

WILLOUGHBY MUNICIPAL COURT
LAKE COUNTY, OHIO

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WILLOUGHBY, OHIO

IN RE: SIXTH ADMINISTRATIVE ORDER IN RESPONSE TO THE COVID-19 PUBLIC HEALTH CRISIS FOR PROCEDURE FOR PRETRIALS OF CRIMINAL AND NON-WAIVERABLE TRAFFIC CASES

FILED

1. First pretrial shall be set by the Court utilizing the Order Setting Telephone/Electronic Pretrial. Prosecutor shall call Defendant in pro se cases, at such number as Defendant supplies. Calls shall be made to defense counsel when appropriate.
2. All pretrials shall be conducted by telephone or other electronic means at the date and time scheduled.
3. Upon completion of pretrial, Prosecutors shall file with the Court a notice or status of pretrial, detailing actions to be taken, including setting for change of plea, trial or a second/final pretrial when applicable, and any recommendations agreed to by the parties.
4. There should be no more than two pretrial conferences. After the first pretrial occurs on the date set by the Court, Prosecutor may set a second and/or final pretrial, as needed.
 - a. Second pretrial/final pretrials should be set two to three weeks later.
 - b. If the case requires additional pretrials or needs a longer time between pretrials, the reason shall be noted on the notice/status of pretrial filing. (Example: just hired attorney.) Extraordinary situations will need the court's approval.
 - c. Final telephone pretrials with the Court may be requested in writing.
5. Discovery shall be exchanged by e-mail or fax between the parties. Body camera and dash camera recordings shall be exchanged electronically. All discovery shall be exchanged in a timely fashion and in such matter as to facilitate discussion between the parties at pretrial.
6. Prosecutors shall complete a notice/status of pretrial after every pretrial. The Prosecutor should note that Prosecutor and Defendant and/or defense counsel participated in the conference. If a plea agreement is reached, Prosecutor should note that both parties have agreed to the resolution to be proposed to the court. If your contact information should change, the Prosecutor will include the updated information in their notice/status of pretrial.
7. Pretrial notice/status can be faxed to the court at 440-953-4149 or e-mailed to wmcclerk@willoughbycourt.com. The court will promptly review the notice/status of pretrial and send out notices for second pretrials, final pretrials, change of pleas, motion hearings, or trials, as appropriate.

8. If the Prosecutor cannot reach a party by phone or e-mail, this should be noted on the notice/status of pretrial. Failure of a party to participate in two telephone pretrials will likely result in the scheduling of an in-court pretrial. Failure to appear for that pretrial may result in contempt proceedings which could include the issuance of a warrant and/or registration block.
9. Pursuant to Loc. R. 2.5, First Offender Program (FOP) and License Diversion Program (LDP) programs are available. For consideration, Prosecutor shall make the motion in the pretrial notice/status form filed with the Court. Prosecutors shall share with Defendant by e-mail/fax/mail or reading the possible FOP/LDP terms with which the Defendant must agree. Prosecutor can refer Defendant to read the FOP/LDP Agreement Form which is available at http://www.willoughbycourt.com/forms/FOP_LDP_forms. If Defendant qualifies for the program and the Court accepts the recommendation, the matter will be set for a change of plea hearing, which may occur by remote technology.
10. The court remains open to facilitate the pretrial process. Frequently used phone numbers include:

Andrea Rocco, Clerk of Court	440-953-4180
Vicki LaMarco, Bailiff	440-953-4184
Carl Dondorfer, Bailiff	440-953-4182
Mark Shannon, Probation Chief	440-953-4206
Kelly Rusnak, Probation Coordinator	440-953-4205
Main Number	440-953-4150

IT IS SO ORDERED.

Marisa L. Cornachio

JUDGE MARISA L. CORNACHIO

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2020 MAY 18 P 2:04
FILED