

IN THE COURT OF APPEALS
FIFTH APPELLATE DISTRICT

CLERK OF COURT OF APPEALS
STARK COUNTY, OHIO

2020 MAY 18 PM 3:15

In re: Amended Waiver of Oral Arguments :
and Submission of Cases on the Briefs : Temporary Order

WHEREAS, on March 9, 2020, the Governor of Ohio issued Executive Order 2020-01D and declared a state of emergency in Ohio in response to COVID-19;

WHEREAS, on March 11, 2020, the World Health Organization publicly characterized COVID-19 as a global "pandemic" requiring "urgent and aggressive action" to control the spread of COVID-19;

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency;

WHEREAS, on March 27, 2020, the Ohio Supreme Court ordered that social distancing must be observed during the emergency period in all court proceedings and in each court in order to mitigate the spread of COVID-19 and ordered courts to comply with all directives from the Director of the Ohio Department of Health, retroactive to March 9, 2020;

WHEREAS, the Ohio Supreme Court issued its Order as a temporary measure to ensure the continued and effective operation of the judicial system during this emergency period;

WHEREAS, this Court agrees with the Ohio Supreme Court Order's intention to protect the citizens of Ohio and this District during this emergency period;

WHEREAS, on April 15, 2020, this Court issued an Order stating that, after April 16, 2020, all cases that are fully briefed and ready to be assigned to a panel for merit review shall be submitted on the briefs without oral argument;

WHEREAS, this Court's April 15, 2020 Order further stated that the Court would continue to monitor the situation and circumstances of this pandemic and re-evaluate its Order as circumstances evolve and improve;

NOW THEREFORE, this Court shall continue to order all cases submitted, without oral argument, if fully briefed and ready to be assigned to a panel for merit review, unless a party files a written request for oral argument upon being notified of such submission. Any written request for oral argument shall be made within 15 days of the filing of the

Order submitting the case for merit review, unless good cause to extend the time is shown.

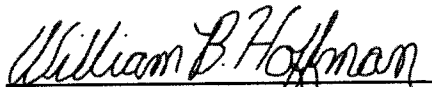
If oral argument is scheduled, the following applies:

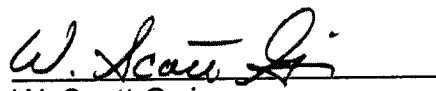
- (A) Oral argument will be conducted remotely by telephone or videoconferencing, at the discretion of the Court. Parties in cases set for oral argument will be notified by the Court with instructions on how to participate;
- (B) Information regarding how the public and the media may listen to the arguments will be provided upon request.

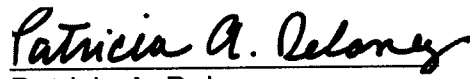
The Court will continue to monitor the situation and circumstances of this pandemic and re-evaluate this Order as circumstances evolve;

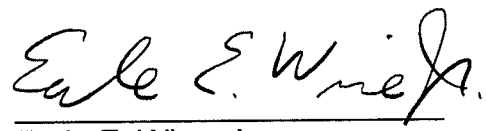
This Order shall be effective May 18, 2020 and remain in place until further order of this Court.

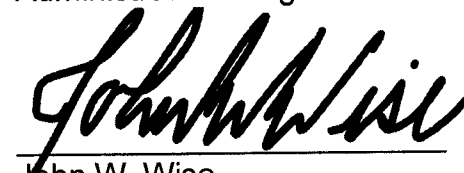
IT IS SO ORDERED.

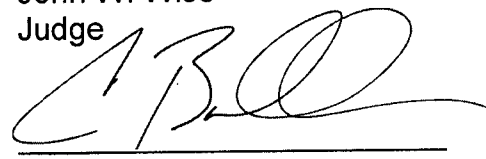

William B. Hoffman
Presiding Judge


W. Scott Gwin
Judge


Patricia A. Delaney
Judge


Earle E. Wise, Jr.
Administrative Judge


John W. Wise
Judge


Craig Baldwin
Judge