

Klammer orders Lake County Courthouse closed

John Arthur Hutchison

JHutchison@News-Herald.com

Twitter: @newshealdjah

Lake County commissioners wondered why the county courthouse building was closed Thursday when no other county offices were closed.

Commissioner Daniel P. Troy said Lake County Probate Court Judge Ted Klammer closed the courthouse at about 9:30 p.m. Wednesday because of concerns about the weather.

Troy said that seemed odd because all weather reports indicated the winter storm had ended about that time.

"I'm looking out at the courts and everyone has a day off with pay," Troy said. "All the other people here are working."



Klammer

As the presiding judge of the county courthouse, Klammer has the authority to close the facility.

He explained that the reason for the court's closure was because of the building's leaky conditions inside combined with the bad weather and that it had continued to snow throughout the evening.

Klammer said he had called the commissioners office late in the day Wednesday, but couldn't reach anyone, and he needed to make a decision.

"It was snowing, it was more difficult inside the courthouse," the judge said. "We had backhoes and

everything else in the parking lot. My feelings on the subject were, the commissioners were all called, including the administrator at the end of the day, and no one was there."

Klammer said his decision was to react to what he felt was best for the clients and the people coming in to the courthouse.

Troy also said commissioners are trying to quash a subpoena that Klammer served to them Wednesday afternoon that orders them to appear in Probate Court at 1 p.m. today to discuss recent flooding in the courthouse basement.

The commissioner said normally there are weeks of notice to appear when a subpoena is issued, but in this case there was less than 48

hours.

It's possible commissioners' schedules could potentially conflict or at least there is little time to discuss the matter with their attorney, Troy said.

"We were served at 4 p.m. (Wednesday)," he said. "Our attorney is trying to quash that, but you can't do anything (Thursday) because the courts are closed."

He said it's the commissioners' understanding that the city of Painesville also was subpoenaed by Klammer to supply information regarding the issue, since some of the recent flooding in the courthouse was caused by a water line break.

"We've given him all the information we have," Troy said. "It's basically throwing sand in the gears of

government. We have important things to do, and we're spending an inordinate amount of time dealing with what I feel is irrational behavior."

Klammer said that because the case is in litigation, he didn't want to comment about specifics.

But he noted that the commissioners filed a writ of prohibition on Dec. 21 regarding the issue with the 11th District Court of Appeals, which basically asked the appellate court to order that Klammer not have jurisdiction in the matter.

Klammer said he planned to file a motion to dismiss response this morning to the writ of prohibition and that he expected the commissioners to be in his courtroom at 1 p.m.