COURT OF COMMON PLEAS, GENERAL DIVISION <u>MUNICIPAL COURT</u> HAMILTON COUNTY, OHIO

OCT 2 6 2020

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IN RE: JURY TRIALS UNDER EXIGENT CIRCUMSTANCES CREATED BY COVID-19

M200001

JOINT

ADMINISTRATIVE

ORDER

In response to the evolving public health emergency created by COVID-19 and the actions taken by national, state, and local officials, the Hamilton County Court of Common Pleas, General Division and the Hamilton County Municipal Court (the "Courts") have implemented measures to mitigate the health risk to the public, Court staff, and all courthouse visitors during the pandemic. As we track this evolving health emergency, the Courts will continue to take necessary measures to comply with public health orders and guidelines.

As of late last week, new public health data led the Ohio Department of Health to designate numerous counties as being in a "Red Alert Level 3 Public Emergency" as defined by the Ohio Public Health Advisory System. That system was created to provide local health departments, community leaders, and the public with data and information on the severity of the COVID-19 spread in each Ohio county. The system consists of four levels with specific risk-level guidelines. Each level is calculated with data gathered on seven public health indicators.

In addition to social distancing and wearing a face covering, other guidelines for a Red Alert Level 3 are:

- (1) Decrease in-person interactions with others;
- (2) Consider necessary travel only; and
- (3) Limit attending gatherings of any number.

Three Red Alert Level 3 counties marked with a star (*) are on Ohio's Watch List as they are approaching the highest risk level, Purple Alert Level 4 (stay at home/necessary travel only). Hamilton County is one of three counties on Ohio's Watch List.

In light of the developments in local conditions, and having consulted with Hamilton County criminal justice stakeholders, the Courts are temporarily pausing jury trials (petit jury service) to facilitate the recommended public health emergency guidelines. The Courts will continue to monitor this fluid situation and will resume jury trials when conditions in Hamilton County improve.

With regard to criminal matters, due to the effect of public health recommendations on the availability of counsel and court staff to be present in the courtroom, the continuances implemented by this Joint Administrative Order, are subject to R.C. 2945.72(H), "Extension of Time for Hearing or Trial" and with regard to all matters continuances are subject to AM. SUB. H.B. 197 § 22. The Court specifically finds the public health interests are paramount and the ends of justice are best served by this Joint Administrative Order. To the extent this Order conflicts with any of the Courts' previous COVID-19 related Administrative Orders, this Amended Joint Administrative Order supersedes.

IT IS SO ORDERED.

Hon. Charles J. Kubicki, Jr.

Presiding Judge, Court of Common Pleas Administrative Judge, General Division Hon. Heather S. Russell

Presiding and Administrative Judge

Municipal Court

Russell.