

## **A Declaration of Judicial Emergency for Juvenile Court – Operational Procedures**

The Clermont County Juvenile Court has issued an order declaring a Judicial Emergency and adopted a continuity of operations on procedures for the Court.

The following procedures shall be implemented effective March 30, 2020:

### **1. Mediations**

All mediations shall occur through video conferencing unless the Court orders that the mediation take place in person or by teleconference.

### **2. Custody/Visitation/Companionship**

All contested trials shall be continued and set after June 1, 2020. All other hearings and pre trials shall be held by teleconference or video conference as directed by the Court. All attorneys must contact the Court prior to a hearing or pretrial to make arrangements to attend virtually.

### **3. Paternity/Child Support Establishment/Modifications**

All hearings on paternity, child support establishment and modification shall be continued until further notice.

### **4. Contempt**

All contempt hearings as well as all reviews of contempt shall be continued until further notice.

### **5. Abuse, Neglect and Dependency**

Complaints concerning the abuse, neglect and dependence of a child may be filed electronically by Children Services. The original document shall be filed with the Clerk within 5 days of the electronic transmission.

All Children Services cases shall be heard as scheduled. A Motion to Terminate Protective Supervision, a Motion to Terminate Temporary Custody, a Motion for a Planned Permanent Living Arrangement and Annual Reviews of children in a planned permanent living arrangement or in the permanent custody of Children Services shall be held telephonically or by video conference. Counsel should consult with their client prior to an adjudication or dispositional hearing to determine if a trial is necessary. Counsel should then consult with the prosecutor so arrangements can be made to have witnesses present or excused from the hearing. A CASA volunteer who is serving as a Guardian ad Litem may appear telephonically or by video conference when hearings are held. The report of a Guardian ad Litem may be provided to attorneys orally in lieu of review of a written report when attorneys are appearing for hearings telephonically or by video conference.

Hearings are limited to the child, unless excused, parents or custodians, counsel, Children Services representatives, foster parents, essential witnesses, Guardian ad Litem and CASA Volunteers. No other persons will be permitted to enter the Clermont County Juvenile Court building.

## **6. Delinquency and Unruly**

The Court will continue to hear all delinquency and unruly cases until further order. Delinquent and Unruly filings may be sent to diversion at the Court's discretion. Review hearings may be continued prior to their scheduled dates at the discretion of the Court.

Hearings are limited to the child, unless excused, parents or custodians, counsel, Children Services representatives, foster parents, therapist, essential witnesses, victims, Guardian ad Litem and CASA Volunteers. No other persons will be permitted to enter the Clermont County Juvenile Court building. Physical contact with a child in the courtroom coming from Detention is prohibited except for counsel, guardian ad litem, probation officer, therapists and Children Services representatives. Visitation in the Detention Center is prohibited except for counsel, guardian ad litem, probation officer, therapists and Children Services representatives unless otherwise directed by the Court.

## **7. Detention Hearings**

Detention hearings will be heard as set by the Court. Hearings are limited to the child, parents or custodians, counsel, Children Services representatives, foster parents, victims, Guardian ad Litem and essential witnesses. No other persons will be permitted to enter the Clermont County Juvenile Court building.

## **8. Traffic**

All traffic cases shall be continued and set after June 1, 2020.

## **9. Civil Protection Orders**

Civil Protection Orders will be heard as set by the Court. Hearings are limited to the petitioner, the respondent, parents, custodians, counsel, victim advocate and essential witnesses. No other persons will be permitted to enter the Clermont County Juvenile Court building.

## **10. Guardian ad Litem and CASA Home Visits/Reports**

Guardian ad Litem are required to make reasonable efforts to contact all parties unless impracticable or inadvisable because of the age of the child or the specific circumstances of a case. Visits may be conducted virtually in the event that in-home visits are deemed inadvisable by the Guardian ad Litem. Acceptable modes of virtual contact include, but are not limited to, FaceTime, Skype, Facebook Messenger, Zoom and Video Conferencing. In-person visits are discouraged, but when deemed necessary should be limited in time and closeness with other precautions taken. Phone and IT communication is encouraged in lieu of face to face. All Guardian ad Litem reports shall be submitted electronically to the Court.

## **11. Inspection of Records**

Personal inspection of records and walk-in requests for copies of eligible documents will not be permitted until further order of the Court. Counsel may email a request to inspect a record by emailing [tboothby@clermontcountyohio.gov](mailto:tboothby@clermontcountyohio.gov).

## **12. Copies of Documents**

Persons may request copies of documents, both certified and uncertified, from the Court by mailing a request for copies/transcripts/CD's to the Clermont County Juvenile Court, 2340 Clermont Center Drive, Suite 100, Batavia, Ohio 45103 or by emailing [tboothby@clermontcountyohio.gov](mailto:tboothby@clermontcountyohio.gov). All requests must use the Form to Request the Record that is posted on the Clermont County Juvenile Court Website under Juvenile forms. These requests will be processed in an efficient and expedited manner as possible under the circumstances.

These procedures will remain in effect until further notice.