

IN THE CLEVELAND HEIGHTS MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO

In the matter of
TEMPORARY ORDER IN RESPONSE TO THE
COVID-19 (CORONAVIRUS) PUBLIC HEALTH
CRISIS

GENERAL ORDER

On March 16, 2020, this Court issued a General Order, having made certain findings of fact concerning the public health emergency created by COVID-19, this Court modified its schedule and daily operations to protect the public while maintaining essential court functions and protecting the rights of all individuals subject to the authority of the Court.

On March 27, 2020, the Governor of Ohio signed into law a bill which immediately tolled, retroactive to March 9, 2020, all statutes of limitation, time limitations, and deadlines in the Ohio Revised Code and the Ohio Administrative Code until the expiration of Executive Order 2020-01D or July 30, 2020, whichever is sooner.

On that same day, the Supreme Court of Ohio ordered that all time requirements imposed by the rules of the Court and set to expire are tolled, retroactive to March 9, 2020, until the expiration of Executive Order 2020-01D or July 30, 2020, whichever is sooner. The Supreme Court of Ohio further ordered that any requirement in a rule of the Court that a party appear in person or requiring in-person service may be waived by the Court or a local court.

Therefore, it is hereby ordered:

1. Effective immediately, all appearances and hearings are limited to attorneys, defendants, victims, and litigants in proceedings or anyone making payments to the Court. Individuals that do not have business before the Court will not be permitted in the courthouse. Any person displaying symptoms of illness may be removed by the Court's Bailiffs.

2. Appearance or service by use of technology may be allowed if it sufficiently guarantees the integrity of the proceedings and protects the parties' interests and rights. Unless otherwise ordered, all requests to appear by use of technology must first be filed with and approved by the Court.

3. **Jailed Defendants:** The Court will continue to rely on its recently amended bond schedule that presumption of pre-trial release. The Court will continue to see jailed defendants via video conferencing. The Court will continue to make every effort to minimize the number of prisoners in jail, to the extent that the safety of the community or the alleged victim, if any, is not jeopardized.

4. **Criminal and Traffic Arraignments, Motion Hearings, and Trials:** Effective immediately, criminal and traffic arraignments, motion hearings, and trials are continued until further order of the Court. Defendants charged with criminal or traffic offenses may contact the Prosecutor to negotiate a plea resolution which would avoid a personal appearance. Defendants charged with criminal or traffic offenses must file their current address, telephone number, and email using the Change/Update of Address Form available from the Court's website.

Any party believing that either an oral or remote hearing should be scheduled during the pendency of this Order may file a Request for Hearing setting forth the reasons requesting such a hearing.

5. **Criminal/Traffic Pre-trials:** Effective immediately, criminal and traffic pre-trials will be conducted via telephone. Defendants and attorneys will be contacted to make arrangements for conducting the phone pre-trial. Change of plea hearings may be set via video conferencing where available. Pro se Defendants must file their current address, telephone number, and email using the Change/Update of Address Form available from the Court's website. In addition, attorneys (or Defendants if pro se) must send an email with a phone number at which they can be reached along with the case number and caption to PROessner@clvhts.com and THill@clvhts.com.

6. **Probation Appointments:** All probationers shall report only via telephone, Skype, or some other preapproved method. Probationers shall provide the Probation Department with updated addresses, telephone numbers, and emails.

7. **Civil Pre-trials:** Effective immediately, where possible, all civil hearings, other than trials, will be conducted telephonically.

8. **Civil Hearings and Trials:** Effective immediately, all civil hearings and trials, including small claims trials, will be suspended until further order of the Court. Parties must file their current address, telephone number, and email using the Change/Update of Address Form available from the Court's website.

Any party believing that either an oral or remote hearing should be scheduled during the pendency of this Order may file a Request for Hearing setting forth the reasons requesting such a hearing.

9. **Evictions:** Effective immediately, all eviction trials, status hearings, and bailiff moveouts are suspended until further order of the Court. Parties must file their current address, telephone number, and email using the Change/Update of Address Form available from the Court's website.

Any party believing that either an oral or remote hearing should be scheduled during the pendency of this Order may file a Request for Hearing setting forth the reasons requesting such a hearing.

10. **Ability-to-Pay Hearings:** Effective immediately, all ability-to-pay hearings are suspended until further order of the Court. Parties must file their current address, telephone number, and email using the Change/Update of Address Form available from the Court's website. Further, payments may continue to be made by accessing the online payment option at the Court's website.

The public and litigants are further advised of the following:

1. **Online Filing:** While the Court will continue to accept in-person filings, the Court encourages litigants, in all criminal, traffic, and civil matter, to file documents electronically through its website at www.clevelandheightscourt.com.

2. **Online Payments:** The Court accepts online payments through its website at www.clevelandheightscourt.com. The Court encourages individuals to make online payments when possible. Individuals who do not want to contest a waivable citation can conclude their case by paying their fine online. No court appearance is necessary. Payment plan payments can also be made online.

3. **Not Guilty Plea:** Defendants that would like to contest their case can avoid coming to the courthouse for their arraignment by filing a not guilty plea before their arraignment. Defendants can download a Not Guilty Plea with Time Waiver form from the Court's website, fill it out and file it with the Court before their arraignment date. See Number 1 above for filing instructions.

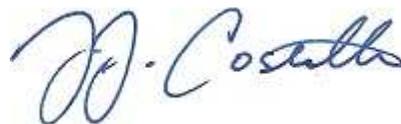
4. **Speedy Trial Waivers:** Any Defendant that previously demanded a speedy trial but now wants to continue his/her pretrial or trial can download a Time Waiver form from the Court's website and file it with the Court. See Number 1 above for filing instructions.

The Court is continuously assessing the situation to determine if additional precautions are necessary.

This Temporary Order shall remain in effect until further order of the Court.

IT IS SO ORDERED.

March 30, 2020
DATE



JUDGE J.J. COSTELLO