

Jun 07 2021

United States District Court
Northern District of Ohio
General Order

AMENDED GENERAL ORDER NO. 2020-08

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

In Re:)	
)	
)	ORDER NO. 2020-08-8
CORONAVIRUS (COVID-19))	
PHASED-IN RECOVERY PLAN)	
)	

This Court previously issued General Order No. 2020-05, Amended General Order No. 2020-05-1, and Amended General Order No. 2020-05-2 In Re: CORONAVIRUS (COVID-19) PUBLIC EMERGENCY. These Orders were in response to the exponential spread of COVID-19 and the declaring of a public emergency by the President of the United States and the Governor of the State of Ohio.

The Centers for Disease Control and Prevention and other public health authorities had advised the taking of precautions to reduce the possibility of exposure to the virus and slow the spread of the disease, including the implementation of multi-phase business recovery plans to gradually resume operations. In response, the Court issued General Order No. 2020-08, Amended General Order No. 2020-08-1, Amended General Order No. 2020-08-2, Amended General Order No. 2020-08-3, Amended General Order No. 2020-08-4, Amended General Order No. 2020-08-5, Amended General Order No. 2020-08-6, and Amended General Order No. 2020-08-7 In Re: CORONAVIRUS (COVID-19) PHASED-IN RECOVERY PLAN.

The Court’s recovery plan continues to follow a multi-phase approach. The pace and progression of recovery through each phase are based on health and business recovery guidance from the Centers for Disease Control (CDC), the Administrative Office of the United States Courts, and the State of Ohio.

NOW, THEREFORE, based on the CDC's recently issued COVID-19 guidance and the updated guidance from the Administrative Office of the United States Courts, this Court has determined to modify certain precautions and restrictions while taking into consideration a number of factors, including the Ohio vaccination rate. The Court will continue to take an incremental approach in assuring the protection of court personnel, counsel, litigants, jurors, and the public. Accordingly, the United States District Court for the Northern District of Ohio hereby issues the following Order:

FACILITIES:

1. Health screening (temperature checking and COVID-19 screening questions) may take place for admittance to a courthouse. Individuals will be denied entrance if they have a temperature of 100.4 degrees or higher or respond affirmatively to any COVID-19 screening question. Visitors denied entrance should contact by telephone the office to be visited in order to explore alternatives to entering the courthouse.
2. The use of face masks is required for all individuals in a courthouse, unless otherwise directed by the Court or a courthouse official. The face mask must completely conceal the wearer's nose and mouth at all times. Visitors seeking entrance to a courthouse without a face mask will be asked to contact by telephone the office to be visited to explore alternatives to entering the courthouse.
3. Naturalization ceremonies will proceed being mindful of the status of the pandemic and public health recommendations.
4. Physical distancing will be enforced in public and common areas.

CIVIL CASES:

1. In-person civil jury trials will proceed under the following conditions: 1) only one jury trial at a time, civil or criminal, will be conducted in each courthouse, except for the Carl B. Stokes U.S. Court House, where no more than three jury trials may be conducted at a time; and 2) each jury trial will be scheduled for no more than five trial days, unless otherwise agreed to by the judges who serve in that particular courthouse.
2. In-person court proceedings and in-person chambers proceedings will be limited to the number of people which permits the observance of the physical distancing requirement of six feet in all instances.
3. At the discretion of the presiding judge and upon inquiry of vaccination status, a participant(s) in a proceeding in the judge's courtroom may be permitted to remove his/her mask. Spectators and jurors must remain masked at all times.

CRIMINAL CASES:

1. Jury trials will proceed under the following conditions: 1) only one jury trial at a time, civil or criminal, will be conducted in each courthouse, except for the Carl B. Stokes U.S. Court House, where no more than three jury trials may be conducted at a time; and 2) each jury trial will be scheduled for no more than five trial days, unless otherwise agreed to by the judges who serve in that particular courthouse.
2. In-person court proceedings and in-person chambers proceedings will be limited to the number of people which permits the observance of the physical distancing requirement of six feet in all instances.
3. At the discretion of the presiding judge and upon inquiry of vaccination status, a participant(s) in a proceeding in the judge's courtroom may be permitted to remove his/her mask. Spectators and jurors must remain masked at all times.
4. Grand jury matters will proceed being mindful of the status of the pandemic and public health recommendations.
5. All detainees, upon arrival at a courthouse and before appearance in court, will undergo screening for fever and other symptoms of COVID-19 contamination. Defendants on bond will be subject to health screening (temperature check and COVID-19 screening questions) upon arrival at the courthouse. Such screening will be administered by and/or at the direction of the United States Marshals Service (USMS) or its agencies or designees. The presiding judge must be notified if the detainee or on-bond defendant exhibits risk factors and will have the discretion to order the detainee returned to the facility from which they came or the on-bond defendant to be denied entrance to the courthouse.

EMPLOYEES:

1. To support the resumption of in-person court proceedings, employees in all court units will report for work on-site in accordance with direction provided by the judge or unit executive/supervisor.
2. Employees reporting to a courthouse will self-monitor for indicative COVID-19 symptoms before reporting to the workplace. If COVID-19 symptoms are present, the employee will stay home and contact their healthcare provider for medical care and guidance regarding when it is safe to return to the workplace.

3. Employees who are fully vaccinated are permitted to remove face masks while in any work area. Unvaccinated employees may remove face masks when alone in their private office/cubicle which permits at least six feet of physical distance from other persons.
4. Regardless of vaccination status, all employees must wear masks and maintain physical distancing of six feet from other persons when interacting with the public or in public courthouse areas.
5. Business travel required to perform essential functions is permitted.

This General Order supersedes Amended General Order No. 2020-08-7 which is hereby vacated.

The Court will regularly review this Amended General Order No. 2020-08-8.

IT IS SO ORDERED.

FOR THE COURT



Patricia A. Gaughan
Chief Judge