

FILED  
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MUNICIPAL COURT  
MIAMISBURG, OHIO

**IN THE MIAMISBURG MUNICIPAL COURT  
MONTGOMERY COUNTY, OHIO**

**IN THE MATTER OF:**

**TEMPORARY EMERGENCY  
RESPONSE TO THE  
COVID-19 PANDEMIC**

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**TEMPORARY  
ADMINISTRATIVE ENTRY  
AND ORDER**

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Upon this Court's own motion, and for good cause shown, in the interest of the health, welfare, and safety of the general public, and of this Court employees, and following the recommendation of the Ohio Department of Health, the Ohio Governor, and the Ohio Supreme Court, the following order is made in accordance with Ohio Revised Code 2945.72 (G).

**IT IS HEREBY ORDERED:**

1. Most civil hearings, evictions, and small claims trials will be postponed until after April 20, 2020, except under special circumstances, hearings will be held.
2. Scheduled pretrials for all misdemeanors, shall, when possible, be conducted by email or telephone.
3. Trials for misdemeanor offenses shall, when necessary, be rescheduled to a date subsequent to April 20, 2020.
4. The provisions and applications of the Speedy Trial Act is stayed for approximately one month, until April 20, 2020, in accordance with the previously referenced orders and Ohio Revised Code §2945.72(G).

5. The Court will issue a recognizance bond, commonly called an O.R. bond, in all misdemeanor cases, unless there is clear evidence that a recognizance release of the defendant would pose a risk of harm to the defendant or the public.

6. If requested by defense counsel, the Court will waive the Defendant's presence at pretrial hearings.

7. When possible, all probation and pretrial supervision meetings will take place by telephone, absent exigent circumstances.

8. The Court will continue the deadlines for all Court-ordered classes, community service, fine payments, group AA or NA meetings, and group drug and alcohol counseling until after April 20, 2020.

9. The Court has attempted to release all incarcerated Defendants charged with or convicted of misdemeanor offenses if they are high-risk for contracting the COVID-19 virus and low risk for harm or danger to the public or themselves.

10. The Court has ordered comprehensive sanitation and cleaning of the Courtroom, Clerk's office, probation department, and civil department. Hand sanitizer has been stationed by the Defendant's podium and Clerk workstations.

11. Courtrooms remain open and public; the Court has urged all litigants to practice social distancing and limited the number of persons in the Courtroom at one time to protect the public health.

12. Further, the Court has been screening employees daily for fever, visible symptoms, and possible illness. Employees that are believed to be ill are urged to remain at home.

13. When possible, the Court will conduct all hearings of Defendants incarcerated in the Montgomery County Jail by video.

14. The Court asks that police agencies issue a summons or citation in lieu of arrest to any person that displays symptoms of the COVID-19 virus or is visibly ill, taking into consideration the safety of the public.

15. The Court discourages the use of arrest warrants and will continue hearings if possible, taking into consideration the seriousness of the alleged offense and the level of compliance of the Defendant.

**IT IS HEREBY ORDERED** this Order shall take effect immediately, beginning March 20, 2020, and may be amended by further Order of this Court.

**IT IS SO ORDERED:**

  
JUDGE ROBERT W. RETTICH, III