

IN THE COURT OF COMMON PLEAS
PROBATE DIVISION
LAKE COUNTY, OHIO

FILED

In Re:

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MODIFIED ORDER DECLARING
CONTINUITY OF OPERATIONS OF
THE PROBATE COURT DUE TO
COVID-19 PANDEMIC

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JOURNAL ENTRY
EFFECTIVE 3/20/2020

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JUDGE MARK BARTOLOTTA
PROBATE COURT
LAKE COUNTY, OHIO

The Judge of the Lake County Court of Common Pleas, Probate Division, makes the following modified findings of fact and orders to those previously issued in the Journal Entries filed on March 13, 2020, regarding the ongoing and ever-evolving COVID-19 pandemic:

1. The Probate Courthouse/WestAnnex will continue to operate under "Open with Restrictions, Public Access Restricted," which now means only essential judicial, court, and clerk personnel shall be on duty in the courthouse, including sufficient security officers, and no other persons will be permitted entry unless prior authorization has been given by the Court.
2. Based upon these findings of fact, the Judge of the Lake County Court of Common Pleas, Probate Division, makes the following orders specific to the continuity of probate court operations and those regarding the issuance of marriage licenses.

THEREFORE, IT IS HEREBY ORDERED:

1. Effective March 20, 2020, the Court will operate under the newly defined "Open with Restrictions, Public Access Restricted" status until further order of the Court.
2. Public access will be denied at the front entrance of the Courthouse/West Annex unless prior authorization to appear before the Court has been given.
3. The Court will have the lawful authority, within Constitutional limits, to do and direct to be done all things necessary to ensure the orderly and efficient administration of justice for the duration of the declared public health emergency.
4. All original filings must be submitted by a form of U.S. mail with payment for court costs included. All new filings shall sit for 24 hours in the Probate Court Clerk of Court's Office before processing as a public health precaution.
5. Filings will be accepted via fax at 440-350-2628 or email at probatenotify@lakecountyohio.gov only for matters that are deemed at the Court's discretion to be an emergency. If a party believes a filing should be considered on an emergency basis, the party must notify the Court by phone at 440-350-2626 prior to faxing or emailing any document(s).
6. All hearings will be conducted via telephone or video conference unless the Court orders that the hearing take place in person.
7. Hearings may be continued at the Court's discretion to a later date with notice to all parties. If a party wishes to continue a hearing, a motion for continuance should be filed.

8. All civil commitment cases brought under Chapter 5122 of the Ohio Revised Code will be heard by a Magistrate via video conferencing.
9. Where the personal service of the Notice of a guardianship application and hearing required by R.C. 2111.04 is not possible, the Court will appoint the guardian on a limited basis pursuant to R.C. 2111.02(B)(1). A full guardianship hearing will be held at the earliest possible date after the required personal service is completed.
10. If an emergency guardianship is required, the same process in paragraph 8 may be followed.
11. If a limited or emergency guardianship is ordered, the Court reserves the right to extend the duration of the guardianship in the best interests of the ward.
12. An automatic 90-day extension is granted on all of the following:
 - a. The filing of all Inventories, including Estates, Guardianships, and Trusts.
 - b. The filing of all Accounts, including Estates, Guardianships, and Trusts.
 - c. The filing of Guardian's Reports, Statements of Expert Evaluation, and Annual Guardian Plans and Compliance with Guardianship Education;
13. Applications for marriage licenses are temporarily suspended. Special arrangements with the Court may be available for applicants who believe that immediate action is required to obtain a marriage license. Those applicants shall email the Court at probatenotify@lakecountyohio.gov to provide a written explanation as to why they believe immediate action is necessary. The Court will review the explanation and determine, in its discretion, whether a license will be issued and the applicants will be notified of the Court's decision.
14. All requests for certified copies of marriage records must be submitted to the Court by a form of U.S. mail.
15. Probate court phone lines will remain open during normal business hours 8:00 a.m. to 4:30 p.m.
16. Any person experiencing flu-like symptoms must contact the Court prior to appearing at any pre-authorized hearing or business with the Court to see if such appearance can be waived, rescheduled, or held via telephone or video conference.
17. It is the intention of the Court to remain in operation to perform its essential functions. The Orders herein are meant to discourage anyone from personally appearing in the Lake County Probate Court unless absolutely necessary.
18. The Court reserves the right to modify these orders at any time during the current public health crisis.

IT IS SO ORDERED.



JUDGE MARK J. BARTOLOTTA

cc: Lake County Bar Association
Lake County Clerk of Court
Ohio Judicial Conference