

HANCOCK COUNTY, OHIO
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CATHY PROSSER WILCOX
CLERK OF COURTS

**IN THE COURT OF COMMON PLEAS
GENERAL, CRIMINAL AND DOMESTIC RELATIONS DIVISIONS
HANCOCK COUNTY, OHIO**

**In re: Temporary Orders Necessitated
By the Covid-19 (Coronavirus) Public
Health Emergency and State of
Emergency in the Unites States and
State of Ohio – REGARDING
COURTHOUSE ACCESS**

July 24, 2020

The Judges of the Hancock County Court of Common Pleas, General, Criminal and Domestic Relations Divisions (Hancock County Common Pleas Court), make the following Findings:

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. As of the date of this Order the State of Emergency has not been lifted by the Governor.
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 12, 2020 the State of Ohio Director of Public Health issued a ban on “mass gatherings” and Ohio Governor Mike DeWine ordered the closure of schools in the State of Ohio to control the spread of the virus.
4. On March 13, 2020 President of the United States Donald Trump declared a National Emergency pursuant to the Stafford Act as a result of the Coronavirus pandemic.
5. On March 15, 2020 the State of Ohio Director of Health issued orders limiting access to Ohio’s jails to control the spread of the virus.
6. On March 16, 2020 this Court issued Temporary Orders to address the ongoing public health emergency while ensuring the ongoing functioning of this Court and the health and safety of employees and the public.
7. Various Federal, State and Local Health Agencies continue to urge limitations on public interactions (“social distancing”) in an effort to control the spread of the virus from person to person, and on March 17, 2020 the State of Ohio Director of Health reduced the ban on public gatherings to prohibit gatherings of more than 50 people and “strongly recommended” that non-family gatherings be limited to 10 or fewer people. As of the date of this Order, subject to certain outlined exceptions, the Interim Director of Health for the

State of Ohio continues to stress that mass gatherings of 10 or more people increase the risk of community transmission of COVID-19.

8. On March 22, 2020 the first confirmed case of COVID-19 was announced in Hancock County, Ohio by the Hancock County Public Health Commissioner. The Hancock County Public Health Commissioner continues to emphasize the importance of adhering to the orders issued by the Governor of the State of Ohio and the State of Ohio Director of Public Health. According to the Hancock Public Health, as of July 23, 2020, there are currently 189 confirmed cases in Hancock County, and 90 of those cases are currently active.
9. On March 22, 2020 the State of Ohio Director of Public Health issued a Stay at Home Order directing all persons to stay at home or their place of residence unless required to leave for essential, exempted purposes. This Order has now been rescinded and replaced with an Urgent Health Advisory encouraging Ohioans to stay at home or their place of residence (see Director of Health's Order and Urgent Health Advisory, both dated May 20, 2020). Although participation in Court hearings is exempt from the requirements of the restrictions, the public health and safety concerns clearly remain and must be considered by this Court as it considers issues of public health and safety in conjunction with ensuring that essential functions are still performed in an orderly and efficient manner.
10. As of the date of this Order, the Interim Director of Health for the State of Ohio has extended prior orders that all business require that their employees wear facial coverings at all time, except as specifically outlined. Additionally, business must allow all customers, patrons, visitors, contractors, vendors and similar individuals to use facial coverings, except as specifically outlined. These requirements have been extended by the Interim Director of Health until such time as they are rescinded, modified or the State of Emergency declared by the Governor of the State of Ohio is lifted. Director's Order, July 6, 2020.
11. On or about March 27, 2020 Ohio Governor Mike DeWine signed into law Am.Sub. H.B. 197 in response to the COVID-19 public health emergency. Among other provisions, Am.Sub.H.B. 197 tolled speedy trial provisions of R.C. 2945.72 for all cases wherein speedy trial would expire between March 9, 2020 and July 30, 2020.
12. On March 27, 2020 the Chief Justice of the Ohio Supreme Court Maureen O'Connor issued an Order tolling all time limits imposed by any and all Rules of the Court in response to the COVID-19 public health emergency and in an effort to complement Am.Sub.H.B. 197. The undersigned Judges have maintained contact with the Hancock County Sheriff, local health and emergency management personnel, and other Hancock County Elected Officials regarding issues of health and safety impacting upon the Hancock County Courthouse, those working in the Hancock County Courthouse, and members of the public.
13. On or about July 8, 2020, the Interim Director of the Ohio Department of Health issued an order that established the Ohio Public Health Advisory System. This Advisory System "was established to increase the information available to Ohioans about their COVID-19 risk at the county level" and was in response to the accelerating spread of the COVID-19 in Ohio. As of this date of this Order, Hancock County, Ohio has now been elevated to level Orange alert. Additionally, Lucas, Allen, Henry, Defiance, Marion and Hardin Counties have increased to level Red, and Paulding, Putnam, Seneca, Wood and Wyandot Counties are under level Orange.
14. On July 22, 2020 the Governor of the State of Ohio Mike DeWine announced the issuance of a statewide Order mandating that all citizens wear facial coverings at all times, subject to certain limited exceptions. This Order becomes effective at 6:00 p.m. on July 23, 2020.

