

IN THE BELLEVUE MUNICIPAL COURT
BELLEVUE, OH

BELLEVUE MUNICIPAL COURT
FILED
2020 MAR 17 A 9:32
BELLEVUE, OHIO

IN RE: TEMPORARY ORDER IN RESPONSE)
TO THE COVID-19 PUBLIC HEALTH)
EMERGENCY)

JOURNAL ENTRY

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.

In response to this public health emergency, the Bellevue Municipal Court is taking measures to minimize the number of people who need to come to the courthouse in the coming weeks. Therefore, the Bellevue 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 witnesses 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 reserves the option to see Bellevue Police Department prisoners in person. 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 17, 2020, criminal and traffic arraignments will be continued for at least 15 days. Law enforcement will be advised of the arraignment dates for newly issued citations and complaints.
4. **Criminal/Traffic Pretrials, Hearings and Trials:** In cases in which the defendant previously waived his/her right to speed trial, all proceedings (pretrials, status hearings, show cause hearings & trials) will be continued for at least 4 weeks. This includes all hearings currently scheduled from March 17, 2020 through April 30, 2020. Defendants and/or counsel will be notified of their rescheduled court date through the mail or by telephone.

Upon the Court's own motion, all cases in which the defendant demanded a speedy trial are hereby continued for (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:** As soon as feasible, the Court will be extending telephonic reporting to as many probationers as possible. Probationers will be contacted by the Probation Department regarding the change in reporting procedure.
6. **Felony Appearances:** The Court will hold felony initial appearances by video when possible. Defendants and witnesses are to appear in person for preliminary hearings as ordered.
7. **Civil & Small Claims Pretrials:** Effective immediately, all civil and small claims pretrials will be conducted telephonically.
8. **Civil & Small Claims Trials:** Effective immediately, all civil and small claims trials, will be suspended for at least 30 days.
9. **Eviction Hearings:** Effective immediately, all eviction hearings will be continued for at least 4 weeks.
10. 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 the 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:

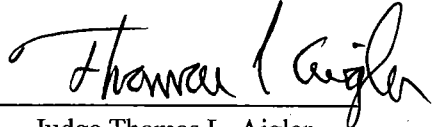
1. **Drop Box Payments:** A drop box is located near the main entrance to the Bellevue City Centre. Payments must be placed in an envelope and addressed to the Bellevue Municipal Court. Defendants name and/or case or ticket number must accompany payment. Payments via check, cash or money order can be dropped off 24 hours a day, 7 days a week.
2. **Continuances:** Defendants that would like to contest their case can avoid appearing for their arraignment by filing a not guilty plea prior to their arraignment. Defendant may request a Not Guilty Plea form by email or regular mail, fill it out and file it with the Court prior to their arraignment date. The Not Guilty Plea form also gives the 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.
3. **Speedy Trial Waivers:** Any Defendant that previously demanded a speedy trial but now wants to continue his/her pretrial or trial may contact the Court for a Motion to Continue form. This form will be either emailed or mailed by regular mail.
4. **Filings:** While the Court will continue to accept filings at the window, it also accepts filings by facsimile and by mail. The Court’s fax number is 419-484-8060. If possible, the Court encourages individuals to file documents by facsimile or by mail instead of filing at the window.

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.

Date: 3-17-2020



Judge Thomas L. Aigler