

MAHONING COUNTY COURT
AREA 4

2020 APR -6 AM 10: 43

ANTHONY VIVG. CLERK

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

IN RE:)
CORONAVIRUS (COVID-19)) 2020 OPEN
PUBLIC EMERGENCY)
DOCKET SCHEDULING) 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, social distancing must be observed during the emergency period in 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 a temporary measure 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 order immediately:

CIVIL CASES:

All pending and subsequently filed civil proceedings will be continued and not reset until further notice;

The court will not act or issue orders on any civil matters until after 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 be continued until after June 1, 2020.

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 be continued and reset after June 1, 2020 but before July 30, 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.

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 12:30 p.m. every day, 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.

HON. 

Scott D. Hunter, Administrative and Presiding Judge