15. As of the date of this Order, the Interim Director of Health has extended the mandates requiring appropriate "social distancing" between individuals. Despite all reasonable efforts of the Hancock County elected officials that currently maintain their primary offices in the Hancock County Courthouse, it is not possible to maintain the required social distancing requirements at all times and in all locations within the Courthouse.
16. The Judges of the Hancock County Common Pleas Court have consulted with the Hancock County Elected Officials that maintain their primary offices in the Hancock County Courthouse and a consensus exists that the issuance of this order is reasonable and necessary for the protection of the health and safety of those entering the Hancock County Courthouse and those that work in the Hancock County Courthouse.
17. The Governor of the State of Ohio continues to warn of the threat associated COVID-19 and its accelerated spread in the State of Ohio. Although only those counties with Alert Levels of Red and Purple are subject to mandatory masks orders, the Governor continues to urge all Ohioians to help slow the spread of COVID-19 by the use of masks at all times when they are outside of their own homes and when social distancing cannot be maintained.
18. Additional temporary modification of the current rules, practices and procedures of the Hancock County Common Pleas Court are necessary in order to ensure the orderly and efficient functioning of the Court, to ensure that all essential functions of the Court are carried out, and to ensure the health and safety of the staff, parties, attorneys and general public. Currently, the Hancock County Common Pleas Court, General, Criminal and Domestic Relations Divisions, and the various locations where court services are provided, are located throughout the Hancock County Courthouse and are not confined to a single location. Hancock County Common Pleas Court primarily conducts business on the first (ground) and third floors of the Courthouse, however there exists only one stairwell and one elevator for all persons that enter the Courthouse. There are also multiple shared service locations (eg. security station, mail room, restrooms, etc.) that are used by many of the individuals that work and transact business in the Courthouse, whether they are in the Courthouse for Hancock County Common Pleas Court business or not. Despite all reasonable efforts, it is not possible to ensure the health and safety of those that enter the Courthouse for business with the Hancock County Common Pleas Court without simultaneously addressing those that also enter the Courthouse for other purposes and areas of the Courthouse that are not directly subject to the control of the Hancock County Court of Common Pleas.

Based upon these Findings, the Hancock County Common Pleas Court has developed and will continue to develop a continuum of flexible responses in response to this public health emergency.

The continuum of responses is intended to protect 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 that:

1. Effective immediately and continuing until further Order of this Court, ***all persons entering the Hancock County Courthouse (the Courthouse) shall be required to wear appropriate Personal Protective Equipment (PPE)*** (e.g. masks, face shields, etc.). Such limitations are reasonable and necessary to ensure the health and safety of the public and employees, and to maintain appropriate levels of services provided by the Court and guaranteed by Article I, §16 of the Constitution of the State of Ohio.
2. **No person will be permitted to enter the Courthouse without appropriate PPE and may be removed from the Courthouse if there is a failure to use appropriate PPE after entry.**
3. All persons for whom the Courthouse is the principle location for their employment, PPE shall be worn while in all public areas of the Courthouse, including entering and leaving the building and while moving around inside the Courthouse outside of their specific work location/office. While in their work location/office, use of PPE and compliance with the directives of the Interim Director of Health for the State of Ohio or Hancock Public Health shall be subject to the control of the elected official for whom the person works. Use of PPE by members of the general public, and compliance with the directives of the Director of Health for the State of Ohio or Hancock Public Health, while in the office of a Hancock County elected official shall be subject to the control of that elected official.
4. All persons attempting to enter the Courthouse shall be subject to a "Covid-19 Screening" (questionnaire and temperature check by non-invasive means) to be administered by the Hancock County Sheriff's Department. Any person presenting with two (2) or more positive indicators of the Covid-19 virus, who has a temperature of 100° F or higher, or who refuses the screening will be asked to leave the Courthouse. If the person presenting

two (2) or more positive indicators, having a temperature of 100° F or higher, or refusing the screening is attempting to enter the Courthouse for a scheduled court hearing, the Judge to whom the person's case is assigned will be immediately contacted regarding how to proceed. **Refusal to wear appropriate PPE or to submit to the requested screening will not be considered good cause to not appear for scheduled court hearing and may result in the issuance of a warrant for your arrest.**

5. Any person entering the Courthouse for a scheduled court hearing who does not have appropriate PPE available to them will be provided appropriate PPE prior to leaving the security entrance of the Courthouse. **Refusal to wear appropriate PPE will not be considered good cause to not appear for scheduled court hearing and may result in the issuance of a warrant for your arrest.** The provided PPE shall be placed in a designated receptacle prior to leaving the Courthouse.

All until further Order.



HON. REGINALD J. ROUTSON
ADMINISTRATIVE JUDGE



HON. JONATHAN P. STARN
PRESIDING JUDGE

THE CLERK OF COURTS SHALL CAUSE A COPY OF THIS ORDER TO BE POSTED IN A CONSPICUOUS LOCATION IN THE OFFICE OF THE CLERK OF COURTS AND SHALL PLACE A COPY IN THE MAIL DRAWERS OF ALL ATTORNEYS LOCATED IN THE OFFICE OF THE CLERK OF COURTS.