

PAINESVILLE
MUNICIPAL COURT

2021 JUN 11 AM 10:14

IN THE PAINESVILLE MUNICIPAL COURT
LAKE COUNTY, OHIO

KRISTY MCBRIDE
CLERK OF COURT

IN RE:)
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Administrative Order 2-2021) JOURNAL ENTRY
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The Painesville Municipal Court as of July 1, 2021, will discontinue traffic night court. The last traffic night court date will be Wednesday June, 30, 2021. Magistrates will be reassigned. Court finds that technology to perform the services in a more cost efficient manner will be employed. The Court will continue to monitor and evaluate any future need.

IT IS SO ORDERED.



JUDGE PAUL R. MALCHESKY

SSJ 21/92

2020 NOV 23 AM 10:30

IN THE PAINESVILLE MUNICIPAL COURT
LAKE COUNTY, OHIO

ARISTY MOBRIDE
CLERK OF COURT

IN RE:)
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Administrative Order 7-2020) JOURNAL ENTRY
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The Painesville Municipal Court had to close to the public on Thursday, November 19, 2020, due to a COVID 19 outbreak. The Court will remain closed to the public until Monday December 7, 2020. The Court and Court’s Staff will address jail arraignments, bonds, and scheduling. All arraignments and bond hearings will be on a case by case basis. Individuals posting bond will be by appointment only during the Court’s business hours to secure the safety of all.

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). The court finds the COVID-19 public health emergency is “just cause” for such continuance and prudent.

The actions taken herein are being done for just cause during these unparalleled times. I thank the Painesville Municipal Court Staff for their continued hard work and accommodations along with our partners. Updates can be found on our website at www.pmcourt.com. Emergencies please call (440) 487-3812.

IT IS SO ORDERED.



JUDGE PAUL R. MALCHESKY

PAINESVILLE
MUNICIPAL COURT

2020 MAY -1 AM 10:41

IN THE PAINESVILLE MUNICIPAL COURT
LAKE COUNTY, OHIO

KRISTY MCBRIDE
CLERK OF COURT

IN RE: COVID-19)
Administrative Order 4-2020)
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JOURNAL ENTRY

The Court hereby modifies and enhances Administrative Order 1-2020, 2-2020, and 3-2020 effective immediately, and taking Judicial Notice of Ohio House Bill #197, the COVID 19 Emergency Response Law, signed by Governor DeWine on March 27, 2020.

Further, the Court finds that court hearings increase the risk of contamination due to congregation. The Court finds it necessary that the following steps need to be taken to protect the public and the Court's Staff.

1. All persons entering the Court facility will be required to wear a mask or face covering for everyone's protection.
2. All persons are subject to inquiry of COVID-19 symptoms.
3. All persons entering the facility shall practice social distancing.
4. Bonds can be paid over the phone by credit card or debit card Monday through Friday, 8 a.m. to 4:30 p.m.
5. Individuals are encouraged to pay their court fees via online (pmcourt.com), by phone (866-895-0198), or mail.
6. All persons doing business with the Court are required to keep the Court informed of your current phone number, address and email.
7. 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. Hearing notices will state "EVERYONE WHO ENTERS THE COURT WILL WEAR A MASK OR FACE COVERING and SUBJECT TO INQUIRY OF COVID-19 SYMPTOMS".
8. Civil cases, including Small Claim's cases will resume on May 6, 2020.

9. Eviction cases will resume on May 7, 2020, ruling on Writs maybe held in abeyance, and issued by further order of the Court, pursuant to COVID-19 Emergency Ruling.
10. On May 11, 2020, the Court will resume regular Court hours Monday through Friday, 8:00 a.m. to 4:30 p.m.
11. Night Court will resume on Wednesday, June 3, 2020.
12. Probation Department will continue with phone interviews through May, 2020.

In-person visits will begin in June, 2020. Throughout this time, Probation Department may conduct in- person interviews at the court, via glass protection as prescribed. This Court reserves the right to call probationers into the courtroom, should the need for additional proceedings arise.

