

WILLOUGHBY MUNICIPAL COURT
LAKE COUNTY, OHIO

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WILLOUGHBY, OHIO

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

FILED

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 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 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.

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:

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 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

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- 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. For any matter previously continued pursuant to the Fourth Administrative Order, and to which R.C. 2945.71 applies, the period of the continuance tolls the running of the time for speedy trial as the period of any reasonable continuance granted other than upon the accused's own motion. R.C. 2945.72(H).
 5. All tolling provisions of this Court's prior Administrative Orders remain in full effect.
 6. 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

7. Arraignments for defendants who are in custody shall be conducted daily as needed by the Judge or Magistrate.
8. 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.
9. For new criminal complaints filed and for which the defendant is to appear in-person in the courthouse in response to a summons, the Clerk shall schedule as soon as practicable.
10. All minor misdemeanors are waivable online at www.willoughbycourt.com or by phone at 440-953-4150.

Traffic and Criminal Pretrial Conferences

11. Not guilty pleas filed by counsel shall be scheduled for pretrial conference to occur by phone. Discovery and pretrials shall occur as specified in this Court's Sixth Administrative Order in Response to COVID-19 Public Health Crisis for Procedure for Pretrials of Criminal and Non-Waivable Traffic Cases.
12. All traffic pretrials and criminal pretrials where Defendant does not have counsel shall occur in-person in the courthouse. Prosecutor shall be present for pre-trial hearings.
13. Speedy trial time is tolled pursuant to R.C. 2945.72(H).

Other Criminal

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14. 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.
15. The temporary amended bond schedule adopted on May 5, 2020 remains in effect. The bond schedule is posted online at www.willoughbycourt.com.

Forcible Entry and Detainer

16. For pending cases in which the Plaintiff seeks restitution of premises, the Clerk shall schedule for hearing as soon as the docket permits. This includes in-person and remote technology hearings.
17. Claims for eviction filed between March 16, 2020 and May 16, 2020, shall be scheduled for hearing as soon as the docket permits. This includes in-person and remote technology hearings.
18. New complaints shall be scheduled for hearing as soon as the docket permits.

Civil

19. All civil pretrials shall be conducted via telephone or video conference between the parties. The Court shall issue all Pretrials Orders in writing.
20. All civil trials, judgment debtor examinations hearing, garnishment, objections, bank attachments, rest escrow hearings, and damages hearings, shall be scheduled for hearing by the Clerk as the docket permits. This includes in-person and remote technology hearings.
21. 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

22. Pending claims in the Small Claims Division shall be continued to a specific date as determined in the discretion of the assigned Magistrate. 2020 JUN -2 PM 3: 39
23. For any new claim received by the Small Claims Division for assignment, the Clerk shall schedule the case for hearing, notwithstanding R.C. 1925.04(B), as the docket permits. FILED

Payment Hearings

24. Payment hearings currently scheduled for June 30, 2020 shall proceed as scheduled in the courthouse. 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

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

Probation

26. 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

27. Weddings are canceled until further notice.

Jury service

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

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This Administrative Order supersedes the Second Administrative Order filed March 13, 2020 and Third Administrative Order filed March 16, 2020. This Order supersedes the Fourth Administrative Order filed March 20, 2020, except as it relates to any and all continuances, speedy trial and tolling provisions, or as specifically outlined within this Order. All other Administrative Orders related to COVID-19 Public Health Crisis remain in effect.

IT IS SO ORDERED.



JUDGE MARISA L. CORNACHIO

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