

MAHONING COUNTY COURT #2
Boardman Township, Ohio
MAHONING COUNTY COURT #3
Sebring, Ohio
MAHONING COUNTY COURT #4
Austintown Township, Ohio
MAHONING COUNTY COURT #5
Canfield, Ohio

2020 MAY 29 PM 1:31

ANTHONY VIVO, CLERK

IN RE:)
CORONAVIRUS (COVID-19)) 2020 OPEN
GENERAL OPERATIONS)
) JUDGMENT ENTRY

WHEREAS, on March 11, 2020, the World Health Organization publicly characterized COVID-19 as a global “pandemic” requiring “urgent and aggressive action” to control the spread of COVID-19;

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency;

WHEREAS, the Governor of the State of Ohio has issued an executive order 2020-01D declaring a state of emergency in Ohio in response to COVID-19.

WHEREAS, the Governor of the State of Ohio signed into law Am. Sub. H.B. 197 which immediately tolled , retroactive to March 9, 2020, all statutes of limitations, time limitation and deadlines in the ORC and OAC until the expiration of Executive Order 2020-01D or July 30, 2020 (whichever is sooner).

WHEREAS, on March 27, 2020 the Supreme Court of Ohio issued an order tolling all time requirements imposed by rules promulgated by the Supreme Court.

WHEREAS, the Ohio Director of Health issued a “Stay at Home Order” on March 22, 2020 which was extended and amended on April 2, 2020.

WHEREAS, the Ohio Director of Health issued a “Stay Safe Order” on April 30, 2020.

WHEREAS, social distancing must be observed during all court proceedings and in each court in Ohio has been directed to make orders to mitigate the spread of COVID-19;

WHEREAS, it is necessary for this Court to establish measures promoting uniformity and continuity amongst the courts of Ohio and ensuring the continued and effective operation of the judicial system during the emergency period;

NOW THEREFORE, in order to protect the public health, to protect the health and safety of the public at large, litigants, court employees, law enforcement, attorneys and to comply with recommendations limiting the size of public gatherings and to reduce unnecessary travel, the Court hereby issues the following amended order:

CIVIL CASES:

Civil Court Sessions shall resume effective June 1, 2020.

CRIMINAL AND TRAFFIC CASES:

This Court has the authority to sua sponte continue any criminal and traffic matters pursuant to ORC Section 2945.72(G) and (H).

All Criminal and Traffic cases set for an arraignment (including probation violation arraignments), pre-trial, trial, suppression and/or preliminary hearing **where the defendant is not in custody** will resume with in person hearings;

All Criminal and Traffic cases set for an arraignment (including probation violation arraignments) **where the defendant is in custody** will proceed as scheduled but will be conducted using video or telephonic method with the defendant attending remotely from the Mahoning County Justice Center and the Court conducting an open court session with normal recording protocols being observed when possible.

All Criminal and Traffic cases set for a pre-trial, trial, suppression and/or preliminary hearing **where the defendant is in custody** shall resume after June 1, 2020. In the event that Executive Order 2020-01D expires or is cancelled prior to July 30, 2020, the court may advance and reschedule hearings to meet necessary speedy trial time requirements.

All the court sessions above shall be limited. The County Courts shall schedule arraignments and all other hearings in small groups at staggered times. Anyone entering the main entrance shall have their temperature taken, wear a face mask or facial covering, allow for social distancing and shall follow the safety protocols designated at each courthouse.

Only parties with a scheduled hearing will be permitted to appear for any court sessions. Anyone seeking to appear before the court without a scheduled hearing, must contact the court for instructions.

The Court shall conduct video or teleconferencing whenever possible in an effort to minimize the number of people coming to the courts.

The Court had suspended jury trials due to this pandemic. The Court will address any jury demands filed going forward on a case per case basis.

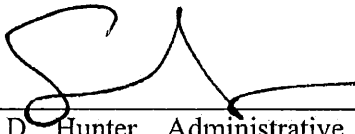
Any County Court Judge may make individual exceptions to the above protocol and may require defendants to be transferred to the court for hearings when that Judge deems it necessary for the proper administration of justice.

COMMUNITY CONTROL REPORTING REQUIREMENTS:

All defendants currently on or subsequently placed on Community Control Status will continue to report as required except that there **shall be no in person reporting**. Probationers shall report by calling their Probation Officer at the County Court or County Courts where they currently have reporting probation. This means of reporting will remain in effect until further notice. Payments can be made at the Courts between 8:30 a.m. and 4:00 p.m., Monday through Friday.

The County Court Judges reserve the right to make individual modifications to any case or proceeding before them wherein the Judge finds that it is necessary to advance the proper administration of justice.

Dated: 5-29-2020
Judge

HON. 
Scott D. Hunter, Administrative and Presiding