

FILED
GREENE COUNTY, OHIO

PROBATE COURT OF GREENE COUNTY, OHIO

APR 30 2020

IN RE:
OFFICE ADMINISTRATION

Case No. 11540MISC
Judge Thomas M. O'Diam

THOMAS M. O'DIAM
JUDGE PROBATE DIVISION
COURT OF COMMON PLEAS

**ORDER ADOPTING RETURN
TRANSITION PLAN**

The Court adopts the attached Return Transition Plan as the Court's strategy for gradually shifting from its remote operations that have been in place since March 19, 2020 back to full operations at the Greene County Courthouse. This Plan goes into effect May 1, 2020.

It is so ordered.



Thomas M. O'Diam, Judge

RETURN TRANSITION PLAN

GREENE COUNTY PROBATE COURT

This is a transition plan to resume normal operations of Greene County Probate Court in the courthouse as restrictions relating to the coronavirus public health emergency are eased.

BACKGROUND

The Ohio Governor, through the Ohio Director of Public Health, declared a public health emergency in Ohio on March 9, 2020 due to the coronavirus pandemic (also known as “Covid-19”). The Governor, through the Ohio Director of Public Health, issued a “stay at home” order that took effect on March 16, 2020, closing all “non-essential” businesses. The Chief Justice of the Ohio Supreme Court made it clear that the courts were essential and would not close, but required judges to modify their courts’ operations to minimize the virus spread. The Chief Justice also issued a tolling order suspending all time deadlines in court rules, which supplemented legislation suspending all statutory time deadlines until the earlier of July 27, 2020 or the date the Governor lifts the public health emergency.

Greene County Probate Court has been operating remotely since March 19, 2020. The court’s offices in the courthouse are not open to the public for any in-person services presently. No court personnel are working in the courthouse, except periodically as needed to handle certain scanning and filing tasks. The employees are performing all other court functions from their respective homes. Court filings continue to be received and processed as normal via delivery by regular mail, fax and email, or in person at the court’s drop box outside the courthouse. The marriage license bureau is functioning online, and all hearings are proceeding remotely. With the exception of continuing a handful of trials and contested hearings, the court has and continues to perform its full range of services remotely outside of the courthouse and is current on its entire docket.

OBJECTIVE

The objective of this plan is to develop a feasible approach to transition all of the work of Greene County Probate Court back to the courthouse in a way that balances the need to resume normal operations with the need to take appropriate health precautions for the public and court personnel.

CONSIDERATIONS

The plan must take the following factors into account:

- The court’s current remote operations are working extremely well. The court has remained current on all of its hearings through videoconferencing, filings continue to be processed as usual and marriage licenses have been issued without interruption. The only delay has been several pending trials and contested hearings, which have been continued indefinitely until discovery can safely proceed and we are again able to hold those proceedings in our hearing room.
- Probate Court’s hearing room is extremely small and severely inadequate to provide appropriate social distancing within the courtroom for all of the parties, their legal counsel and witnesses, even if non-parties and the public are not permitted to attend.

- The plan must be flexible to accommodate the different comfort levels of persons using the court's services. Some in the public are anxious to resume normal life and are willing to take what they believe are reasonable risks concerning the virus. Others are not as comfortable and believe the restrictions in place should continue. The plan must afford options to address differing comfort levels so no one is forced to do something that may make them uneasy.
- The health issue is a very fluid situation, and guidance seems to vary almost daily. Since it is impossible to accurately predict what will be appropriate to do by a particular date, the plan must be based on a target date range rather than specific dates. The court must be able to change and adjust the plan as necessary based on circumstances as they exist at a particular time.

GENERAL MATTERS

Throughout this transition, the court will need to follow all requirements, guidelines, directives and protocols issued by the State of Ohio, the Ohio Supreme Court or recommendations adopted by Greene County, as those may change from time to time. This includes applicable standards in *Responsible RestartOhio* and *Guidance to Local Courts COVID-19 Public Health Emergency*. The following are specific actions the court will follow as it implements the phases of this plan.

- **Symptom Assessment.** Every employee must verify each morning whether or not they have any symptoms of illness and take their temperature (using thermometer provided by the court). Every member of the public must do the same upon entering the Clerk's Office or the hearing room. No person will be permitted to enter the Clerk's Office or the hearing room if they have any symptoms of illness or if their temperature is over 100.4 degrees.
- **Disinfection.** Each employee is responsible for keeping their own work area, equipment and supplies (pens, staplers, etc.) cleaned and disinfected. The Court Administrator will develop a rotating schedule for one employee each day to be responsible for periodically cleaning and disinfecting the lobby and other common areas of the Clerk's Office. The Bailiff is responsible for cleaning and disinfecting the hearing room after each hearing conducted in the hearing room.
- **Supplies and Equipment.** Employees should not share supplies or equipment to avoid possible cross-contamination.
- **Personal Hygiene.** Hand sanitizer will be available at each employee workstation, at both front desk windows, and at each table and the bench in the hearing room. Everyone should regularly and thoroughly wash their hands or use hand sanitizer after contacting any high-contact surface areas.
- **Social Distancing.** Every person must practice responsible social distancing. Employees should not enter the workspace of other employees. Seating in the hearing room will be spread out as much as possible.
- **Masks.** Every person is encouraged to wear a mask when in the common areas of the Clerk's office, the hearing room and the common areas of the courthouse, as long as that State or County recommended best practice is in effect. Each person is responsible for providing their own mask.

