



IN THE CLEVELAND MUNICIPAL COURT
GENERAL DIVISION

STATE OF OHIO
CUYAHOGA COUNTY

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ADMINISTRATIVE ORDER
NO. 2020-003

**IN RE: CONTINUATION OF DECLARATION OF JUDICIAL EMERGENCY IN
RESPONSE TO COVID-19 PANDEMIC**

The Judges of the Cleveland Municipal Court, General Division, agree that due to the increasing concern of the Coronavirus pandemic and the Amended Director of Health's Order since the issuance of Administrative Order 2020-001 and the subsequent Administrative Order 2020-02, it is necessary to extend the time period for continuing cases and for having reduced dockets. This effort is made to reduce the number of judges and staff in the building while providing essential services required by law.

The Judges agree to continue presiding over reduced dockets that focus solely on jailed defendants and emergency matters that come before the Court. This includes all jail arraignments for felony and misdemeanor defendants and misdemeanor pretrials only where the defendant is in jail.

The Judges further agree that, each week, one designated Judge shall preside over any proceeding of a case assigned to another judge, except for the imposition of a sentence. The assignment will rotate weekly.

Further, the criminal cases scheduled on the personal dockets of the judges of this court or on an arraignment docket, from Thursday, April 9, 2020 until further order of the Court, are hereby ordered rescheduled for hearing exactly ten weeks from the last scheduled court date. The Court will evaluate the effectiveness of the reduced dockets and may issue further orders if the COVID-19 pandemic remains.

The Clerk is ORDERED to summons, via ordinary U.S. Postal Service, all defendants whose appearances are rescheduled. The summonses shall order each defendant to appear in accordance with the appropriate docket. No costs for the court date notification shall be assessed to any defendant as a result of this postponement.

While the right to a speedy trial is a fundamental guarantee, we cannot ignore the actions required by everyone at this time to prevent the spread of the COVID-19 disease, which, inter alia, includes the rescheduling of all court hearings until the likelihood of transmitting the disease is no longer a threat. Therefore, speedy trial requirements of R.C. 2945.71 for all criminal cases, whether scheduled for arraignment or on a personal docket of the judges, that were rescheduled pursuant to Administrative Order 2020-001, Administrative Order 2020-002 or this Administrative Order are extended to dates no earlier than June 15, 2020, pursuant to R.C.

2945.72(H). It is reasonable to continue these cases without violating the Sixth Amendment's speedy trial guarantee. (See, 2020 Op. Att'y Gen. No. 2020-002)

Anyone involved in a civil case, in the General Division, shall be sent a new notice via ordinary U.S. Postal Service for the newly assigned date.

Further details of this Order are outlined in the "Amended Order Declaring Judicial Emergency and Outlining Court Operations During the COVID-19 Pandemic" Journal Entry.

This Administrative Order supersedes and replaces all prior administrative orders addressing this issue and is effective upon journalization and shall remain effective until further order of this court.

IT IS SO ORDERED.

Date: 4/9/2020


Michelle D. Earley
Administrative & Presiding Judge