

Lakewood Municipal Court
Emergency Continuing Operation Plans and Administrative Orders.
Effective March 18, 2020

The court will remain open with limited hours during this health crisis. Motions and other filings can be done by fax, (216-529-7687), email (lakewoodcourt@Lakewoodoh.net), regular mail, or by personal delivery to the court. Payments for waivable traffic and criminal citations can be made on-line through the court website. All other payments can be made by phone. For personal delivery of documents or payments, a deposit box system has been established with the court security officers to accept and date stamp for minimal entrance into the court/city hall building.

The local rules of court may be temporarily adapted at the discretion of the court and in the interest of justice after consideration of the rights of the parties, within Constitutional limits, in response to the public health emergency.

All jury trials have been postponed until after June 1, 2020.

Civil cases.

Due to the current serious health situation and the safety of all involved, and subject to any written objection filed by either party, eviction proceedings, including hearings on eviction, writs of restitution, and writ enforcement, will be stayed pending further court order.

Civil pretrial conferences with counsel will proceed as normal with the established practice of conducting the pretrial conferences by telephone. Counsel for parties may participate in the pretrial conference by telephone. Counsel shall either call the court at (216) 529-6700 for the pretrial conference or provide a direct phone number prior to the pretrial conference.

Subject to any written objection filed by either party the following cases will be continued until after June 1, 2020:

- Civil pretrial conferences without counsel, on a *pro se* basis by either party,
- Civil trials, including small claims cases and damage claims in forcible entry and detainer cases.

Any written objection to continuing any civil case, including forcible entry and detainer cases, will be reviewed by the court with consideration of the need to limit personal contact during this emergency period, balancing the rights of the parties by any delay, and the grounds set out by the party.

Criminal and traffic cases.

The court's initial appearance docket will be divided into two sessions to reduce the number of persons coming to court at once. Traffic cases will be held on each Monday morning and criminal cases on each Tuesday morning. Past established practices of permitting a defendant to enter a not guilty plea in writing without personal appearance will be continued.

Criminal pretrial conferences will be conducted between the prosecutor and defense counsel by telephone at the option of the defense counsel to appear in person. Unless the case is dismissed, all defendants will eventually be required to appear in court for either plea or trial, as scheduled by the court.

Trials will be scheduled by the court on a prioritized basis within the time limits provided by law.

Hearings on motions to seal a record of conviction or after dismissal will be conducted by video conference, including Skype, face time, or other reliable video conferencing technology.

Community control supervision/probation.

Probation officers are given discretion with office visits and meetings and to monitor defendants remotely as needed.

Community control supervision/probation violation hearings are limited to those cases involving a risk of harm to the defendant, victim, or the community.

Mandatory attendance at A.A. or other similar meetings has been suspended, although defendants are encouraged to maintain contact with their sponsors. Other conditions of community control supervision, including but not limited to community work service and pretrial services may be extended or suspended in the discretion of the probation officer.

The court's alcohol awareness meetings have been cancelled until June 18, 2020.

Other matters

Amendment of bond order to permit the police to release without arrest any low level non-violent person unless arrest is necessary due to risk of non-appearance in court by the defendant or risk of harm to the defendant, victim, or the community. This includes existing warrants.

Due to the closure of the local Bureau of Motor Vehicles office, court ordered limited driving privileges and release of license forfeiture will be sent by fax or electronically directly to the Bureau of Motor Vehicles office.

Payment hearings are continued until June 9, 2020.