IT IS SO ORDERED.



JUDGE PAUL R. MALCHESKY

PAINESVILLE MUNICIPAL COURT
LAKE COUNTY, OHIO

KRISTY MCBRIDE
CLERK OF COURT

2020 APR - 6 AM 9:13

PAINESVILLE
MUNICIPAL COURT

IN RE: COVID-19)
Administrative Order 3-2020) JOURNAL ENTRY

The Court hereby modifies and enhances Administrative Order 1-2020 and 2-2020, effective immediately, and taking Judicial Notice of Ohio House Bill #197, the COVID 19 Emergency Response Law, signed by Governor DeWine on March 27, 2020. Further, the Court finds that court hearings increase the risk of contamination due to congregation. The Court finds it necessary that additional steps need to be taken to protect the public and the Court's Staff. **The Court cancels all scheduled hearings for April 6, 2020 through May 1, 2020. Said hearings will be rescheduled. Pursuant to Ohio Revised Code § 2945.72 (H) and Ohio House Bill #197 the Court hereby extends the time for and continues all preliminary hearings, pre-trials, trials, including jury trials for the week of March 30, 2020 – May 1, 2020.** 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.

The Court will continue to remain open to the public: Monday 8 a.m.– 2 p.m., Tuesday 8 a.m.– 2 p.m., Wednesday 8 a.m.– 2 p.m., Thursday 8 a.m.– 12 p.m., and Friday 8 a.m.– 12p.m. **The court will remain staffed and available by phone (440-392-5901) from 8 a.m. – 4:30 p.m. Monday- Friday.**

Bonds can be paid over the phone by credit card or debit card every weekday from 8 a.m. until 4:30 p.m. **Individuals are encouraged to pay their court fees via online (pmcourt.com), by phone (866-895-0198), or mail.**

All persons doing business with the Court are required to keep the Court informed of your current phone number, address and email.

IT IS SO ORDERED.



PAUL R. MALCHESKY, JUDGE

PAINESVILLE MUNICIPAL COURT

LAKE COUNTY, OHIO

PAINESVILLE
MUNICIPAL COURT

2020 MAR 27 PM 2:23

NICHOLAS CINDRIC
CLERK OF COURT

IN RE: COVID-19)
Administrative Order 2-2020) JOURNAL ENTRY

The Court hereby modifies and enhances Administrative Order 1-2020, effective immediately, and taking Judicial Notice of Ohio House Bill #197, the COVID 19 Emergency Response Law, signed by Governor DeWine today March 27, 2020. Further, the Court finds that court hearings increase the risk of contamination due to congregation. The Court finds it necessary that additional steps need to be taken to protect the public and the Court's Staff. The Court cancels all scheduled hearings for March 30, 2020 – April 3, 2020. Attached to this order is said Hearing Schedule that is continued with this order. Said hearings will be rescheduled. The Court will continue to remain open as outlined in Administrative Order 1-2020 and conduct arraignments.

Pursuant to Ohio Revised Code § 2945.72 (H) and Ohio House Bill #197 the Court hereby extends the time for and continues all preliminary hearings, pre-trials, trials, including jury trials for the week of March 30, 2020 – April 3, 2020.

IT IS SO ORDERED.



PAUL R. MALCHESKY, JUDGE

In the Painesville Municipal Court
Lake County, Ohio

2020 MAR 20 PM 1: 04

Administrative Order Number: 1-2020 Effective: 3-20-2020

NICHOLAS C. CLERK OF COURT

The Painesville Municipal Court makes the following Findings of Fact:

