

**In the Franklin County Municipal Court  
Columbus, Ohio**

**Administrative Order Number: 07-2020**

**Effective:** 4/6/2020

The Findings of Fact stated in Administrative Orders 05-2020 and 06-2020 are hereby incorporated by reference into this Administrative Order, and are further supplemented as follows:

- I. On March 31, 2020, President Trump declared that a major disaster exists in the State of Ohio and ordered Federal assistance to supplement State and local recovery efforts in the areas affected by the Coronavirus Disease 2019 (COVID-19).
- II. On April 2, 2020, the Director of Health of the Ohio Department of Health issued an "Amended Director's Stay At Home Order." The Amended Order supersedes and extends the expiration date of the Order issued on March 22, 2020, from April 6, 2020, to May 1, 2020.

Based upon these Findings of Fact, the Franklin County Municipal Court hereby issues the following orders, which shall supplement all orders issued in Administrative Orders 05-2020 and 06-2020 with which they are not inconsistent, and shall supersede all such orders issued in Administrative Orders 05-2020 and 06-2020 with which they are inconsistent. This Administrative Order is intended to protect public health, to maintain essential court functions, and to continue to protect the rights of all individuals subject to the authority of the Court.

**THEREFORE, IT IS HEREBY ORDERED:**

1. For any case continued pursuant to this Order, the Clerk is directed to issue notice of the continued date to the most recent address on file.
2. For any matter continued pursuant to this Order, and to which R.C. 2945.71 applies, the period of the continuance will toll the running of the time for speedy trial as the period of any reasonable continuance granted other than upon the accused's own motion. R.C. 2945.72(H).

**Assigned cases to be continued, except prisoner cases**

3. Except for cases in which the defendant is being held in jail, all scheduled court hearings for criminal, traffic, and civil cases that are individually assigned to a judge shall be continued to specific dates no sooner than June 1, 2020. Other exceptions may be made, on a case by case basis, by individual judges in consultation with counsel for both parties.
4. If fines, fees, or court costs on any criminal or traffic case are not paid by the enforcement date or by the date required pursuant to an authorized time payment plan, and the date falls within the period between March 17, 2020, and June 1, 2020, the Clerk is directed to continue the date by six months.
5. If community service on any criminal or traffic case is not performed by the enforcement date, and the enforcement date falls within the period between March 17, 2020, and June 1, 2020, the Clerk is directed to continue the enforcement date by six months.

6. If a defendant does not complete the driver intervention program (D.I.P.) by the enforcement date, and the enforcement date falls within the period between March 17, 2020, and June 1, 2020, the Clerk is directed to continue the enforcement date by six months.

#### **Traffic arraignment**

7. All traffic cases currently scheduled for arraignment shall be continued to a specific date no sooner than June 1, 2020. All traffic tickets filed after the effective date of this Order shall be scheduled for arraignment on a specific date no sooner than June 1, 2020.

#### **Criminal arraignment**

8. For criminal cases in which the defendant is not being held in jail (4C), all currently scheduled arraignments shall be continued to a specific date no sooner than June 1, 2020.

9. For criminal complaints filed after the effective date of this Order, and for which the defendant is to appear in response to a summons, the Clerk is hereby directed to schedule those cases for arraignment no sooner than June 1, 2020.

10. Any not guilty plea received by the Clerk between the effective date of this Order and June 1, 2020, shall be referred to the Duty Judge for signature.

#### **Evictions**

11. For pending cases in which the plaintiff seeks restitution of premises, hearings shall be continued to a specific date no sooner than June 1, 2020.

12. Claims for eviction filed between March 16, 2020, and June 1, 2020, shall be scheduled for hearing on a specific date no sooner than June 1, 2020.

13. The Clerk is instructed to limit the number of claims for restitution of premises scheduled on any one day on or after June 1, 2020, to no more than 100 cases, until further order.

14. For any claim for restitution of premises filed between March 16, 2020, and June 1, 2020, and which is filed with a second cause of action for money damages, and notwithstanding Civ.R. 12(A)(1), the defendant(s) shall serve any answer to the claim for money damages within 14 days after the claim for restitution of premises is adjudicated. No default judgment on the second cause shall be granted until the claim for restitution of premises has been adjudicated.

15. From the effective date of this Order until June 1, 2020, no writ of possession shall be executed when the property subject to the judgment for restitution of premises remains occupied. If five days have passed since the Service Bailiffs served a red tag notice to vacate the premises on the property subject to eviction, and the property is found to be vacant, the plaintiff may be restored to possession of the property by execution of the writ.

### Small Claims Division

16. Pending claims in the Small Claims Division shall be continued to a specific date as determined in the discretion of the assigned Magistrate, and no sooner than June 1, 2020.

17. For any new claim received by the Small Claims Division for assignment between the effective date of this Order and June 1, 2020, and notwithstanding R.C. 1925.04(B), the Small Claims Division Manager is directed to schedule the case for hearing on a specific date no sooner than June 1, 2020.

### Miscellaneous hearings

18. All judgment debtor examinations hearings, rent escrow hearings, and damages hearings currently scheduled shall be continued to a specific date no sooner than June 1, 2020.

19. For the period between the effective date of this Order and June 1, 2020, any motion for judgment debtor examination, any motion pertaining to a rent escrow matter, and any damages hearing shall for hearing on a specific date no sooner than June 1, 2020.

### Weddings

20. Those who have scheduled weddings at the Courthouse are discouraged from having their weddings take place from the effective date of this Order until June 1, 2020. However, for weddings that do go forward, only six individuals may attend the wedding, in addition to the individuals being married.

### Filings with the Clerk of Court

21. For the period between the effective date of this Order and June 1, 2020, the Clerk shall only accept civil case documents (complaints, motions, notices, etc.) for filing by mail or by fax.

22. For the period between the effective date of this Order and June 1, 2020, and for any criminal case document which the Clerk is capable of receiving and accepting for filing by mail or fax, the Clerk shall only accept such documents for filing by mail or by fax.

### Garnishments

23. For any garnishment action or order filed between March 16, 2020, and June 1, 2020, the Clerk shall accept it for filing, receipt payment of the court cost, and shall issue service of the action or order no earlier than June 2, 2020. As much as practicable, the Clerk shall issue service of the garnishments in the order in which they were received.

**IT IS SO ORDERED.**

4.6.20

Date



Judge Ted Barrows

Administrative and Presiding Judge