow Court flexibility, within Constitutional limits, in response to the public health emergency.
2. The LCJC's security policies may be temporarily amended or supplemented to protect public health while maintaining essential Court functions. Court will continue to work with security to determine a means to identify sick individuals who will be entering LCJC and take appropriate actions to ensure a health work environment.
  - a. Beginning April 6, 2020 and continuing until otherwise ordered, all individuals entering the Court are required to have their body temperature taken by means of a no contact forehead thermometer. Any individual displaying an external temperature reading of 100.4° or higher and/or displaying visible signs of illness such as, coughing, sneezing, or other COVID19 symptoms may be turned away from entering the Court.
    - i. Anyone who is turned away or unable to enter for reasons listed above, shall

notify the Court and their attorney by telephone or email and shall not come into the courthouse, unless specifically instructed to do so by the assigned Judge or Magistrate.

ii. Court personnel, showing signs of illness, shall notify their immediate Supervisor and not report to work, pending further instructions from their Department Administrator.

b. All individuals entering the Court are strongly encouraged to exercise social distancing by remaining six (6) or more feet away from others, washing and disinfecting their hands frequently, and wearing facemasks.

3. The LCJC's Employee Handbook, may be temporarily adjusted to maintain essential Court operations and functions.
4. The Court authorizes the use of telephones, cellular phones, audiovisual devices and technologies for all actions and proceedings.
5. The Court will have 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.
6. The LCJC Clerk's Office shall conduct business with required personnel only, as determined by the Administrative Judge, and may also determine to conduct the receipt of filings or other transactions via email or other additional means made available to the public.
7. The Court shall attempt to minimize the amount of travel and social in-person interaction of parties, attorneys, witnesses, law enforcement personnel, and judicial personnel by continuing non-essential proceedings or conducting proceedings, as far as practical, by remote video or telephonic electronic means.
8. Any matters not deemed to be an emergency or to require an expedited hearing, by the court, will be continued.

a. **Non-emergency hearings** include, but are not limited to;

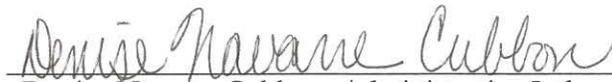
- i. Civil - complaints/motions for custody, parental rights, child support, visitation, mediations, show cause;
- ii. Delinquency - reviews, adjudications, dispositions, etc...;
- iii. Traffic arraignments and reviews.

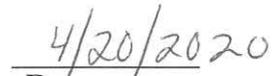
- b. **Emergency hearings** include, but are not limited to;
    - i. Civil - protection orders, shelter care hearings, Administrative Review, Semi-Annual reviews, children services adjudications and dispositions, Bridges hearings, and any other matter, wherein, the court has approved/granted an emergency or expedited hearing request;
    - ii. Delinquency – domestic violence, detention hearings, etc.
  - c. **Objections to a magistrate’s decision** – filed before March 9, 2020 will proceed to conclusion with the assigned Judge.
  - d. **Continuances** - Any matters, including motions for continuances, will be considered on a case-by-case basis by the assigned Judge.
9. For any matters, not included herein, the assigned Judge or Magistrate may consider the public health emergency as good cause for granting continuances on a case-by-case basis.
  10. Attorneys and parties will receive the new hearing date of all continued matters, by mail. This applies to matters currently scheduled for hearing from the date of the original Temporary Emergency order until June 1, 2020.
  11. Judicial officers may file all orders electronically by email, serve orders by email notification, and use video and telephone conferencing in an effort to reduce the number of people who come into the Court each day.
  12. Shelter care and detention hearings may be conducted using video or telephonic equipment.
  13. All probation reporting will take place by phone.
  14. All Juvenile Detention Center and Youth Treatment Center family visits will take place by phone.
  15. All cases currently scheduled for Mediation, with the exception of safety plan mediations, are continued until after June 1, 2020. Notices of new mediation dates will be mailed to attorneys and parties.
  16. When the public health emergency subsides, the Court shall enter an order declaring an end to the duration of the emergency and resumption of normal or modified operations.
  17. All payments normally taken in the Clerk’s Office, will be made on-line or by mail. All Court costs, fees, and restitution, may be paid on line at our website <http://www.co.lucas.oh.us/204/Juvenile-Court> or mailed by check or money order to the

Clerk's Office 1801 Spielbusch Ave., Toledo, Ohio 43604. All Child Support payments may be made on line at <https://oh.smartchildsupport.com/> or mailed by check or money order to Ohio CSPC, P.O. Box 182372, Columbus, Ohio 43218-2394.

18. Filing fees not paid at the time of the filing, will be due at the first hearing. Failure to pay or make arrangements to pay filing fees at the time of the first hearing, may result in the dismissal of the action.
19. This "Temporary Order" shall be served on the Supreme Court of Ohio, Ohio Judicial Conference, Lucas County Court of Common Pleas, General Divisions, Toledo Bar Association, Lucas County Prosecutor's Office, Lucas County Public Defender's Office, Lucas County Sheriff, Lucas County Board of County Commissioners, and the Lucas County Health Commissioner, Lucas County Children Services, and Lucas County JFS, CSEA.

*It is so ORDERED.*

  
Denise Navarre Cubbon, Administrative Judge

  
Date