

**MIDDLETOWN MUNICIPAL COURT
BUTLER COUNTY, OHIO**

**IN RE: TEMPORARY ORDERS OF
PRACTICE AND PROCEDURE FOR
MIDDLETOWN MUNICIPAL COURT**

James E. Sherron, Judge

Regarding the current circumstances impacting the Court and citizens utilizing the Court, the Court makes the following findings and ORDERS: The Court finds that a State of Emergency has been declared by Governor Mike DeWine regarding the public health crisis due to COVID-19.

The Court finds that the Supreme Court of the State of Ohio has indicated that individual courts should formulate contingency plans to continue to perform the essential functions of the Court while taking measures to protect against the spread of COVID-19.

The Court finds it necessary to issue the Temporary Orders set forth herein to continue with its essential functions while providing for the safety of all individuals. These Orders may be amended as information and knowledge continues to develop concerning COVID-19.

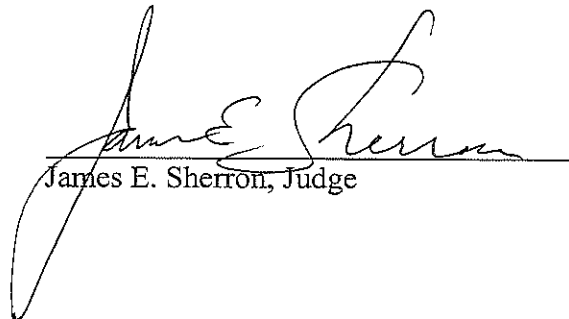
Based upon the findings of the Court, **IT IS HEREBY ORDERED**, effective Wednesday, March 18, 2020, as follows:

1. The Court shall remain open. The Middletown City Building is closed to the public, however entry to the Court building shall continue as previously accessed.
2. During all criminal and traffic dockets, only defendants, alleged victims, law enforcement officers, designated victims' advocates and attorneys will be permitted to enter the courtrooms, except as otherwise specifically permitted by the Court.
3. The number of defendants permitted to enter the courtrooms during Traffic, Criminal and Civil dockets will be restricted to ten (10) at a time.
4. During all Civil and Small Claims dockets, only parties, their attorneys and witnesses will be permitted to enter the court building and the courtrooms.
5. All civil, small claims and eviction hearings will occur in Courtroom 1 on the first floor. Courtroom 3 on the third floor shall remain closed.

6. The number of attorneys, parties and witnesses permitted to enter the courtroom will be restricted to ten (10) at a time for Civil and Small Claims Court proceedings.
 7. The third floor civil department shall be closed to the public. All civil pleadings and filing fees shall be processed at the first floor Bailiff's window which shall serve as the civil clerk's processing station.
 8. All individuals entering the court building will be subject to healthcare screenings.
 9. The following individuals shall not be permitted to enter the building or courtroom:
 - (a) Any individual with symptoms including, but not limited to, fever, respiratory symptoms and/or a sore throat,
 - (b) Any individual who has traveled out of the country within the last sixty (60) days or an individual who has had a household member travel out of the country in the last sixty (60) days.
 - (c) Any person who has been in contact with an individual who is being monitored or has tested positive for the COVID-19 Virus.
 10. Any party who is not permitted to enter the courtroom will have their case continued.
 11. All individuals shall maintain appropriate social distancing of approximately six (6) feet, whenever possible.
 12. Due to the public health emergency, the Court will entertain motions to continue any matter for at least thirty (30) days. Continuance motions with time waivers may be found and processed on the Court's website. Verifiable contact information (phone number, email and address) will be required.
 13. The Court will review matters on a case by case basis and may continue initial appearances, arraignments, pretrials, motion hearings, dispositions, sentencing or trials for a minimum of thirty (30) days.
 14. Pretrial conferences in criminal and civil matters shall be conducted by phone whenever possible. Upon request of any party, a pretrial may be continued in progress for a minimum of thirty (30) days to permit an in-person pretrial conference.
 15. Any person represented by a public defender/court appointed attorney shall consult with said attorney by telephone whenever possible. Any person represented by a public defender/court appointed attorney shall be notified of any continued hearing.
 16. The Chief Probation Officer shall adopt rules and implement measures in accordance with
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the Court's Temporary Orders to limit, whenever possible, face to face contact with individuals who have been placed on probation pursuant to a community control sanction.

17. All in-person probation appointments shall be conducted at the first floor Bailiff's window which shall serve as the probation processing station.
18. The Court may continue jury trials, as needed.
19. The Court's Local Rules are hereby temporarily amended to permit the Court to adopt guidelines in response to the public health emergency.
20. The Court may amend its security policies from time to time in order to protect public health while continuing to maintain essential court functions, as directed by the Supreme Court of Ohio.
21. The Court specifically finds the public health emergency to be a finding of good cause for continuances deemed necessary by the Court as determined on a case by case basis.
22. Judicial personnel, clerk of court's personnel, attorneys, law enforcement officers, witnesses, and parties who exhibit signs of illness shall notify the Court, by telephone or email.



James E. Sherron, Judge

FILED

MAR 18 2020

Middletown Municipal Court
Steven P. Longworth
Clerk of Court

NOTICE

IN ACCORDANCE WITH THE COURT'S TEMPORARY ORDER OF MARCH 18, 2020, ALL INDIVIDUALS ENTERING OR REMAINING IN THE COURT BUILDING ARE SUBJECT TO THE FOLLOWING ORDERS:

1. All individuals entering the court building shall be subject to healthcare screening.
 2. No individual, including but not limited to, attorneys, defendants, victims, witnesses, parties, law enforcement officers, court or clerk's office staff shall be permitted to enter or remain in the court building or court room if the individual exhibits symptoms, including but not limited to, a fever, respiratory symptoms and/or sore throat.
 3. Any individual who has traveled out of the country within the last sixty (60) days or an individual who has had a household member: travel out of the country in the last sixty (60) days.
 4. Any person who has been in contact with an individual who is being monitored or has tested positive for COVID-19 shall not be permitted in the court building.
 5. All individuals shall maintain appropriate social distancing of approximately six (6) feet, whenever possible.
 6. Any party who is not permitted to enter the Court shall have their case continued.
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