

**IN THE MAHONING COUNTY COURT OF COMMON PLEAS
PROBATE DIVISION**

IN THE MATTER OF)	Case No: 2020 MC 0041
COURT OPERATIONAL)	
MATTERS IN RESPONSE)	JUDGE ROBERT N. RUSU, JR.
TO COVID-19)	
)	JOURNAL ENTRY

On March 13, 2020 the Court issued a Judgment Entry in response to the State of Emergency issued by Gov. Michael DeWine and the COVID-19 pandemic. The Court now finds that the Governor has extended the “stay at home” Order for all Ohioans until May 29, 2020. As a result, the Court finds that it is necessary to modify certain operating procedures so as to protect the court employees and the public who will be utilizing the court.

Therefore, it is hereby Ordered that effective Monday, **May 4, 2020**, the following new procedures will begin:

1. All individuals coming into the probate Court including staff, lawyers, and general public will be required to wear a face covering;
2. No more than two (2) individuals shall be allowed into the Probate Court filing counter at any one time. Other must remain in the Court hallway until an open window is available at the filing counter;
3. Proper social distancing protocols shall be observed by all individuals coming to the Probate Court;
4. The Court will continue to accept and encourage pleadings to be filed via email to **mcprobate@mahoningcountyoh.gov**; by facsimile to (330) 740-2325; and by regular United States mail to *Mahoning County Probate Court*, 120 Market Street, First Floor, Youngstown, Ohio 44503;
5. The Court will continue to hold hearings via telephone and video conferencing as well as certain in-person hearings when necessary. I encourage all lawyers to file a Motion to conduct hearings via telephone or video conference. The Court will be issuing orders on its own but your Motions will assist the Court during this time of limited staff.
6. While the “stay at home” *Order* is in place, Magistrates will **NOT** be available to meet with lawyers, paralegals, legal support staff, or the general

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public. Anyone desiring to speak with a Magistrate for approval of any pleadings must schedule a telephone appointment with the Court and forward all documents to the Court/Magistrate via email, facsimile, or regular United States mail prior to the scheduled conference. The Magistrate will then contact you on your scheduled appointment.

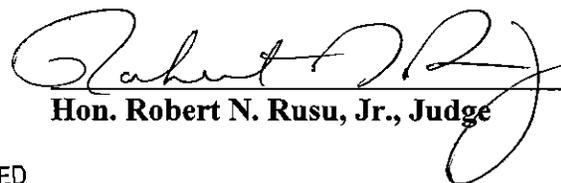
The Court further finds that on March 27, 2020 the *Supreme Court of Ohio* issued an Order which tolls the time requirements as established by all *Supreme Court* promulgated Rules, specifically Rule 53 of the Ohio Rules of Civil Procedure and the time periods to object to a *Magistrate's Decision*. Further the Court finds that the *Supreme Court* did allow in its March 27, 2020 Order to allow each individual Court to set its own time periods concerning certain issues depending on its own unique situation. Therefore, since *Magistrate's Orders* and *Magistrate's Decisions* in probate matters are being issued in cases which require immediate attention, to extend the period of time for filing *Objections* to these *Orders/Decisions*, would not be in the best interest of justice and could place vulnerable individuals and wards in dangerous situations.

Therefore it is the Order of this Court that all time provisions as set forth in Rule 53 of the *Ohio Rules of Civil Procedure* shall be maintained and **no tolling** of the time period to file objections to the Magistrate Decision/Orders will be allowed.

The above policies and procedures shall remain in effect until it determines that the Covid-19 health emergency has passed and further order of the Court.

IT IS SO ORDERED.

Dated: May 4, 2020


Hon. Robert N. Rusu, Jr., Judge

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