

SOUTH EUCLID MUNICIPAL COURT



JUDGE
Gayle Williams-Byers

CLERK OF COURT
CHARDALE P. SUMPTER

In the matter of City Communications About
Court Operations Throughout The COVID-19
(CORONAVIRUS) Public Health Pandemic

Administrative Order 2020-12

On Tuesday, November 3, 2020, this court hereby issues the following Administrative Order and makes the following findings of fact. Further, this court finds that consistent with its responsibility to maintain adequate access to justice while balancing these important safety requirements, the following temporary mandates shall be and remain in effect until further order by this Court:

March 11, 2020: Initial Response of the South Euclid Municipal Court to the Coronavirus (COVID-19) Pandemic

WHEREAS, on March 9, 2020, Governor Mike DeWine issued Executive Order 2020-01D, declaring a State of Emergency throughout the State of Ohio due to the spread of COVID-19—a respiratory disease that can result in serious illness or death, caused by the SARS-CoV-2 virus, a new strain of coronavirus that had not previously been identified in humans and could easily spread from person to person (**Exhibit A**);

WHEREAS, on March 11, 2020, the South Euclid Municipal Court issued Administrative Order 2020-06 (**Exhibit B**), closing the Court daily at 3:30p.m. to conduct added sanitization efforts in response to COVID-19. Aware City Administration officials were still working within the building, the Court posted a physical copy of this Order on the front and back entry doors of the Municipal Complex; in addition, it posted digital versions of this Order on the Court's website as well as to the Court's Facebook page;

WHEREAS, at all times the Court is closed to the public (which is ordinarily at 4:00 p.m. on weeknights, except during once-monthly night court hearings), it lowers and locks the entry gates at the top of both stairwells that ascend to the second floor of the Municipal Complex; this precludes members of the public from accessing the Court's common areas. Following the execution of **Exhibit B**, the Court locked these gates

every weekday afternoon at 3:30 p.m. instead of 4:00 p.m.;

March 17, 2020: The South Euclid Municipal Court Begins Remote Operations and Communicates This to the City.

WHEREAS, on March 17, 2020, the South Euclid Municipal Court issued Administrative Order 2020-07 (**Exhibit C**). Citing the public health emergency throughout the State, the Court continued and re-scheduled all in-person proceedings and appointments within the South Euclid Municipal Court, or transferred those matters to occur by telephone or e-mail through the week of April 20, 2020 or until further notice. The Order provided specific direction for the processing of civil/small claims cases; traffic/criminal arraignments; traffic/criminal pre-trials and hearings; speedy trials; the Court's Specialized Mental Health docket, housing, and night court dockets; and probation reporting. The Order likewise provided the modified procedures for submitting payments; filings; and attorney fee bills to ensure public safety and the uninterrupted flow of Court operations;

WHEREAS, as with Order 2020-06, the Court posted a physical copy of 2020-07 at all entry doors to the Municipal Complex where it would be observed by City Administration and others entering the building. Additionally, it lowered and locked the entry gates to the second floor of the Municipal Complex where the Court is located, and posted physical copies of **Exhibit C** at the base of both stairwells that ascend to the Court. Finally, it posted digital versions of 2020-07 on the Court's website; on the Court's Facebook page; on the Cleveland Metropolitan Bar Association website; and the Supreme Court of Ohio's website;

WHEREAS, on March 19, 2020, Judge Gayle Williams-Byers of the South Euclid Municipal Court sent an e-mail and Memorandum to South Euclid Mayor Georgine Welo, Police Chief Kevin Nietert, Clerk of Council Keith Benjamin, Council President Joseph Frank, then-Council Member Marty Gelfand, Council Member Ruth Gray, Council Member Sara Continenza, Council Member Jane Goodman, Council Member Justin Tisdale, Council Member Susan Hardy, Clerk of Court Chardale Sumpter, and Chief Administrative Bailiff Isaiah Simmons, apprising them of the personnel protocols within the South Municipal Court for the coming weeks. That communication noted, "Please note that the South Euclid Municipal Court Clerk's office will remain open remotely with clerks on site intermittently to perform certain...required tasks such as mail and payment collections and deposits along with checking for any faxed requests or other information that may have been delivered to the court. Feel free to contact the Clerk of Court, Chardale Sumpter...or Chief Administrative Bailiff, Isaiah Simmons...should you have any questions." (**Exhibit D**);