- Pass Through Slots. The front window Clerks will leave their sliding window closed, except to the minimal extent necessary to communicate. Filings will be passed through the slots below the windows.

PLAN PHASE ONE

Target Date Range

May 4, 2020 through May 15, 2020

Overview

During this brief phase, the court will continue operating remotely as it has been since March 19, 2020.

Staffing

All employees will continue working remotely from home.

Clerk's Office

The Clerk's Office will remain closed to the public.

Filings

All filings will continue to be by drop box, mail, email or fax.

Hearings

All hearings will continue to be by means of videoconferencing.

Trials and Contested Hearings

All trials and contested hearings remain continued indefinitely.

Marriage License Bureau

The marriage license bureau will remain closed. All marriage licenses will be issued only through the court's online marriage license system.

Other

Obtain all supplies and equipment necessary to resume operations in the courthouse.

PLAN PHASE TWO

Target Date Range

May 18, 2020 to May 29, 2020

Overview

During this phase, court personnel will begin transitioning to working in the courthouse using a rotating schedule and working remotely from home when not scheduled in the office.

Staffing

Full-time court personnel will work in the courthouse on the following rotating schedule:

Monday	Tuesday	Wednesday	Thursday	Friday
5/18 -SVA*	5/19- AB*	5/20 - SVA	5/21 - AB	5/22 - SVA

5/25 Memorial Day – Closed	5/26 – AB	5/27 - SVA	5/28 - AB	5/29 - SVA
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* “SVA” means Samantha, Valerie and Angie. “AB” means Amy and Brandy

The part-time bailiff, Luciana, will be on call as needed, but will generally not be in the office due to conducting hearings by videoconference.

Clerk’s Office

The Clerk’s Office will remain closed to the public. Telephone calls will be rerouted back to the Clerk’s Office. Communication by telephone, email and fax will continue as usual.

Filings

All filings will continue to be by drop box, mail, email or fax.

Hearings

All hearings will be by means of videoconferencing.

Trials and Contested Hearings

All trials and contested hearings remain continued.

Marriage License Bureau

The marriage license bureau will remain closed. All marriage licenses will be issued only through the court’s online marriage license system. The court will begin to schedule appointments, beginning June 1, to finalize all marriage licenses issued through the online system. Priority will be on scheduling those whose marriage has taken place, followed by those who obtained a license but have not yet married, working from earliest to latest application dates.

Other

All supplies need to be obtained and all equipment needs to be installed and operational by the end of this phase.

PLAN PHASE THREE

Target Date Range

June 1, 2020 to June 30, 2020

Overview

This phase marks the end of the court’s remote operations.

Staffing

All full-time court personnel will resume working in the courthouse on their normal schedule. The part-time Bailiff will resume her normal duties in the courthouse covering in person hearings and other duties.

Clerk’s Office

The Clerk’s Office will be open to the public.

Filings

Filings will return to the court's normal procedures. Filings may be made in person or by fax, subject to requirements in the court's Local Rules. Filings may also be made in the court's drop box outside the front entrance of the courthouse.

Hearings

Parties will be given the option of holding their hearing in person in the courthouse or by videoconference. All in person hearings will be closed to the public. Only the parties and their legal counsel may attend in person hearings.

Trials and Contested Hearings

All trials and contested hearings remain continued. The court will schedule interim pretrial videoconferences on all trials and contested hearings during this phase to determine where the case stands and to make appropriate adjustments to scheduling orders.

Marriage License Bureau

The online marriage license application system will be terminated. The court will return to its normal marriage license application process, with the exception that all application meetings will be by appointment only. Walk-in applications will not be permitted during this phase to avoid overcrowding. The majority of prior marriage license applications issued online should be finalized during this phase.

PLAN PHASE FOUR

Target Date Range

July 1, 2020 through July 31, 2020

Overview

This phase continues the court's gradual return to normal operations exclusively in the courthouse.

Staffing

All full-time and part-time court personnel will continue working in the courthouse on their normal schedule.

Clerk's Office

The Clerk's Office will remain open to the public.

Filings

Filings will continue to follow the court's normal procedures according to its Local Rules. The court's drop box outside the front entrance of the courthouse will continue to be available as an alternate method of filing.

Hearings

All hearings will be in person in the courthouse, unless a party or legal counsel show cause for legitimate health reasons why it should be conducted by videoconference. The court will consider each request on a case-by-case basis. All in person hearings will continue to

be closed to the public. Only the parties and their legal counsel may attend in person hearings.

Trials and Contested Hearings

The court will determine whether certain trials or contested hearings with limited parties and witnesses may be heard during this phase. All other trials and contested hearings will remain continued.

Marriage License Bureau

The court will continue its normal marriage license application process, with the exception that all application meetings will still be by appointment only. Walk-in applications will not be permitted during this phase to avoid overcrowding. All prior marriage license applications issued online will be finalized by the end of this phase.

PLAN PHASE FIVE

Target Date Range

August 1, 2020 forward

Overview

The Court's entire operation will return to its normal pre-Covid-19 procedures.