- I. 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.
- II. 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.
- III. On March 13, 2020, President Trump issued a "Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak," stating that "[a]dditional measures" are "needed to successfully contain and combat the virus in the United States."
- IV. On March 13, 2020, Chief Justice Maureen O'Connor issued a letter to Ohio judges. The Chief Justice specifically did not issue an order waiving speedy trial requirements and other tollings. However, she acknowledged that a public health emergency may be considered to be a finding of good cause for continuances deemed necessary by judges on a case-by-case basis.
- V. On March 15, 2020, Governor Mike DeWine ordered closed all bars and restaurants other than carry-out service. On March 16, 2020, Governor DeWine ordered closed gyms, fitness centers, recreation centers, bowling alleys, indoor water parks, movie theaters, and other business. Currently, the ban does not include public buildings, office environments, or places where it is unusual for a large number of people to be within arm's length of each other.
- VI. On March 19, 2020, Chief Justice Maureen O'Connor went on to further explain her letter of March 13, 2020 and took questions regarding same. She specifically stated that courts are not ordered to continue evictions at this time.

Based upon these Findings of Fact, the Painesville Municipal Court has developed a flexible response for this public health crisis. The response 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. All appearances and hearings will be limited to attorneys, defendants, litigants and victims, or anyone making payments to the court. **Anyone not having business with the Court will not be permitted entrance to the courthouse.** The Court is compelled to do all things necessary to ensure the orderly and efficient administration of justice for the duration of the emergency and balance same for the protection of staff and the public.
2. The Painesville Municipal Court will remain open and functioning during the state of emergency due to COVID-19, subject to the following.
3. Hours that the courthouse will be open to the public will be: Monday 8a.m.–3p.m., Tuesday 8a.m.–3p.m., Wednesday 8a.m.–3p.m., Thursday 8a.m.–1p.m., and Friday 8a.m.–1p.m. **The court will remain staffed and available by phone (440-392-5901) from 8a.m. – 4:30p.m. Monday- Friday.**
4. Bonds can be paid over the phone by credit card or debit card every weekday from 8 a.m. until 4:30 p.m. **Individuals are encouraged to pay their court fees via online (pmcourt.com), by phone (866-895-0198), or mail.**
5. Night Court will be discontinued until the 2nd week of May, 2020.
6. 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. **All persons doing business with the Court are required to keep the Court informed of your current phone number, address and email.**
7. **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). The court finds the COVID-19 public health emergency is "just cause" for such continuance and prudent.**
8. Except for cases in which the defendant is being held in jail, all scheduled court hearings for criminal, traffic, and civil cases may be (not shall) continued to specific dates to be determined as soon as practicable. Other exceptions may be made, on a case by case basis, in consultation with counsel for both parties. Preliminary hearings will go forward as scheduled but may be continued on a case by case basis. Continuance fees will be waived if the matter is continued for COVID-19 issues.
9. For traffic cases in which a ticket has already been filed, arraignment will be set 4 weeks out or continued to a specific date at least 4 weeks from the date of this Order.
10. For criminal cases in which the defendant is not being held in jail, arraignment shall be continued to a specific date at least 4 weeks from the date of this Order.
11. Felony cases in which the defendant does not waive preliminary hearing shall be presented to the Judge for disposition pursuant to Crim.R. 5(B).

12. For pending **eviction** cases in which the plaintiff seeks restitution of premises, hearings shall be continued to a specific date at least 4 weeks from the date of this Order.
13. Claims for eviction filed on March 20, 2020 or before will proceed as regularly scheduled.
14. Pending claims in the Civil Division may be continued to a specific date as determined in the discretion of the assigned Magistrate.
15. Those who have scheduled weddings at the Courthouse are discouraged from having their weddings take place during the next eight weeks. However, for weddings that do go forward, only six individuals may attend the wedding, in addition to the individuals being married. More than six individuals will be allowed if the weather permits the function to be outside. The court will delay accepting applications until the 2nd week of May, 2020.

The actions taken herein are being done for just cause during these unparalleled times. I thank the Painesville Municipal Court Staff for their continued hard work and accommodations along with our partners. Updates can be found on our website at www.pmcourt.com. Be safe!

IT IS SO ORDERED.

March 20, 2020

Date



JUDGE PAUL R. MALCHESKY

PAINESVILLE
MUNICIPAL COURT

2020 MAR 20 PM 1:04

NICHOLAS CINDRIC
CLERK OF COURT