

FILED

2021 JUN -1 PM 2:01

TODD E. KOHLRIESER, JUDGE  
JUVENILE DIVISION  
COURT OF COMMON PLEAS  
ALLEN COUNTY, OHIO

IN THE COURT OF COMMON PLEAS ALLEN COUNTY, OHIO  
PROBATE & JUVENILE DIVISIONS

IN RE: CORONA VIRUS MEASURES :  
EFFECTIVE JUNE 2, 2021 : Miscellaneous Order  
AT 12:01 A.M. :

Whereas effective Friday, June 19, 2020, an order was issued in compliance with the Ohio Public Health Advisory System mandating the wearing of masks and detailing the Court operations for the Allen County Probate and Juvenile Court, located at 1000 Wardhill Avenue, Lima, Ohio by all persons not otherwise exempted; and

Whereas pursuant to Ohio Department of Health Orders issued May 17, 2021, in accordance with the guidance issued by the Center for Disease Control and Prevention on May 13, 2021, all fully vaccinated people can resume activities without wearing a mask;

IT IS THEREFORE ORDERED that all fully vaccinated people as defined in the May 17, 2021 ODH Director's Order may enter the Courthouse without facial covering effective June 2, 2021, at 12:01 a.m. EDT.

IT IS FURTHER ORDERED that all individuals who are not fully vaccinated are required to wear a facial covering unless otherwise exempted. The exceptions include children under the age of ten (10) and individuals with medical conditions or disabilities that prevents wearing facial coverings.

The Allen County Juvenile Detention Center and the Community Control Department of the Allen County Juvenile Court shall have full authority to establish procedures and protocols within the confines of their individual departmental offices, even if such procedures may be more restrictive than this order.

IT IS SO ORDERED.



JUDGE, TODD E. KOHLRIESER

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JUVENILE DIVISION  
COURT OF COMMON PLEAS  
ALLEN COUNTY, OHIO

IN THE COURT OF COMMON PLEAS, ALLEN COUNTY, OHIO  
PROBATE AND JUVENILE DIVISIONS

IN THE MATTER OF:

JUNE 2, 2021

SPECIAL COURT SECURITY ORDERS  
REGARDING CERTAIN RESTRICTIONS  
ON THE USE, OCCUPANCY, AND  
TRAFFIC WITHIN THE ALLEN COUNTY  
COURT OF COMMON PLEAS,  
PROBATE AND JUVENILE DIVISIONS

JUDGMENT ENTRY

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This matter is before the Court for consideration of the continuation and modification of the previous Security Orders issued by the Court on June 19, 2020, in response to the COVID-19 (novel coronavirus SARS-CoV2) public health crisis. The following shall govern Court operations in the Probate and Juvenile Divisions of the Allen County Common Pleas Court until modified.

For the purpose of this entry and order, "the Court" shall refer to the Probate and Juvenile Divisions of the Allen County Common Pleas Court, and "the Courthouse" shall refer to the David O. Steiner Juvenile Services Center and building, a facility located at 1000 Wardhill Avenue in Lima, Allen County, Ohio.

**CONDUCT WITHIN THE COURTHOUSE**

- 1) Only attorneys, parties, victims, and witnesses (and limited media when requested and approved) will be permitted into the Courthouse for scheduled proceedings.
- 2) Any person entering the Courthouse facility may be subject to a brief healthcare screening or non-invasive testing including, but not limited to, the taking of body temperature using a touch-free thermometer, and may be excluded from admission based upon the results of such screening or testing.
- 3) All persons entering the Courthouse facility are encouraged to maintain appropriate social distancing of six (6) feet wherever possible to do so.
- 4) To the extent possible, interaction between individuals, including counsel, the public, and Court staff shall be done electronically by phone, fax, email, text, Skype, Zoom, and similar technology.

## **CONDUCT OF IN PERSON HEARINGS**

- 1) Only the parties and counsel will be permitted in the Courtroom during the hearing, unless with the prior approval of the Court.
- 2) All persons entering the Courtroom are encouraged to maintain a minimum of six (6) feet of social distancing and are to comply with the directives of the Court Bailiff or the Court Administrator regarding Courtroom seating arrangements, unless modified by the Judge or assigned Magistrate.
- 3) Witnesses will be permitted in the Courtroom only while testifying and should not enter the Court facility until called to testify. Counsel are to arrange for any witnesses to be available in the parking lot or otherwise in the immediate vicinity of the Courthouse so that the witnesses can be called by counsel, utilizing text messaging or by phone call, to direct the witnesses to immediately appear in the Courtroom to offer testimony.

## **UTILIZATION OF ALTERNATIVE TECHNOLOGY**

- 1) Unless otherwise ordered by the Court or the assigned Magistrate, non-evidentiary Hearings will be conducted utilizing alternative technology and without the personal appearance of parties and counsel.

