

COURT OF COMMON PLEAS
PROBATE DIVISION
CLERMONT COUNTY, OHIO

FILED
JUN 01 2021
JAMES A. SHRIVER
JUDGE

IN RE: :
: **JOURNAL ENTRY**
FOURTH ORDER REGARDING THE :
DECLARATION OF A JUDICIAL :
EMERGENCY AND CONTINUITY :
OF OPERATIONS OF THE COURT DUE :
TO THE COVID-19 PANDEMIC :

The Probate Division Judge of the Clermont County Court of Common Pleas filed an Order Declaring a Judicial Emergency and Continuity of Operations of the Court Due to the COVID-19 Pandemic on March 18, 2020, a First Amendment to the Order Declaring a Judicial Emergency and Continuity of Operations of the Court Due to the COVID-19 Pandemic on March 30, 2020, a Second Order Declaring A Judicial Emergency and Continuity of Operations of the Court Due to the COVID-19 Pandemic on April 23, 2020, and a Third Order Declaring a Judicial Emergency and Continuity of Operations of the Court Due to the COVID-19 Pandemic on August 11, 2020.

The Probate Division Judge of the Clermont County Court of Common Pleas now issues a Fourth Order Regarding a Declaration of a Judicial Emergency and Continuity of Operations of the Court Due to the COVID-19 pandemic.

The Court finds that on May 17, 2021, the Director of the Ohio Department of Health, in conjunction with Governor DeWine, issued an Order that directed that all previous Orders issued by the Department of Health and related to the COVID-19 pandemic would be rescinded on June 2, 2021, except for those related to congregate living and healthcare settings.

The Court further finds, that there has been a significant reduction in new COVID-19 cases in recent weeks and that there is considerable availability of COVID-19 vaccines.

WHEREFORE, IT IS ORDERED, that all directives in the First, Second and Third Orders Declaring a Judicial Emergency and Continuity of Operations of the Court Due to the COVID-19 Pandemic are hereby rescinded effective June 2, 2021.

IT IS FURTHER ORDERED, that any person who has been currently diagnosed with or

has come into contact with anyone who has been diagnosed with COVID-19 or been exhibiting symptoms of COVID-19 shall not be permitted to enter Clermont County Probate Court. A person who has been asked to self-quarantine by any doctor, hospital or health agency shall not be permitted to enter the building. Any person who enters the Court with COVID-19 or is currently exhibiting symptoms of COVID-19 or who has been asked to quarantine will be required to exit the Court building.

IT IS FURTHER ORDERED, recognizing that the continuum of flexible responses adopted by the Court in the previous three Orders were highly efficient in the administration of justice, such practices shall continue until further Order of the Court. The Court orders that telephone conferencing and video conferencing shall continue as outlined in this Order.

THEREFORE, IT IS FURTHER ORDERED, that the following procedures be implemented effective June 2, 2021:

1. The Probate Court facility, located at 2379 Clermont Center Drive, Batavia, Ohio 45103, will open to the public. All in-person business of the Probate Court will take place at the Probate Court. All individuals coming to the court are encouraged to first call and schedule an appointment with the clerk. If you prefer to appear in person without an appointment, please be prepared to wait. Individuals who have an appointment will be seen first. Everyone else will be seen on a first-come-first-serve basis.
2. Social distancing and facial masks are optional.
3. Filings by mail are preferred and encouraged. The Probate Court will only accept fax filings as authorized by Local Rule 57.5 at (513)732-8183. Filings may also be brought to the Probate Court and placed in a box in the lobby. Counsel will have a designated pick-up area for processed documents.
4. Questions regarding any pending hearings should be directed to counsel. If an individual does not have counsel, questions should be directed to 513-732-7243.
5. Telephone calls are welcome. The Court may be reached by phone at 513-732-7243, option 6.
6. Uncontested adoption hearings shall be conducted by teleconference or video conference as determined by the Court. If the child is more than twelve years old,

the uncontested adoption hearing shall be held by video conference or at the Clermont County Probate Court as determined by the Court. Contested adoption hearings may be held by video conference or at the Clermont County Probate Court as determined by the Court.

