

**IN THE BEDFORD MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO**

IN RE: MATTER OF COURT OPERATIONS)
)
 CHANGES IN RESPONSE TO CoVID-19) JOURNAL ENTRY
)

The following are Orders of this Court as the State of Ohio now moves towards re-opening of businesses and modifications of the Stay at Home order of Governor Michael DeWine. On April 30, 2020, Dr. Amy Acton, Director of the Ohio Department of Health signed the Stay Safe Ohio Order that reopens businesses, with exceptions. Thereafter, Governor Michael DeWine began implementing Responsible Restart Ohio. This Court’s Order of May 6, 2020 remains in full force and effect except as noted below.

In response to this Responsible Restart Ohio program, the following measures are being implemented to minimize the number of persons that need to be in the Bedford Municipal Court. Therefore, **effective June 15, 2020:**

1. The Court will return to its normal hours of operation (8:30 am to 4:30 pm);
2. The Court will have 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 emergency;
3. Where there is a discrepancy with a prior order, this order supersedes the previous order;
4. All criminal and civil jury trials are suspended until at least July 30, 2020, unless a criminal case implicates constitutional “speedy trial” issues for which a waiver from Defendant has not been obtained. The date may be extended by further order of the court;
5. The public health emergency may be considered a finding of “just cause” for continuances deemed necessary by assigned judges on a case-by-case basis;
6. The Court’s security policies may be temporarily amended or supplemented to protect public health while maintaining essential court functions;
7. The Court authorizes the use of audio-visual devices and technologies for all actions and proceedings, except for any criminal/traffic trial or civil jury trial;

8. The Court will continue to encourage remote work where possible and feasible within the continued operation of the Court;
9. The Court staff shall maintain the recommended 6 foot distance from others, to the extent possible, while in the building;
10. Only attorneys, litigants, defendants, victims, and necessary witnesses will be allowed into courtroom in an effort to maintain social distancing requirements. During the Public Health Emergency it is strongly encouraged that persons whose appearance is not required by the Court should attempt to limit their visits to the Courthouse;
11. The Court will resume issuance of Warrants and License Forfeiture for failure to appear to a criminal or traffic matter;
12. **Criminal and Civil Bench Trials:** Criminal and Civil Bench Trials to the Court resume;
13. **Arraignments and initial appearances for jailed Defendants:** will continue to be held by video. Arrangements will be made for Attorneys to talk to their clients in private if necessary;
14. **Traffic and Criminal Arraignments:** Traffic and Criminal initial appearances and other hearings have resumed. A Defendant in a criminal or traffic case may also file a Not Guilty Plea with a speedy trial waiver with the Court via Fax or email. Information for that process is available at our website at www.bedfordmuni.org; On the Court's own motion, continuances are hereby granted pursuant to R.C. 2945.72(H) if a speedy trial issue exists, based upon the necessity to protect public health;
15. **Traffic and Criminal Pretrials:** Criminal and Traffic pretrials have resumed; however, the Court may grant a plea in absentia upon review and the Court is granting pretrial phone conferences with the prosecutor and defense counsel upon request of defense counsel. Defendants are not to appear for a pretrial unless specifically ordered to be present by the Court or representing themselves pro se. On the Court's own motion, continuances are hereby granted pursuant to R.C. 2945.72(H) if a speedy trial issue exists, based upon the necessity to protect public health;
16. **Probation:** Probation Department will continue with phone interviews until further order of this Court. Throughout this time, the Probation Department may conduct in-person interviews at the Court, abiding by all social distancing requirements. The Court reserves the right to call probationers in the courtroom, should the need for additional proceedings arise;


17. **Civil Pretrials and Oral Hearings:** Civil Pretrials and Oral Hearings have resumed. The Court will conduct these by telephone as much as possible until further order of the Court. If a party and/or attorney desires to appear by phone for a pretrial or oral hearing they must notify the Court;
18. **Small Claims hearings:** Small Claims hearings have resumed. However, due to the Governor's tolling order, no Magistrate Decision can be finalized with the exception of dismissals and consent entries between parties;
19. **Weddings:** The court will resume performing Weddings. The Court schedules Weddings on Wednesday and Friday mornings.
20. **Eviction Hearings:** Eviction hearings have resumed, however the issuing of writs will be held in abeyance except as noted below, and issued by further order of the Court, pursuant to CoVid-19 Emergency Rulings. If the eviction is for something other than non-payment of rent, the Court will consider issuing the writ on a case by case basis to ensure that no threats of violence exist, a dangerous situation does not exist or that criminal activity is involved; otherwise, the cases will likely be continued as to the date the tenant has to vacate. Further, the Court will conduct no move-outs until further order of the Court. **PLEASE BE ADVISED IT IS THE LANDLORD'S RESPONSIBILITY TO ENSURE COMPLIANCE WITH THE FEDERAL GOVERNMENT'S CARES ACT;**
21. **Garnishments and Executions of Judgments:** Garnishments and Executions of Judgments shall continue as scheduled subject to CoVid-19 Emergency Rulings.
22. **UPON ENTERING THE COURTHOUSE, THE PUBLIC MUST WEAR A MASK OR FACE COVERING. SOCIAL DISTANCING IS REQUIRED.**

IT IS SO ORDERED.

RECEIVED AND FILED

JUN 02 2020

THOMAS E. DAY, JR.
CLERK OF COURT
BEDFORD MUNICIPAL COURT



Judge Brian J. Melling
Administrative and Presiding Judge

Date: 6/2/20