## **MANAGEMENT OF JUVENILE COURT DELINQUENCY, UNRULY, AND TRAFFIC CASES**

- 1) Unless otherwise ordered by the Judge or assigned Magistrate, all Delinquency Pre-Trial Conferences will continue to be held by phone call between the Prosecuting Attorney and Defense Counsel. The Assistant Prosecuting Attorney and Defense Counsel will be directed to hold a Pre-Trial Conference by phone, and to complete and submit the Pre-Trial Conference Report Form in the same manner as described herein. Unless otherwise ordered, the Court will not schedule the specific date and time for the Telephone Pre-Trial Conferences to be held by the Prosecuting Attorney and Defense Counsel; but will simply establish the date by which the Pre-Trial Conference is to be held and the Form submitted.
  - a. The Prosecuting Attorney will complete and sign the Pre-Trial Conference Report Form, note Defense Counsel's approval, and send the Form to the Court and Defense Counsel via email or facsimile.
  - b. Upon receipt, the Pre-Trial Conference Report Form will be reviewed by the Judge or assigned Magistrate, signed as reviewed, file-stamped by the Deputy Clerk, and assigned accordingly (i.e., for adjudicatory hearing, change of plea, or otherwise).

**MANAGEMENT OF JUVENILE COURT CUSTODY, PARENTING TIME, VISITATION,  
AND SUPPORT CASES**

- 1) The Court will address motions for temporary orders, including custody, parenting time, and child support in the manner prescribed in Local Rule 8, and in accordance with the applicable statutes.

**MANAGEMENT OF JUVENILE COURT DEPENDENT, NEGLECT,  
AND ABUSE CASES**

- 1) Cases will be assigned for Adjudicatory and Dispositional Hearings within the time limits prescribed by statute and rule. Additional Hearings, to include Preliminary Conferences, will be assigned as time is available.

**MANAGEMENT OF PROBATE COURT GUARDIANSHIP PROCEEDINGS**

- 1) The Court will continue to address Emergency 72 Hour Guardianship Applications in the manner prescribed in Local Rule 66.03(A).
- 2) Motions for 30 Day Extension of the Emergency Guardianship will continue to be assigned and heard in Court with an evidentiary hearing within 72 hours of the issuance of the Emergency Order.
- 3) The Court will consider any additional extensions of the Emergency Order beyond the 30 days on a case by case basis, with or without formal evidentiary hearing, and based on the supporting Affidavits submitted in support of each requested extension.
- 4) Applications for Appointment of Guardian which are not requested as an emergency will be assigned as time is available.

**MANAGEMENT OF PROBATE COURT INVOLUNTARY MENTAL HEALTH TREATMENT CASES**

- 1) There will be no change in the process of handling involuntary mental health treatment cases and hearings.

**MANAGEMENT OF PROBATE COURT ESTATE CASES**

- 1) Estate cases, including releases and summary releases, will be largely handled as in the past. Hearings on most matters that do not need to be expedited will be assigned as time is available.

**MANAGEMENT OF PROBATE COURT NAME CHANGES**

- 1) There will be no change in the process for handling name change cases and hearings. Applications for Change of Name will be assigned as time is available.

## MANAGEMENT OF PROBATE COURT ADOPTIONS

- 1) There will be no change in the process for handling adoption cases and hearings. Petitions for Adoption will be assigned as time is available.

## COURT COSTS

- 1) The Court will continue to accept payments and cost deposits by online credit card payments through the website of each Court, by check sent by mail, or by check or cash at the respective Clerk's offices.
  - a. Payments through the websites can be made by accessing each Court's home page and clicking on the box on the right side of the page below the language "Make a Payment."
  - b. For those without computer access, there is a laptop located in the lobby of each Court that can be utilized to make the credit card payments online.

## ADDITIONAL INFORMATION

- 1) In order to reduce traffic in the building, and minimize exposure to the staff and the public, the Court will continue to accept the filing of documents, including initial pleadings, via facsimile and email, and all persons are encouraged to submit such filings to the Probate and Juvenile Courts at the following:
  - JUVENILE:
    - Fax – (419) 222-7403
    - Email – [juvenilefilings@allencountyohio.com](mailto:juvenilefilings@allencountyohio.com)
  - PROBATE:
    - Fax – (419) 221-3432
    - Email – [probatefilings@allencountyohio.com](mailto:probatefilings@allencountyohio.com)
- 2) If documents are filed by fax or email, counsel must retain the original document in his or her records, to be produced at the request of the Court (Juvenile Court Local Rule 17.1(C) and Probate Court Local Rule 3.09(A)(3)).
- 3) Both the Probate and Juvenile Courts continue to accept hard copy filings by mail and in person.

This Entry and Order is intended to modify and replace the Court's prior Special Court Security Order issued on June 19, 2020, and is made effective June 2, 2021, and until further order of the Court.

**IT IS SO ORDERED.**



TODD E. KOHLRIESER, JUDGE  
Allen County Common Pleas Court  
Probate and Juvenile Divisions