7. All pre-trials and hearings will be completed by teleconference or video conference, unless the Court orders that the hearing take place in person.
8. All adult name changes and all minor name changes where both parents have consented will be by teleconference or video conference at the discretion of the Court. When both parents have not consented, the hearing may be continued at the discretion of the Court.
9. Contested matters such as adoptions, guardianship, name changes and objections to inventories and accounts may be conducted by video conference or in person at the Clermont County Probate Court as determined by the Court.
10. Attorneys with pending hearings must contact the Court prior to the hearing to make arrangements to attend by phone, video conference or at the Court.
11. Attorneys shall appear for citation hearings as directed by the Court.
12. All uncontested matters such as wrongful death hearings, insolvencies and minor settlements shall proceed by video conference with attorneys and their clients unless otherwise directed by the court. All necessary paperwork shall be filed prior to the hearing date.
13. Review hearings on guardianship will be heard telephonically or by video conference or in person as determined by the Court.
14. Virtual, telephone, video, and other electronic communication between a Guardian and the Ward shall constitute a visit pursuant to Rule 66.09 (F) of the Ohio Rules of Superintendence. Guardians are required to meet with the ward as needed and at a minimum quarterly. Visits may be conducted virtually in the event an in-person home or residential facility visit is deemed by the Guardian as inadvisable. Acceptable modes of virtual contact include, but are not limited to FaceTime, Skype, Facebook Messenger, Zoom and video conferencing.
15. Marriage Licenses may be obtained as follows: A marriage license may be

obtained either by personal appearance or by a Zoom hearing. Applicants may be able to make an appointment with the Clermont County Probate Court to appear in person if they do not have access to a computer or a smartphone. Said appointments will be on Tuesdays and Fridays, but Applicants must call the Court to schedule an appointment before appearing at the Court. Applicants who wish to obtain a marriage license must mail the completed Application for Marriage License, \$50 cash or money order and a self-addressed stamped return envelope to Clermont County Probate Court, 2379 Clermont Center Drive, Batavia, OH 45103. Upon receipt of the completed Application and \$50 cash or money order, the Court will call the Applicants to set up a date and time to process the marriage license via video conference. The Applicants will need to create a Zoom account by either going online at: <https://www.zoom.us/signup> or by downloading the App “Zoom Cloud Meetings” from the App Store. The Court will send an invitation via the Zoom App to the Applicants right before the scheduled meeting. The Applicants will be required to show their photo ID’s as well as any accompanying documents, i.e. Final Divorce Decree and/or a copy of a Death Certificate, if applicable during the meeting. The Court will process the Application during the Zoom meeting to ensure accuracy and to ensure the Applicants move forward with their Application. If the Applicants do not appear via video conference and do not call the Court to inform the Court they are unable to appear, the Court will mail the completed Application and \$50 cash or money order back to the Applicants in the envelope they provided to the Court after one business day. The Applicants would then need to re-start this process if they wish to apply for a Marriage License. If the Applicants do appear via video conference but do not have the appropriate documentation, i.e. valid photo ID, a file-stamped copy of their Final Divorce Decree, and/or a copy of the Death Certificate, if applicable, the Court will not be able to proceed with processing the marriage application and will give the Applicants a new video conference meeting date and time.

After the Court has successfully processed the Application, the Court will send a

copy of the Marriage Abstract to the Applicants for their signature. The Applicants will need to sign the Abstract and return to the Court along with a self-addressed stamped return envelope.

Upon receipt of the signed Marriage Abstract, the Court will sign and date the Abstract and send to the Applicants the Marriage License along with complete instructions on how to complete the marriage application process.


The Applicants will have 60 days to use the Marriage License after the Court has signed the Marriage Abstract. It is the Applicants' responsibility to secure an officiant, mayor or Court official to process the Marriage License. It is encouraged that the Applicants verify that information before beginning this process.

Applicants are also encouraged to check with their church and/or venue to ensure the ceremony will take place within the required sixty days before applying for a marriage license.

16. Personal inspection of records and requests for copies of documents will be permitted.
17. Persons may also request copies of documents, including marriage licenses, both certified and uncertified, from the Court by mailing a request to the Clermont County Probate Court at 2379 Clermont Center Drive, Batavia, Ohio 45103. Those persons requesting a certified copy of the marriage license shall include the following: full name of both applicants at the time the marriage license was issued; Month, date, and year of marriage; \$3.00 (cash or money order only, no personal checks) per certified copy; and a self-addressed stamped envelope so we can mail your certified copy to you. These requests will be processed in as efficient and expedited manner as possible under the current circumstances.

These procedures will remain in effect until further notice.

IT IS SO ORDERED.


Judge James A. Shriver