WHEREAS, the Memorandum attached to that e-mail explained that all South Euclid Municipal Court employees would be working remotely, with the exception of the Court's security bailiffs, and it provided the names and contact information for specific individuals at the Court to whom they should address all matters for the Court's

attention, including warrants on complaints and probable cause affidavits; traffic and NT tickets; search warrant requests, TPO hearings, felony initial appearance hearings, bond reviews, and pretrials where the Defendant has not waived a speedy trial; and payments. Further, this Memoranda provided telephone, e-mail, and facsimile contact information to reach the Court. **(Exhibit E)**;

March 20, 2020: The City Closes the South Euclid Municipal Complex to the Public.

WHEREAS, on March 19, 2020, the City issued a press release on its website **(Exhibit F)**, closing City Hall (the building that houses the Municipal Court and the South Euclid Police Department) and all other Municipal Buildings to the public during the COVID-19 pandemic, effective March 20, 2020, until further notice. Given the closure to the public, the only individuals permitted access to the building were City and Court staff;

WHEREAS, both in light of the Court's Administrative Order 2020-07 **(Exhibit C)** and the City's closure of the Municipal Building **(Exhibit F)**, the Court began facilitating the regular administration of its full docket on an exclusively virtual basis, effective March 20, 2020, which has remained the case through today's date. Following the promulgation of Administrative Order 2020-07 **(Exhibit C)**, the Court provided information on its Facebook page on March 24, 2020, detailing the manner in which members of the public could schedule virtual hearings in lieu of awaiting a rescheduled live hearing. The Court continued to publicize this information on its Facebook page on other occasions, including on April 7 and April 20, 2020;

May 18, 2020: The Court Updates Its Administrative Order to Provide More Detail About Its Remote Operations.

WHEREAS, on May 18, 2020, the Court issued a new temporary Administrative Order, 2020-09, that endeavored to work in lockstep with the Ohio Supreme Court's Guidance to Local Courts regarding COVID-19, also issued on May 18, 2020. The Court's Order required personal court appearances, only in cases of immediate need; it relied upon technology and virtual hearings for all proceedings whenever possible; and it otherwise communicated a desire to minimize all but essential on-site activities of the Court. The Order provided specific information for which matters would be stayed; which would be rescheduled by Court staff; and which matters parties and counsel needed to contact the Court to arrange virtual hearings. It provided specific information about how all specialized docket, probation, court filings, fee bills, and payments would be handled—as well as contact information to reach Court personnel. **(Exhibit G)**. The Court posted a physical copy of this Order at all entry doors to the Municipal Complex and at the base of both stairwell entries to the Court; and it posted digital versions of this Order on the Court's website. Additionally, it promoted this information on the Court's Facebook page on May 27, 2020;

May 22, 2020: A Member of City Council Inaccurately Asserts the Court is “Closed,” Notwithstanding Extensive Communications to the Contrary.

WHEREAS, on May 22, 2020, Ohio Supreme Court Director of Court Services Stephanie Nelson contacted the South Euclid Municipal Court regarding a complaint she indicated receiving from then-Council Member Marty Gelfand. Ms. Nelson indicated that Mr. Gelfand had called the Supreme Court to indicate the Court had been “closed” since March 2020 in response to the COVID-19 pandemic. This was plainly inaccurate, as Court operations had continued, uninterrupted, on this remote basis since the onset of the State of Emergency—as previously memorialized in the Court’s March 19, 2020 Administrative Order 2020-07 (**Exhibit C**) and as explained directly to Council (including Mr. Gelfand) in the Court’s electronic communication and Memorandum of March 19, 2020 (**Exhibit D** and **Exhibit E**);

July 2020: Members of the Public Accessed the Closed Municipal Complex to Conduct Court Business, and City Officials, Employees, and/or Contractors Directed Them to the Ohio Supreme Court, Which Was Unable to Assist Them.

