

IN THE ASHTABULA MUNICIPAL COURT
ASHTABULA, OHIO

ASHTABULA
MUNICIPAL COURT

IN RE:)
)
EMERGENCY ORDER)
IN RESPONSE TO THE)
COVID-19 (CORONAVIRUS))
PUBLIC HEALTH CRISIS)
(LOCAL RULES OF COURT)
MODIFIED))

JUDGMENT ENTRY

The Court hereby temporarily modifies the Local Rules of Court, effective immediately:

Arraignments

Subject to further order of the Court, all in-person arraignments (both Criminal and Traffic) of individuals released on bond shall be and are hereby continued until on or after May 18, 2020. If individual is represented by counsel, a not guilty plea can be entered in abstentia and matter will be set for pre-trial. Arraignments shall be conducted as usual of persons incarcerated in the Ashtabula City Jail and the Ashtabula County Jail, by video.

Misdemeanor Criminal/Traffic Cases

All discovery shall be exchanged electronically between the prosecutor and defense counsel.

All criminal and traffic pre-trials (both represented by counsel and *pro se*) shall be conducted via telephone, video conference or email between the parties without the Court's presence. The prosecutor shall notify the Court in writing of the outcome of the pre-trial within 48 hours of the scheduled hearing.

Felony cases

Felony Preliminary Hearings will be reviewed and heard on a case by case basis, either in person or by video if possible.

All plea offers in felony cases shall be made in writing by the prosecutor to defense counsel, forty-eight (48) hours prior to the scheduled Preliminary Hearing. If an offer is accepted, the Court shall be notified within twenty-four (24) hours of the hearing.

Pleas: If the defendant is incarcerated, a plea to a misdemeanor charge will occur via video conference from the Ashtabula City or County Jail. Counsel for defendant shall be present at the Court for the video conference. If the defendant has been released on bond, the defendant and defense counsel shall report to Court for a change of plea hearing , which will be set out after May 18, 2020.

Waivers: if the defendant is incarcerated, preliminary hearing waivers shall take place via video conference between the Court and Ashtabula City or County Jail. Counsel for the defendant shall be present at the Court for the video conference. If the defendant has been released on bond, the defendant and defense counsel shall report to Court to execute the waiver.

Evidentiary Preliminary Hearings: If the defendant is incarcerated, the defendant shall be transported to Court for the hearing. If the defendant has been released on bond, the defendant and counsel shall report to Court for the hearing.

Probation appointments

All probation appointments and in-home visits shall be conducted telephonically. No in-person probation meetings shall be conducted until further notice.

Recovery Court Status Hearings/Treatment Team Meetings

All weekly status hearing and in-home visits shall be conducted telephonically. No in-person meetings shall be conducted until further notice. Participants are encouraged to attend AA/NA meetings online if available.

Treatment team members shall be required to continue to provide weekly updates to the Drug Court Administrator no later than Wednesdays at 11:00 a.m. Treatment Team shall not meet in person absent further order of the Court.

Civil Cases

All Default Hearings and 2nd Cause Hearings are cancelled until further order of the Court.

All pre-trials, trials, evictions, small claims hearings, garnishment hearings, objections, and bank attachments are to be continued until after May 18, 2020 or as otherwise ordered by the Court.

All parties are encouraged to use electronic means for any filings, such as; facsimile, email, and regular mail. The \$10.00 filing fee assessed for a Motion to continue during this period of time will be waived.

Monday morning 8:00 a.m. walk-in warrants

All walk-in warrants on Monday mornings are cancelled until further order of the Court. Misdemeanor warrants can be recalled via telephone upon payments of \$750.00 / 10% bond plus \$25.00 bond surcharge fee plus warrant fee of \$25.00 = (\$125.00). In the case of felony warrants, the individual will need to appear in person unless represented by an attorney.

Payments of Fines, Costs and Bonds

Persons who wish to pay fines, costs and bonds to the Court are strongly encouraged to make such payments online on our website www.ashtabulamunicipalcourt.com, or by telephone or mail. Please be advised that online payments are the most expedient method of paying at this time.

Weddings

All weddings are cancelled until further order of the Court.

Employees

Employees of the Court not on duty in the courthouse shall work, to the extent possible, remotely, and in accordance with the directives of the Judge. All Ashtabula Municipal Court employees, including probation are deemed essential, even if working remotely from home, and shall be paid their regular salaries. Employees do not need to use sick/vacation or comp time for any time off during this period of emergency.

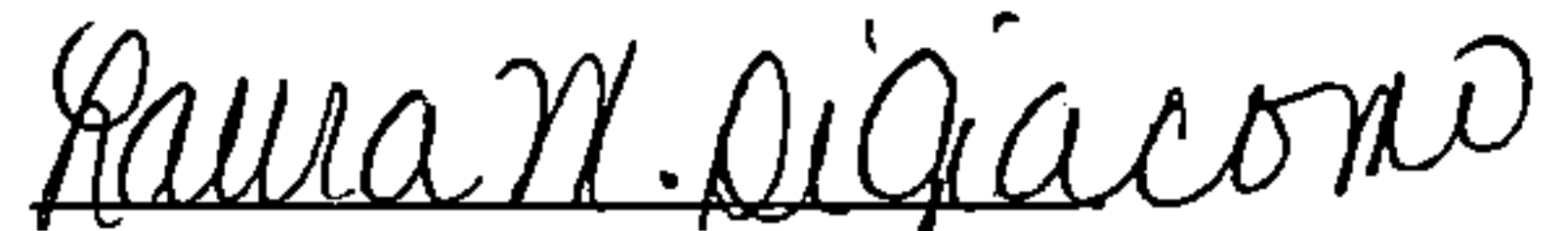
Public Access to Justice Center

Subject to further order of the Court, the only persons permitted access to the Justice Center for Court purposes, are the parties to a case (plaintiff and defendant), the victim and/or victim's representative, and any persons subpoenaed to be at court as a witness. **All other persons shall not be permitted access until further notice.**

Security

The walk through metal detector located on first floor of Justice Center will be temporarily inactive until further order of the Court. The second floor walk through metal detector outside of the Courtroom will be activated and individuals entering the Courtroom will be screened by a Bailiff.

IT IS SO ORDERED.


Laura M. DiGiacomo, Judge
Ashtabula Municipal Court

28-142