

**IN THE MARION MUNICIPAL COURT
MARION COUNTY, 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 Marion Municipal Court is taking measures to minimize the number of people who need to come to the courthouse in the coming weeks. Therefore, the Marion 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 victims 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 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 18, 2020, criminal and traffic arraignments will be continued until May 5, 2020 or May 12, 2020. Law enforcement will be advised of the arraignment dates for newly issued citations and complaints. All OVI and Domestic Violence arraignments will be scheduled every Tuesday.
4. **Criminal/Traffic Pretrials, Hearings, and Trials:** In cases in which the defendant previously waived his/her right to a speedy trial, all status hearings, show cause hearings, and trials, will be continued for at least eight (8) weeks. This includes all hearings currently scheduled from March 17, 2020 through April 23, 2020. All hearings currently scheduled on or after April 13, 2020 shall remain as currently scheduled. Defendants and/or counsel will be notified of their rescheduled court date through the mail or via telephone.

Effective immediately, all criminal pretrials will be conducted telephonically. Plaintiff's counsel shall call the defendant and/or defendant's counsel to initial the pretrials. Attorneys and defendants shall appear, in person, for final pretrials.

Upon the Court's own motion, all cases in which the defendant demanded a speedy trial are hereby continued for forty-five (45) 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 in this national public health emergency.

5. **Probation Appointments:** As soon as feasible, the Court will be extending telephonic reporting to as many probationers as possible. Probationers are to call their probation officer to get information about reporting and other matters.
6. **Felony Initial Appearances:** The Court will continue to hold felony preliminary every Monday and Friday at 8:30a.m.
7. **Civil Pretrials:** Effective immediately, all civil pretrials will be conducted telephonically, but attorneys and defendants shall appear, in person, for final pretrials.
8. **Civil Trials:** Effective immediately, all civil trials, including small claims trials, will be suspended for forty-five (45) days.
9. **Eviction Hearings:** Effective immediately, all eviction hearings will be held on Thursday afternoons and Friday mornings, in both courtrooms.
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 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. **Online Payments:** The Court accepts online payments through its website at www.marionmunicipalcourt.org. 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 fine online. No court appearance is necessary. Pay plan payments can also be made online.
2. **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 (740)382-5274. 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.

JUDGE TERESA BALLINGER