

IN THE CLEVELAND HEIGHTS MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO

In the matter of
TEMPORARY ORDER IN RESPONSE TO THE
COVID-19 (CORONAVIRUS) PUBLIC HEALTH
CRISIS

GENERAL ORDER

Due to the Governor's Executive Order 2020-01D declaring a state of emergency for the State of Ohio, the Cleveland Heights Municipal Court is modifying its operations in the interest of public health during the COVID-19 pandemic.

Unless otherwise ordered, all time requirements imposed by the rules of the Court and set to expire shall remain until the expiration of Executive Order 2020-01D or July 30, 2020, whichever is sooner.

The Court hereby orders as follows:

1. The Court recognizes that all courts must be open, and that every person must have remedy by due course of law and have justice administered without denial or delay. Entrance into the courthouse may be limited to attorneys, defendants, victims, and litigants in proceedings, or anyone making payments to the Court. Individuals that do not have immediate business before the Court must request permission for admittance.

2. All individuals entering the courthouse are required to wear face coverings that sufficiently cover their mouths and noses. Individuals entering the courthouse may be screened and temperatures may be taken. Any person displaying symptoms of illness may be removed by the Court's Bailiffs.

3. Appearance or service by use of technology may be allowed if it sufficiently guarantees the integrity of the proceedings and protects the parties' interests and rights. Unless otherwise ordered, all requests to appear by use of technology must first be filed with and approved by the Court.

4. **Jailed Defendants:** The Court will continue to rely on its recently amended bond schedule that includes a presumption of pre-trial release. The Court will continue to see 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.

5. **Criminal and Traffic Arraignments, Motion Hearings, Change-of-Plea Hearings, and Trials:** Unless otherwise ordered, all criminal and traffic arraignments, motion hearings,

change-of-plea hearings, and trials shall go forward beginning Monday, June 15, 2020, with a limited number of persons for each arraignment session and conducted using remote technology whenever possible.

6. **Criminal/Traffic Pre-trials:** Unless otherwise ordered, all criminal and traffic pre-trials will continue to be conducted via telephone.

7. **Probation Appointments:** Unless otherwise ordered, all probationers shall report only via telephone, Skype, or some other preapproved method. Probationers shall provide the Probation Department with updated addresses, telephone numbers, and emails.

8. **Civil Pre-trials:** Unless otherwise ordered, all civil hearings, other than trials, will be conducted telephonically.

9. **Civil Hearings and Trials:** Unless otherwise ordered, all civil hearings and trials, including small claims trials, shall go forward beginning Monday, June 15, 2020, with a limited number of persons for each session and conducted using remote technology whenever possible.

10. **Evictions:** Unless otherwise ordered, all eviction trials, status hearings, and bailiff moveouts shall go forward beginning Monday, June 15, 2020, with a limited number of persons for each session and conducted using remote technology whenever possible. Plaintiffs shall be required to provide proof that their filing complies with the federal Coronavirus Aid, Relief and Economic Security Act enacted March 27, 2020 (CARES Act). An approved affidavit is available on the Court's website under Civil Forms.

11. **Ability-to-Pay Hearings:** Unless otherwise ordered, all ability-to-pay hearings shall go forward beginning Monday, June 15, 2020, with a limited number of persons for each session and conducted using remote technology whenever possible. Financial hardship forms are available on the Court's website.

The public and litigants are further advised of the following:

1. **Online Filing:** While the Court will continue to accept in-person filings, the Court encourages litigants, in all criminal, traffic, and civil matter, to file documents electronically through its website at www.clevelandheightscourt.com.

2. **Online Payments:** The Court accepts online payments through its website at www.clevelandheightscourt.com. The Court encourages individuals to make online payments when possible. Individuals who do not want to contest a waivable citation can conclude their case by paying their fines and costs online. No court appearance is necessary. Payment plan payments can also be made online.

3. **Not Guilty Plea:** Defendants that would like to contest their case can avoid coming to the courthouse for their arraignment by filing a not guilty plea before their arraignment. Defendants can download a Not Guilty Plea form from the Court's website, fill it out and file it with the Court before their arraignment date. See Number 1 above for filing instructions.

4. **Speedy Trial Waivers:** Any Defendant that previously demanded a speedy trial but now wants to continue his/her pretrial or trial can download a Time Waiver form from the Court's website and file it with the Court. See Number 1 above for filing instructions.

The Court is continuously assessing the situation to determine if additional precautions are necessary.

This Temporary Order shall remain in effect until further order of the Court.

IT IS SO ORDERED.

June 15, 2020

DATE



JUDGE J.J. COSTELLO