

COMMON PLEAS COURT
WARREN COUNTY, OHIO
FILED

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JAMES L. SCASETH
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS
COUNTY OF WARREN, STATE OF OHIO
DOMESTIC RELATIONS DIVISION

IN RE:

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20 MS 000328

MODIFIED

TEMPORARY ORDER IN
DOMESTIC RELATIONS
CASES IN RESPONSE TO
CORONAVIRUS PUBLIC
HEALTH CRISIS

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Judge Jeffrey Kirby
Magistrate Anne Flottman
Magistrate Tyler Webb
Magistrate Crist-Faine
Magistrate Yvonne Iversen

UPDATED JUNE 1, 2020

In response to the COVID-19 (Coronavirus) Public Health Crisis, and in addition to the Temporary Order that applies to all divisions of the Common Pleas Court, the Warren County Domestic Relations Court makes the following **MODIFIED TEMPORARY ORDERS** in order to ensure the safety of all litigants, attorneys, and the Court staff, effective June 1, 2020:

1) **DVCPOs.** The Court will remain open to hear all matters relative to Domestic Violence Civil Protection Orders. The Court will continue to address the need for personal safety within every family unit, and allow all individuals who wish to defend such allegations to have their full and fair hearing in Court.

2) **FILINGS.** The Court will accept all new filings in Domestic Relations cases, but all new pleadings will sit unattended for 24 hours. Once a new filing is processed and filed, it will be made available for pick-up or delivery.

While the Court does not accept motions by fax or email, the Court WILL accept Agreed Orders, Agreed Entries and Final Decrees (not involving children) by email or fax in order to speed up the filing process.

3) **PRETRIAL MATTERS BEFORE JUDGE OR MAGISTRATE.** All pretrial hearings (pre-divorce decree or post-decree) will be conducted as already scheduled, but not in person, but instead by telephone or virtually using Microsoft Teams. While in-person advocacy and testimony is always preferable, the Court cannot expect attorneys or litigants – or the Court staff -- to risk exposure to the Coronavirus when a reasonable alternative can be provided by telephone. As always, pretrial matters

are always reviewable as the case progresses, and rulings can often be retroactive. The Court must be provided the telephone numbers and email addresses of all attorneys and litigants prior to the hearing. The Court will initiate the call.

If the judge or magistrate determines that the pretrial issues cannot adequately be resolved by telephone, then the judge or magistrate will re-set the matter until a time when an in-person hearing can be held.

4) **EARLY NEUTRAL EVALUATION.** All ENE hearings currently scheduled shall be conducted virtually using Microsoft Teams, until further order of the Court.


5) **MEDIATION.** All mediation sessions will be conducted virtually using Microsoft Teams or by telephone, at the discretion of the mediator.

6) **DISSOLUTIONS/NON-CONTESTED DIVORCES.** Provided there is written consent by all attorneys and litigants, the Court will conduct dissolution and non-contested divorce hearings by telephone or virtually using Microsoft Teams. This may result in a delay in the filing of the Decree (but see section #2 above).

7) **CONTESTED FINAL TRIALS / HEARINGS BEFORE JUDGE OR MAGISTRATE.** All contested final trial or hearing (pre-decree or post-decree) presently scheduled will proceed as scheduled, in person, in the courtroom, **unless an attorney or party has a good faith objection to appearing in public.** The Court does not believe due process can be satisfied unless litigants and their attorneys are present in the courtroom, allowing for proper introduction and discussion of all exhibits, cross-examination, and evaluation of the credibility of a witness. However, the Court also does not feel it can, under the present circumstances, compel an attorney or a party to appear in public due to safety concerns. This will be decided on a case-by-case basis.

8) **THE PARENTING CLASS.** While this Court continues to require all divorcing parents to bring the best of themselves for the betterment of their children, which is emphasized in the H.O.P.E. parenting class presented by Randall Wheeler, we have cancelled the parenting class until August 11, 2020. Parents are encouraged to find an online parenting class for divorcing parents, which will be accepted upon request and verification of attendance, or they can take our divorced parenting class on August 11, 2020 or thereafter.

All until further order of the Court.



JUDGE JEFFREY T. KIRBY