

WILLOUGHBY MUNICIPAL COURT
LAKE COUNTY, OHIO

IN RE: EIGHTH ADMINISTRATIVE ORDER IN RESPONSE TO THE COVID-19 PUBLIC HEALTH CRISIS

On March 9, 2020, the Governor of the State of Ohio signed Executive Order 2020-01D declaring a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19. On March 11, 2020 the World Health Organization officially declared COVID-19 to be a global “pandemic” requiring “urgent and aggressive action” to control the spread of the virus.

On March 13, 2020, this Court issued two Administrative Orders in response to COVID-19 Public Health Crisis. On March 16, 2020, this Court issued a Third Administrative Order in Response to COVID-19 Public Health Crisis. On March 20, 2020 this Court issued a Fourth Administrative Order in Response to the COVID-19 Public Health Crisis. On April 30, 2020, this Court issued a Fifth Administrative Order in Response to COVID-19 Public Health Crisis for FedEx and USPS Adaption of Signatures. On May 18, 2020, this Court issued a Sixth Administrative Order in Response to COVID-19 Public Health Crisis for Procedure for Pretrials of Criminal and Non-Waiverable Traffic Cases. On June 2, 2020, this Court issued a Seventh Administrative Order in Response to COVID-19 Public Health Crisis.

On May 1, 2020, the Ohio Department of Health Director issued a Stay Safe Ohio Order and thereafter, issued a series of orders, modifying the March 22, 2020 Stay at Home Order. On July 30, 2020, the General Assembly’s Am. Sub. H.B. 197, which included provisions tolling certain statutorily set time requirements and the Ohio Supreme Court’s order which tolled time requirements expired.

The Court has remained open and continued to operate and conduct court business throughout the state of emergency. This Court has made every effort to protect the public health, to maintain essential court functions, and to continue to protect the rights of all individuals subject to the authority of the Court.

Therefore, it is hereby ordered:

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1. All persons entering the Courthouse shall wear a face covering, are subject to inquiry of COVID-19 symptoms and shall maintain a six foot distance with other persons in the building.
2. Access to the building is permitted for the parties to a case, including lawyers, defendants, victims, victim advocates, witnesses, law enforcement officers and media. Individuals may enter for the sole purpose of payment. All other visitors must remain outside.
3. Parties are ordered to monitor the Court's online public docket for court dates and changes in schedule at www.willoughbycourt.com.
4. All tolling provisions of this Court's prior Administrative Orders will terminate July 30, 2020. Prior tolling provisions are applicable for calculation of speedy trial.
5. The Court may continue to toll the time under R.C. 2945.72 (H) by Administrative Order in Response to the Public Health Crisis.

Traffic and Criminal Arraignments

6. Arraignments for defendants who are in custody shall be conducted daily as needed by the Judge or Magistrate.
7. All pending traffic and criminal arraignments are on the schedule and shall proceed in-person in the courthouse, unless counsel for Defendant files a not guilty plea pursuant to LOC. R. 2.1.
8. All minor misdemeanors are waivable online at www.willoughbycourt.com or by phone at 440-953-4150.

Traffic and Criminal Pretrial Conferences

9. Not guilty pleas filed by counsel shall be scheduled for pretrial conference to occur by phone. Discovery and pretrials on cases with counsel shall occur as specified on this Court's Sixth Administrative Order on response to COVID-19 Public Health Crisis for Procedure for Pretrials of Criminal and Non-Waivable Traffic Cases.
10. All traffic pretrials and criminal pretrials where Defendant does not have counsel shall occur in-person in the courthouse. Prosecutor shall be present for pretrial hearings.

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Other Criminal

- 11. All bond reviews, probable cause warrants and search warrants will be heard by electronic communication. The Clerk shall use electronic means whenever possible to accept and file new complaints. Probable cause warrants shall be sworn over electronic communication whenever possible.
- 12. The temporary amended bond schedule adopted on June 2, 2020 remains in effect. The bond schedule is posted online at www.willoughbycourt.com.

Forcible Entry and Detainer

- 13. New complaints will continue to be scheduled for hearing pursuant to Loc. R. 3.7 but in no event sooner than the seventh day from the date service is complete.

Civil

- 14. All civil pretrials shall be conducted via telephone or video conference between the parties. The Court shall issue all Pretrial Orders in writing.
- 15. All civil trials, judgment debtor examination hearings, and damages hearings shall continue to be scheduled for hearing by the Clerk as the docket permits. This includes in-person and remote technology hearings.
- 16. Applications relating to limited driving privileges, 12-point license suspensions, and trusteeship cases shall be scheduled and heard in-person and utilizing remote technology.

Small Claims

- 17. For any new claim received by the Small Claims Division for assignment, the Clerk shall schedule the case for hearing pursuant to Loc. R. 3.10 and R.C. 1925.04(B).

Payment Hearings

- 18. Payment hearings will be scheduled monthly In the courthouse, per the regular schedule. Non-appearance for a payment hearing may result in forfeiture of driver's license and/or registration block and/or forwarding balance due to a collection agency.

Failure to Appear

- 19. Failure to appear at any scheduled hearing, in-person or remote, may result in the issuance of a warrant, revocation of bond, criminal contempt of court charge

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dismissal of a case, forfeiture of driver's license, registration block, collections, or dismissal of a claim, when applicable.

Probation

- 20. Probationers shall report by phone to their Probation Officer as scheduled. In-person meetings will continue when requested by the Probation Officer. Failure to report, by phone or in-person when scheduled, may result in a warrant.

Weddings

- 21. Weddings are canceled until further notice.

Jury service

- 22. Individuals who have received a summons for jury service are requested to call in for service dates, as detailed on the summons.

This Administrative Order supersedes the Seventh Administrative Order filed June 2, 2020. This Order supersedes the Sixth Administrative Order filed May 18, 2020, excepts as it relates to any and all continuances, discovery process and pretrials with counsel, or as specifically outlined within this Order. The First and Fifth Administrative Orders related to COVID-19 Public Health Crisis remain in effect.

IT IS SO ORDERED.

Marisa L. Cornachio

JUDGE MARISA L. CORNACHIO

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