

**IN THE COURT OF COMMON PLEAS  
AUGLAIZE COUNTY, OHIO**

2020 APR 30 AM 11:31

**IN THE MATTER OF**

**CASE NO: 2020-MISC**  
I. JEAN HECKSTROTH  
CLERK OF COURTS

**PROVISIONAL RULE CHANGES DUE  
TO COVID-19 CRISIS**

**COVID19 LOCAL RULE changes to  
Court Procedures as AMENDED**

0017

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As of this 28<sup>th</sup> day of April, 2020, the nation and the state are under states of emergency due to the novel Coronavirus known now as COVID 19.

Due to the relaxing of Covid-19 rules, effective May 1, 2020, and until further notice, the following changes in court procedures will take effect:

1. All civil pretrials will be conducted by telephone conference only. Defense counsel shall contact all attorney's offices involved and the court to initiate the pretrial telephonic conference. Final pre-trials in civil cases will be conducted by telephone conference, and the counsel and pro se litigants will contact the court in advance for instructions for connecting to the conference call. Parties who are represented by counsel are requested, but not required, to also participate in the conference call, and counsel shall inform their clients of the instructions on how to participate.
2. Defendants in criminal cases will be able to participate by private telephone communications with their counsel to protect attorney-client confidentiality in all pre-trials. First Pre-Trial hearings with counsel are to be conducted telephonically between counsel only, but Counsel SHALL report to the Court the results of the telephonic pre-trial to schedule further hearings and shall confirm to the Court the status of discovery.
3. All attorneys are now permitted to file any new case filings, thus lifting the prior request for limiting filings. Remember, fax filings are permitted as previously authorized, except as to filings that require a deposit as previously ordered as effective on March 16, 2020.

Civil/ Criminal/Domestic Relations Fax 419-739-6768.

Filing by email is approved by the Court ONLY by contacting the Clerk by telephone at (419) 739-6765, and making arrangements in advance. As we do not have an e-filing system, emails received without advance arrangements will not be filed nor acknowledged. It is the responsibility of the filing party to obtain prior approval of the Clerk. This is to ensure that the Clerk's system is operating online correctly and to avoid any confusion or inadvertent lack of filing.

4. The Court will proceed as usual with civil stalking protection orders, but requests that new petitions be notarized and filed by FAX filing, or by pre-approved email as described above, when practicable.
5. Cases seeking emergency temporary restraining orders or preliminary injunctions shall proceed as normal, but the court authorizes the petitions to be FAX filed, or by pre-approved email as described above, without advance deposit and counsel may call the Judge's office to arrange a teleconference at (419) 739-6770. Counsel shall make a good faith attempt to have opposing counsel on the telephone conference call, or be ready to explain those unsuccessful efforts.
6. Any other matters may be considered on a case by case basis.
7. Jury trials and in-person hearings will resume if so determined by the court on a case-by-case basis, considering the complexity of the case, number of witnesses, duration of the trial, availability of the witnesses and parties, availability of jurors (as determined in accordance with the *Forsthoefel* case decided by the Ohio Supreme Court on April 27, 2020,) and any other relevant factors. All persons entering the courtroom will be screened for the Covid-19 virus with the ODH approved questions, and will have temperatures monitored pursuant to the *Forsthoefel* Order of the Ohio Supreme Court. No one with a temp of 100.4 degrees or higher will be permitted to enter the courtroom. The number of people allowed to enter the courtroom will be limited as to be determined in each case. Each in-court hearing or trial will have administrative orders issued by the court after consultation with the counsel and pro se litigants, when possible.
8. This procedure remains in effect until further amended due to the necessity for more serious restriction should circumstances dictate, or lessening of restrictions should conditions permit, as determined by the Court.
9. Unless instructed to the contrary, all contacts with probation officers and/or with pre-sentence investigators shall be by telephone, and arrangements may be made by calling the Adult Probation Office at (419) 739-6760.

These orders shall be interpreted to balance the need to administer justice in proceeding with the work of the Court with the need to protect the parties, jurors, counsel, witnesses and court staff and the public from the risks associated with the spread of the novel coronavirus COVID-19.

**IT IS SO ORDERED.**

  
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Judge Frederick D. Pepple