

IN THE ROCKY RIVER MUNICIPAL COURT
 CUYAHOGA COUNTY, OHIO

FILED
 Rocky River Municipal Court

MAR 17 2020

DEBORAH F. COMERY
 CLERK OF COURT

STATE OF OHIO) JUDGE BRIAN F. HAGAN
)
) ADMINISTRATIVE / PRESIDING JUDGE
) SS:
)
 COUNTY OF CUYAHOGA) TEMPORARY ORDER IN RESPONSE TO THE
) COVID-19 PUBLIC HEALTH EMERGENCY

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 emergency.

On March 15, 2020, the CDC issued guidance that events of more than 50 people be postponed for 8 weeks and was modified by the White House Administration on March 16, 2020 to 10 people.

In response to this public health emergency, the Judges of the Rocky River Municipal Court are taking measures to minimize the number of people who need to come to the courthouse in the coming weeks. Therefore, the Rocky River Municipal Court is modifying its schedule and daily operations in order to protect the public while maintaining essential court functions and protecting the rights of all individuals subject to the authority of the Court. Therefore, it is hereby ordered:

1. Effective immediately, all appearances and hearings are limited to attorneys, defendants, and victims 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.
2. **Jailed Defendants:** The Court will continue to see the majority of 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.
3. **Criminal and Traffic Arraignments:** Effective March 20, 2020, criminal and traffic arraignments will be continued for at least thirty (30) days. Law enforcement will be advised of the arraignment dates for newly issued citations and complaints.
4. **Criminal/Traffic Pre-trials, Hearings and Trials:** In cases in which the defendant previously waived his/her right to a speedy trial, all proceedings (pre-trials, status hearings, show cause hearings and trials) will be continued for at least three (3) weeks. This includes all hearings currently scheduled from March 20, 2020 through April 17, 2020. All hearings currently scheduled on or after April 20, 2020 shall remain as currently scheduled. Defendants and/or counsel will be notified of their rescheduled court date through the mail.

The court will continue to handle any matter on a case by case basis for those individuals that desire to dispose of their case during this time. You are instructed to contact the prosecuting attorney for the jurisdiction handling your matter.

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.

5. **Probation Appointments:** Probationers are directed to report by telephone per this Court's Order of March 13, 2020.
6. **Civil Pre-trials:** Effective immediately, all civil pre-trials will be conducted telephonically.
7. **Civil Trials:** Effective immediately, all civil trials, including small claims trials, will be suspended for thirty (30) days.
8. **Evictions Hearings:** Effective immediately, all eviction hearings will be continued for at least three (3) weeks. All hearings currently scheduled on or after April 13, 2020 shall remain as currently scheduled.
9. This public health emergency may be considered "just cause" for continuances deemed necessary by the Court on a case-by-case basis.

The above-stated 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

IT IS SO ORDERED.

DATE: 3-17-2020



JUDGE BRIAN F. HAGAN
ADMINISTRATIVE / PRESIDING JUDGE 2020
ROCKY RIVER MUNICIPAL COURT

