

IN THE GARFIELD HEIGHTS MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO

GARFIELD HTS MUNI CT
FILED

IN RE:)
)
Continuity of Operations During the COVID-19 Public)
Health Emergency)

2020 SEP -3 PM 4: 34
AMENDED ORDER
JE'NINE A. NICKERSON
CLERK OF COURT

By Order issued on March 19, 2020, the COVID-19 (Coronavirus) Public Health Crisis was recognized and a Temporary Order governing continuity of court operations was adopted by the Court.

Said Temporary Order is modified as follows:

1. **Stay of Proceedings Terminated:** Any stay of proceedings previously entered due to the COVID 19 Public Health Emergency is terminated and all matters shall now proceed as directed by a judge or magistrate.
2. **CDC Eviction Moratorium Order Effective 09/04/2020:** Until further Order of the Court, all eviction proceedings shall be conducted in the normal course but will be stayed if the Affidavit set forth in the CDC Order is filed with the Court. Any landlord may request a hearing in writing if the matter is stayed by reason of the CDC Order.
3. **Courthouse Closing:** Effective March 20, 2020 at 4:00 pm and until further Order of the Court, no persons shall be admitted into the courthouse which constitutes the second floor of 5555 Turney Road, Garfield Heights, Ohio, except court employees or other persons designated by the Clerk of Court or Presiding Judge or except as may be provided below. All courthouse entrances shall remain locked at all times.
 - a. **On-Line Access:** Any person may continue to file new cases or file documents in pending cases and make payments on-line. The Clerk of Court operates an on-line filing system at www.ghmc.org for all court users, whether or not they are attorneys, which operates 24 hours per day, 7 days per week and 365 days per year.
 - b. **Email Filing Discontinued:** Documents will not be accepted for filing by email.
 - c. **Telephonic Access:** The Clerk of Court shall continue to be available by telephone at 216-475-1900 from 8:00 am to 4:00 pm Monday through Friday.
 - d. **US Mail:** The Court will continue to receive and process documents delivered by the US Mail.
 - e. **Online Payments:** The Clerk of Court accepts online payments at www.ghmc.org. Payment of waivable tickets, filing fees, fines, court costs, and restitution may be paid on-line 24 hours per day, 7 days per week and 365 days per year.
 - f. **Telephonic Payments:** All payments referred to above may be made through the 24- hour call center at 877-341-9588 or 216-475-1900 Option 3.
 - g. **In-Person Access:** If any court user needs to file any documents or make any payments in person, the person may call the Clerk's Office at the number posted at the front entrance of the Court and a deputy clerk will appear in person to accept all filings and payments during normal business hours. It is requested that you wear a mask when meeting with court staff.
 - h. Any member of the public who wants to enter the Court House to observe proceedings in-person or wants to observe on-line shall be given access by the Clerk of Court. Members of the public shall abide by the same health and security rules as apply to court participants.
4. **Service of Writs, Summons, Etc.:** All bailiff services are reinstated.

5. **Remote Appearances:** All appearances by court users, including probation and fine hearings, shall be by digital means unless in-person proceedings are ordered by a judge or magistrate on a case-by-case basis. Said digital means may include, but not be limited to, telephone, Facetime, Skype, Zoom.com, email or text.
6. **In-Person Appearances:** Any matter may be set for an in-person appearance at the discretion of a judge or magistrate. In the event of an in-person appearance, all participants will receive special instructions regarding COVID-related protocols of the court (which are also found on our website at www.ghmc.org/forms). All participants will be subject to COVID-related screenings and will be required to wear a mask. A mask will be provided for participants who do not have one and must be worn.
7. **Contact Information Must Be Provided:** Each court user shall be required to notify the Clerk Court of his/her residence address, email address, telephone number and text number at least 3 days before any hearing. The information may be provided to the Clerk of Court through email@ghmc.org, fax at 216-475-3087 or to a live operator during normal business hours at 216-475-1900. Upon the filing of a new criminal, traffic or civil case, the Clerk of Court shall notify the parties of the requirement to provide the information set forth in Paragraph 4 above and of the time, date and manner of the remote appearance.
8. **E-Safe Surrender:** If the Court has issued an arrest warrant and a license suspension for a defendant's failure to appear, the affected person may pay \$200.00 on-line 24-hours per day at ghmc.org or by calling the Clerk of Court at 216-475-1900. The Defendant must also email his/her full name, the last 4 digits of his/her social security number or birth date, mailing address, text number and email address to email@ghmc.org, fax at 216-475-3087 or to a live operator during normal business hours at 216-475-1900. The warrant will be recalled but the license suspension will remain until a hearing is held if the \$200.00 is not paid. The Court will schedule the matter for a remote appearance when all information is received.
9. **Speedy Trial:** Upon the Court's own motion and until July 30, 2020, all cases in which the defendant demanded a speedy trial are hereby continued for thirty (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.
10. **"Just Cause" for Continuances:** This public health emergency may be considered "just cause" for continuances deemed necessary by a judge or magistrate on a case-by-case basis.
11. This Temporary Order shall remain in effect until further order of the Court.

IT IS SO ORDERED.

Dated: 9-3-2020



PRESIDING JUDGE DEBORAH J. NICASTRO