WHEREAS, effective September 10, 2012, the City created a Parking Violations Bureau pursuant to Ohio R.C. 4521.04, transferring jurisdiction over parking infractions from the South Euclid Municipal Court to the South Euclid Police Department. *See generally* Codified Ordinances of South Euclid, Chapter 147. Pursuant to this legislative change, the processing of *speeding and traffic* citations remained payable to the Clerk of the South Euclid Municipal Court, but the processing of *parking* citations became the exclusive domain of the South Euclid Police Department. As a practical matter, this has created some confusion among members of the public, especially because, prior to 2012, all parking citations had previously been processed by the Clerk of Court;

WHEREAS, the public appeared to demonstrate added confusion when resolving their citations in person, at City Hall (notwithstanding the closure of the building to the public pursuant to **Exhibit F**). Prior to March 20, 2020, individuals with outstanding speeding and traffic citations would continue reporting to the second floor Clerk’s Office, but individuals with outstanding parking citations would report to the first floor Police Department window. Some time ago, the City placed conspicuous signage throughout City Hall to alert visitors to report to the Police Department window to pay their parking tickets to resolve this confusion;

WHEREAS, throughout the time City Hall has been closed to the public, as well as throughout the same timeframe when the Court and the Clerk of Court have continued to conduct Court operations remotely, some members of the public have apparently continued entering City Hall in an effort to resolve outstanding parking, traffic, and speeding tickets, as well as attempting to resolve other Court fines and attend in person hearings. This has been the case, notwithstanding the Court’s published Orders (**Exhibit C** and **Exhibit G**) and the City’s press release (**Exhibit F**), making clear their inability to do so;

WHEREAS, the South Euclid Municipal Court received two reports in July 2020 from the Ohio Supreme Court that two litigants who had received City of South Euclid Police citations, ordering them to either pay a waivable citation to the South Euclid Municipal Court or appear at the Municipal Court for a hearing had contacted the Ohio Supreme Court in advance of their hearing date:

- On July 9, 2020, the Supreme Court of Ohio forwarded Judge Williams-Byers information regarding a voicemail it received from Sandra Henderson, the Defendant in case number TRD2000812, a speeding citation. Defendant Henderson indicated she had attempted to pay the ticket by reporting to the South Euclid Municipal Building. She indicated seeing a sign posted that directed people to pay tickets on the first floor (*i.e.*, the location of the South Euclid Police Department—not the South Euclid Municipal Court). When Defendant Henderson observed signage directing her to “pay tickets on the first floor [where the Police Department is located],” she reported there, inquiring into how to pay her *traffic* ticket within the South Euclid Municipal Court. Ms. Henderson left a voicemail with the Supreme Court of Ohio, indicating that an employee within the South Euclid Police Department had advised her after this inquiry to call the Supreme Court of Ohio—rather than the South Euclid Clerk of Court or the South Euclid Municipal Court (or by otherwise providing her with the Court’s Administrative Order that provided this information—or even directing her to the Court’s second floor or website, where that information was posted).

After the Supreme Court alerted the South Euclid Municipal Court to this issue, the Court contacted Ms. Henderson, and it made arrangements for her to pay her outstanding citation in accordance with the Court’s Administrative Order. Defendant Henderson’s payment posted to the Court on July 15, 2020.

- On July 17, 2020, the Supreme Court of Ohio forwarded Judge Williams-Byers information regarding another call it received that day from John Marino, the Defendant in case number TRD2000949, a vehicle registration citation. Defendant Marino indicated he had mailed the fines for his citation to the Court, but it had returned them. (The Court had sent Mr. Marino letters on July 8, 2020, and July 14, 2020, that explained the payments he submitted were being returned because his citation was not “waivable,” or capable of being resolved with a written plea and payment of fines without a court appearance.) The Court had apprised Defendant Marino that he was required to appear for a virtual hearing and mailed him instructions regarding how to arrange that hearing. However, he had called the Ohio Supreme Court to inquire about this matter. It was unclear at that time why he had even thought to contact the Ohio Supreme Court to remedy this situation.

After receiving this information from the Ohio Supreme Court and after following up with Defendant Marino, the Court learned the South Euclid Police had

erroneously advised Mr. Marino that his citation was waivable and capable of being resolved by sending in a payment. The Court advised him otherwise, noting—as it had in his prior correspondence—that he was obligated to appear at a virtual hearing, and it provided him instructions regarding how to do so. On July 28, 2020, the Court sent another letter, advising Defendant Marino of an August 20, 2020 arraignment, and again informing him that his citation was not waivable. Mr. Marino appeared for that arraignment on August 20, and his case was heard and resolved at that time.

