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MUNICIPAL COURT
MIAMISBURG, OHIO

IN THE MUNICIPAL COURT OF MIAMISBURG, OHIO

In Re: *

TEMPORARY ORDER IN *
RESPONSE TO THE COVID-19 *
PUBLIC HEALTH CRISIS *

* **ENTRY AND ORDER**

*

Judge Robert W. Rettich, III, makes the following Findings of Fact:

1. On March 9, 2020 Ohio Governor Mike DeWine issued Executive Order 2020-01D "Declaring a State of Emergency" in response to the growing COVID-19 public health crisis, which, among other things, limits large indoor gatherings.
2. The Governor's Declaration follows the Centers for Disease Control and Prevention ("CDC") "Interim Guidance," recommending that all employers consider how best to decrease the spread of COVID-19, including the review of guidance from state and local health officials.
3. On March 11, 2020 the World Health Organization officially declared COVID-19 to be a global "pandemic" requiring "urgent and aggressive action" to control the spread of the virus.

Based upon these Findings of Fact, given the outbreak of cases of COVID-19 within the State of Ohio and the severity of risk posed to the public, and given the CDC mandate and the Governor's declaration, it is hereby **ORDERED** that effective Monday, March 16, 2020:

1. The Court will have the lawful authority, within constitutional limits, to do and direct to be done all things necessary to ensure the orderly and efficient administration of justice for the duration of the declared public health emergency.

2. The Miamisburg Clerk of Court's office shall grant a thirty (30) day continuance to any party to civil and criminal matters upon a request for continuance made by telephone to the Court.
3. All civil and criminal matters scheduled for jury trial, including any associated deadlines, are hereby continued, pending further Order of the Court, with the exception that this ORDER does not affect the Court's consideration of civil or criminal motions that can be resolved without oral argument, and any case currently scheduled for a hearing on pretrial motion, or pretrial conference, shall not be continued except for separate consideration by the Court.
4. The time period of the continuances implemented by this ORDER will be excluded under the Speedy Trial Act, as the Court specifically finds that the ends of justice served by ordering the continuances outweigh the best interests of the public and any defendant's right to a speedy trial.
5. All inmate transports from the Montgomery County Jail for pretrial conferences or disposition hearings are hereby suspended, with case-by-case exceptions made at the discretion of the Court.
6. This Court hereby authorizes the use of audiovisual devices and technologies for all actions and proceedings as this Court deems appropriate on a case-by-case basis, on the specific finding that the current public health emergency constitutes good cause for such action.
7. This Court shall not permit any person reporting at the Court's security station and who appears to be ill to enter the public area of the Clerk of Court's office, nor the Courtroom. These people will be advised that they will be contacted by phone within one (1) business day, and will be asked to provide a current address and telephone number, so that alternate arrangements shall be made on a case-by-case basis, depending on the particular case and reason for their appearance at the Court.

The Miamisburg Municipal Court, Miamisburg Clerk of Court's office, and the Miamisburg Probation Department shall remain open and operational under the above temporary emergency guidelines until further Order of this Court, but under no circumstance shall this ORDER be vacated before April 17, 2020.

IT IS SO ORDERED:



JUDGE ROBERT W. RETTICH, III