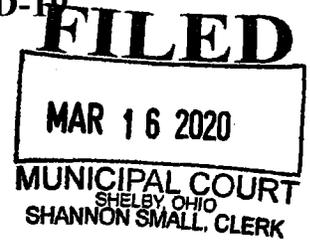


**IN THE SHELBY MUNICIPAL COURT OF RICHLAND COUNTY, OHIO**

**TEMPORARY ORDER IN RESPONSE TO THE COVID-19  
(CORONAVIRUS) PUBLIC HEALTH CRISIS**

**JOURNAL ENTRY**



The Shelby Municipal Court Judge makes the following Findings of Fact:

1. On March 9, 2020 Ohio Governor Mike DeWine issued Executive Order 2020-01D “Declaring a State of Emergency” in response to the growing COVID-19 public health crisis.
2. 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.

Based upon these Findings of Fact, the Shelby Municipal Court has developed a continuum of flexible responses in case the public health crisis escalates. The continuum of responses is intended to protect 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:**

1. The Shelby Municipal Local Rules of Court may be temporarily adapted to allow Court flexibility, within Constitutional limits, in response to the public health emergency.
2. The Shelby Municipal Court security policies may be temporarily amended or supplemented to protect public health while maintaining essential court functions.
3. The Shelby Municipal Court Employee Handbook provisions may be temporarily adjusted to maintain essential court operations and functions.

4. The Shelby Municipal Court authorizes the use of audiovisual devices and technologies for all actions and proceedings.
5. The public health emergency may be considered to be a finding of good cause for continuances deemed necessary on a case-by-case basis.
6. The Court will have the 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 health emergency.
7. Criminal and Traffic Arraignments: Effective March 17, 2020, criminal and traffic arraignments will be continued for at least two (2) weeks. Law enforcement will be advised of the arraignment dates for newly issued citations and complaints.
8. Criminal/Traffic Pretrials, Hearings and Trials: In cases in which the defendant previously waived his/her right to a speedy trial, all proceedings (pretrials, status hearings, show cause hearings and trials) will be continued for at least four (4) weeks. This includes all hearings currently scheduled from March 17, 2020 through April 14, 2020. All hearings currently scheduled for April 15, 2020 shall remain as currently scheduled. Defendants and/or counsel will be notified of their rescheduled court date through the mail.
9. Upon the Court's own motion, all cases in which the defendant demanded a speedy trial are hereby continued for thirty (30) days pursuant to O.R.C. 2945.72(H). In light of the current public health emergency, the Court finds that such a continuance is not only reasonable, but also necessary to protect public health.
10. Probation Appointments: As soon as feasible, the Court will be extending telephonic reporting to as many probationers as possible. Probationers are to report as regularly scheduled until contacted by the Probation Department.

11. Felony Initial Appearances: The Court will continue to hold a felony initial appearance docket.
12. Civil Pretrials: Effective immediately, all civil pretrials will be conducted telephonically.
13. Civil Trials: Effective immediately, all civil trials, including small claims trials will be rescheduled. This includes all hearings currently scheduled from March 17, 2020 through April 14, 2020. All hearings currently scheduled for April 15, 2020 shall remain as currently scheduled. Plaintiffs and Defendants and/or counsel will be notified of their rescheduled court date through the mail.
14. Eviction Hearings: Effective immediately, all eviction hearings will be continued for at least three (3) weeks. All hearings currently scheduled on or after April 8, 2020 shall remain as currently scheduled.
15. The above measures will significantly reduce the number of individuals appearing in court in the coming weeks. Defendants can also take steps to eliminate or postpone their next court appearance. Defendants are hereby advised of the following:
16. Payments: The court accepts payments through the mail or via phone. The Court encourages individuals to make all payments via telephone or mail services. No court appearance is necessary. Pay plan payments can also be mailed in or made via telephone.
17. Continuances: Defendants that would like to contest their case can avoid coming to the courthouse for their arraignment. Defendants can file the attached Not Guilty Plea form, fill it out and file it with the Court prior to their arraignment date. The Not Guilty Plea form also gives Defendants the option to waive their right to a speedy trial and permit the Court to set their next court date further out into the future. See Number 18 below.

18. Speedy Trial Waivers; Any Defendant that previously demanded a speedy trial but now wants to continue his/her pretrial or trial can file the attached Motion to Continue form and file it with the Court. See Number 19 below for Filing Instructions.
19. Filings: While the Court will continue to accept filings, the Court also accepts filings by facsimile and by mail. The Court's fax number is 419-342-6404. The Court encourages filings via facsimile or by mail.
20. The Court is continuously assessing the situation to determine if additional precautions are necessary.
21. This temporary Order shall remain in effect until further order of the Court.

IT IS SO ORDERED

*Sheree L. Studer*

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Judge Sheree L. Studer