July 27, 2020: The Court Issues an Updated Administrative Order.

WHEREAS, on July 27, 2020, the Court issued a new Administrative Order, 2020-10, that continued to follow the Ohio Supreme Court’s recommendations to only require personal court appearances in cases of immediate need; to rely upon technology and virtual hearings for all proceedings when possible; and it implemented these mandates until further notice. (**Exhibit H**). This Order set specific instructions for how the Court would facilitate the following:

- Civil/Small claims cases (to be conducted virtually or by telephone—or upon notice of the court)
- Evictions (to be conducted virtually or by telephone—or upon notice of the court)
- Traffic/criminal arraignments (virtually only)
- Traffic/criminal pretrials and hearings (to be conducted virtually or by telephone—or upon notice of the court)
- Speedy trials (rescheduled to the week of September 20, 2020, or beyond)
- Mental health docket (virtually, by telephone, or e-mail)
- Housing docket (rescheduled to the week of August 3, 2020)
- Night Court docket (rescheduled to the week of August 27, 2020)
- Probation reporting (by telephone or e-mail)
- Payments (by money order, personal check, cashier’s check, or certified check—delivered exclusively via U.S. mail to the Court)
- Traffic/Criminal and Civil/Small Claims Filings (by fax, e-mail, or mail)
- Attorney Fee Bills (by fax)

As with its prior practice, the Court posted a physical copy of this Order at all entry doors to the Municipal Complex and at the base of both stairwell entries to the Court; and it posted digital versions of this Order on the Court’s website. Additionally, it promoted this information on the Court’s Facebook page on July 29, 2020, and posted related information about scheduling virtual hearings on August 6, 2020;

August 2020: Additional Members of the Public Accessed the Closed Municipal Complex to Conduct Court Business, and City Officials, Employees, and/or Contractors Directed Them to the Ohio Supreme Court, Which Was Unable to Assist Them.

WHEREAS, on August 6, 2020, the South Euclid Municipal Court received two more

reports of litigants who had contacted the Ohio Supreme Court about attending to South Euclid Municipal Court business:

- Shira Chavin, the Defendant in case number TRD2001058, went to the municipal building to pay a ticket and she went to the police department for assistance upon realizing the Court was closed. She later indicated to South Euclid Municipal Court staff that, when she approached South Euclid police for assistance, their staff provided her with a card, a photo of which is attached as **Exhibit I**, which instructed her to contact the Ohio Supreme Court to resolve her concerns. She therefore contacted the Ohio Supreme Court, which was obviously unable to assist her, and it forwarded her information to the South Euclid Municipal Court. A staff member of the South Euclid Municipal Court contacted her, and processed the payment of her ticket.
- Lavelle Taylor, the Defendant in case number TRD2000958 had called the Ohio Supreme Court on August 6, 2020, indicating he was supposed to appear at the South Euclid Municipal Court that day for a hearing, but he hadn't known what time he was supposed to appear. He indicated to the Supreme Court that he had arrived at the City of South Euclid Municipal Building at 8:00 a.m. and waited for 45 minutes before a janitor provided him with a card that provided the Ohio Supreme Court's phone number for him to inquire.

On July 7, 2020, the Court had previously set Mr. Taylor's arraignment for 8:30 a.m. on August 6, 2020, and it mailed an arraignment letter to Defendant Taylor on July 28, 2020. The City of South Euclid Police Department had also issued Mr. Taylor a citation that erred in omitting the time of his 8:30 a.m. arraignment. Mr. Taylor had not called the Court prior to the day of his arraignment, and he arrived to the Municipal Building at 8:00 a.m. (Note: The Court does not hold in person hearings until 8:30 on any business day, even prior to COVID-19.) Defendant Taylor later advised the Court he had learned while he was on-site that the Court exclusively held hearings virtually; however, he reported that he had been "encouraged" by the South Euclid Police Department to call the Ohio Supreme Court to complain. He contacted the Court to schedule a new hearing on August 20.

