

IN THE BEDFORD MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO

MAY 06 2020

THOMAS E. DAY, JR.
CLERK OF COURT
BEDFORD MUNICIPAL COURT

IN RE: MATTER OF COURT OPERATIONS)
)
CHANGES IN RESPONSE TO CoVID-19) JOURNAL ENTRY
)

The following are Orders of this Court as the State of Ohio now moves towards re-opening of businesses and modifications of the Stay at Home order of Governor Michael DeWine, which was effective May 1, 2020. This Court's Order of March 19, 2020 remains in full force and effect except as noted in this order below.

On March 9, 2020, Ohio Governor DeWine issued Executive Order 2020-01D, declaring a State of Emergency in Ohio in response to the CoVid-19 public health emergency.

In response to this public health emergency, the following measures are being implemented to minimize the number of persons that need to be in the Bedford Municipal Court. Therefore, effective May 11, 2020:

1. The Hours of operation of the Court will remain 8:30 am to 3:00 pm, until further order of the Court;
2. The Court will have 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 emergency;
3. All criminal and civil jury trials are suspended up to and including July 30, 2020, unless a criminal case implicates constitutional "speedy trial" issues for which a waiver from Defendant has not been obtained. The date may be extended by further order of the court;
4. The public health emergency may be considered a finding of "just cause" for continuances deemed necessary by assigned judges on a case-by-case basis;
5. The Court's security policies may be temporarily amended or supplemented to protect public health while maintaining essential court functions;
6. The Court authorizes the use of audio-visual devices and technologies for all actions and proceedings, except for a trial by jury in a criminal matter;
7. Only attorneys, litigants, defendants, victims, and necessary witnesses will be allowed into court;

8. **Criminal and Civil Jury Trials and Trials to the Court:** Criminal and Civil Jury Trials are being scheduled after July 30, 2020. Criminal and Civil Trials to the Court are being scheduled after May 31, 2020;
9. **Arraignments and initial appearances for jailed Defendants:** will continue to be held by video. Arrangements will be made for Attorneys to talk to their clients in private if necessary;
10. **Traffic and Criminal Arraignments:** the Court will be scheduling traffic and criminal initial appearances and other hearings beginning May 11, 2020. However, the Court is granting continuances for those who file same. A Defendant may also file a Not Guilty Plea with the Court via Fax or email. Information for that process is available at our website at www.bedfordmuni.org;
11. **Traffic and Criminal Pretrials:** the Court is beginning to conduct criminal and traffic pretrials beginning the week of May 11, 2020; however, the Court is granting continuances, and may grant a plea in absentia upon review and granting pretrial phone conferences with the prosecutors. On the Court's own motion, continuances are hereby granted pursuant to R.C. 2945.72(H) if a speedy trial issue exists, based upon the necessity to protect public health;
12. **Probation:** Probation Department will continue with phone interviews until further order of this Court. Throughout this time, the Probation Department may conduct in-person interviews at the Court, abiding by all social distancing requirements. The Court reserves the right to call probationers in the courtroom, should the need for additional proceedings arise;
13. **Civil Pretrials and Oral Hearings:** Will resume on May 11, 2020. The Court will conduct these by telephone as much as possible until further order of the Court. If a party and/or attorney desires to appear by phone for a pretrial or oral hearing they must notify the Court;
14. **Small Claims hearings:** Will resume the week of May 18, 2020;
15. **Weddings:** The court will not perform Weddings through June 1, 2020. This may be extended by further order of the Court;
16. **Eviction Hearings:** Evictions cases will resume on May 15, 2020, however ruling on writs may be held in abeyance, and issued by further order of the Court, pursuant to CoVid-19 Emergency Rulings. If the eviction is for something other than non-payment of rent, the

Court will consider issuing the writ on a case by case basis to ensure that no threats of violence exist, a dangerous situation does not exist or that criminal activity is involved; otherwise, the cases will likely be continued as to the date the tenant has to vacate. Further, the Court will conduct no move-outs until further order of the Court. **PLEASE BE ADVISED IT IS THE LANDLORD'S RESPONSIBILITY TO ENSURE COMPLIANCE WITH THE FEDERAL GOVERNMENT'S CARES ACT;**

17. **Garnishments and Executions of Judgments:** Garnishments and Executions of Judgments shall continue as scheduled subject to CoVid-19 Emergency Rulings.
18. **UPON ENTERING THE COURTHOUSE, THE PUBLIC MUST WEAR A MASK OR FACE COVERING. SOCIAL DISTANCING IS REQUIRED.**

IT IS SO ORDERED.



Judge Brian J. Melling
Administrative and Presiding Judge

Date: 5/6/20

RECEIVED AND FILED

MAY 06 2020

THOMAS E. DAY, JR.
CLERK OF COURT
BEDFORD MUNICIPAL COURT