WHEREAS, on August 20, 2020, the South Euclid Municipal Court received four more reports of litigants who had contacted the Ohio Supreme Court about attending to South Euclid Municipal Court business:

- Defendant Shauntane Melton called the Supreme Court to indicate he went to the Court at 8:30 a.m. on August 6, but only a clerk was there. Upon obtaining his information from the Ohio Supreme Court, the South Euclid Municipal Court was able to contact Mr. Melton on August 20 to resolve his concern. It learned that, notwithstanding the Court's several Administrative Orders and Memoranda to Police Chief Nietert on March 19, 2020 (all of which had consistently relayed that

the Court's docket was being conducted on a virtual platform), the South Euclid Police Department had issued Defendant Melton an OVI citation on August 3 that ordered him to appear for a *live* arraignment at the Municipal Court on August 6 at 8:30 a.m.. The Court contacted Mr. Melton on August 20, after learning of his experience from the Ohio Supreme Court, and it arranged a virtual arraignment that day, taking his not guilty plea and setting his matter for a pre-trial on October 1, 2020, and bench trial on October 29, 2020.

- Defendant Romayne Kelly called the Supreme Court to indicate he went to the South Euclid Municipal Court on July 31, 2020, to determine what he owes to get his license reinstated, and he reported being told to return August 14, 2020. Upon obtaining his information from the Ohio Supreme Court, the South Euclid Municipal Court was able to contact Mr. Kelly on August 20, 2020 and resolve his concerns—finding he did not have a case pending in their Court.
- Defendant Jasmine Houston called the Supreme Court to indicate she hadn't been able to make a payment after making multiple calls; she indicated she had a warrant and couldn't get another court date set to get it removed and get her license reinstated. Upon obtaining her information from the Ohio Supreme Court, the South Euclid Municipal Court contacted Ms. Houston and learned she had made multiple calls to the South Euclid *Police Department* (not the Municipal Court) to inquire about her outstanding warrant in case number CRB 1800585. The Police Department had never transferred her calls to the Municipal Court throughout that time. On August 20, Ms. Houston spoke with a Deputy Clerk who assisted her with instructions to virtually surrender on her warrant and receive the necessary releases to renew her license. Despite this information, Ms. Houston has failed to surrender and her warrant remains active.
- Defendant Davondre Burkes called the Supreme Court to indicate he went to the South Euclid Municipal Court that day, looking for a poverty affidavit for a court-appointed attorney. Upon obtaining his information from the Ohio Supreme Court, the South Euclid Municipal Court was able to contact Mr. Burkes to resolve his concern: Following a search of the Court's Case Management System, it could not locate information about Mr. Burkes, eventually learning Mr. Burkes's case was pending in the Lyndhurst Municipal Court. Nonetheless, the Court contacted Mr. Burkes and offered him an Affidavit of Indigency from the Court's website, available by email link or U.S. mail.

WHEREAS, the Court was not familiar with any cards that were being provided to litigants seeking information about Court business, such as the one Ms. Shira Chauvin described to the Court. She provided the Court with a copy of this card, attached as **Exhibit I**. The South Euclid Municipal Court was neither consulted about the creation or dissemination of these cards—and this Court finds their use to be highly improper: They direct litigants seeking assistance with matters involving the South Euclid Municipal Court to contact the Ohio Supreme Court, which does not have the ability to

offer those individuals any assistance. In addition to obstructing the efficient resolution of those litigants' concerns, disseminating this information has the effect of congesting the Ohio Supreme Court's operations and obstructing the efficient operations of the South Euclid Municipal Court. It likewise subjects Court litigants to unnecessary exposure to potential virus infection and limits their ability to guard against this necessary concern. Further, it fails to apprise members of the public that Court business is happening exclusively over a virtual connection at present and that they will not be able to resolve their concerns by arriving to the City Municipal Building in person;

August 25, 2020: The Court Advises the City of Problems Arising From City Officials, Employees, or Contractors Providing Misinformation to Court Visitors

WHEREAS, Police Chief Kevin Nietert expressed frustration to the Court regarding litigants frequently approaching the Police Department window to resolve outstanding Court business. In response, the City Law Department announced the City's intention to raise the entry gate to the Court on a daily basis—notwithstanding the fact **Exhibit C** and **Exhibit G** had discontinued all in-person proceedings at this time and **Exhibit F** had noted the Municipal Complex was closed to the public;

WHEREAS, the Court had a number of concerns with the City's proposal, some of which it raised in an e-mail of August 25, 2020, to the Mayor, Law Director, and Police Chief. **(Exhibit J)** Among them, the second floor was not being regularly sanitized because of the building's closure, although Court staff were continuing to work there on reduced, staggered shifts. Opening the gates to the second floor would have provided unfettered public access to the second floor of the Municipal Complex (where the Court is located) at a time that Court personnel were not staffing the window to address public inquiries or concerns—although while they may be arriving to, leaving from, or working within the Court's offices. This response would fail to resolve the public's concerns, and it would increase the odds of exposing Court personnel to impromptu encounters with members of the public without proper social distancing or any of the other safety measures noted above that are needed to prevent COVID-19 exposure;

WHEREAS, the Court likewise noted that, to remedy any public confusion, it would and did post a sign at the Police Department window to indicate "Court Payments Not Accepted at the Police Department." However, following this communication with the Police Department and the Law Department, the sign was removed without notice or explanation to the Court;

WHEREAS, the Court expressed concern that Court litigants were accessing the Municipal Complex to conduct Court business (notwithstanding the now-longstanding closure of City Hall and the suspension of the Court's on-site proceedings), and that they were being provided inaccurate instructions to contact the Ohio Supreme Court about South Euclid Municipal Court matters; further, the Court expressed disappointment at the misdirection provided to individuals within the cards attached as

Exhibit I. The Court explained the obstruction these practices had to the Court's operations and the hindrance they created to litigants obtaining effective access to justice. The Court reminded everyone about the Court's continued and ongoing virtual operations and asked them to prospectively ensure these practices were halted to ensure that Court operations would not be further obstructed by these practices, indicating a plan to issue an Administrative Order to ensure that prospective care was provided to these concerns. (**Exhibit J.**);

September and October 2020: The Court Continues to Receive Reports of Litigants Receiving Misdirection From City Officials, Employees, and/or Contractors That Interfere with the Court's Administration of Business.

WHEREAS, on September 10, 2020, the Court encountered additional instances confirming that Court litigants were still being directed to contact the Ohio Supreme Court when they attempted to conduct Court business at the South Euclid Municipal Complex, notwithstanding the Court's prior request to discontinue this practice on August 25, 2020: The Court's Chief Administrative Bailiff and two Deputy Clerks have each encountered litigants who advised them that they were directed to contact the Ohio Supreme Court after reporting to the Municipal Building to inquire about a Court matter—each being provided a yellow card identical to **Exhibit I.** Each litigant has indicated they were provided these yellow cards by a member of the Police Department at the Municipal Complex Police Department window, or by a member of the building's custodial staff (which the Court presumes is an employee of Top of the Line Cleaning, Inc.—a City vendor);

WHEREAS, on October 22, 2020, the Court learned that the City of South Euclid Police issued a litigant, Kamari Wilson, a speeding citation on September 17, 2020, that erroneously instructed her to appear "in person" for an Arraignment hearing in Case Number TRD 2001393 on October 22, 2020, at 8:30 a.m. At 7:21 p.m. on October 21, 2020, Ms. Wilson e-mailed the Court to request a virtual hearing, which was after business hours. She represented that she went to the Court that same evening, South Euclid Lt. Wilson gave her the Supreme Court's phone number. The next morning, she called the Ohio Supreme Court, which forwarded this information to the Court. The Court contacted Ms. Wilson that morning to schedule a virtual arraignment;

September 18, 2020: The Court Issued its Most Recent Administrative Order.

WHEREAS, on September 18, 2020, the Court issued its most recent Administrative Order, 2020-11. (**Exhibit K.**) The Court posted a physical copy of this Order at all entry doors to the Municipal Complex and at the base of both stairwell entries to the Court; and it posted digital versions of this Order on the Court's website. Additionally, it promoted this information on the Court's Facebook page on September 25, 2020;

The City's Press Release Has Provided Inaccurate Information About the Nature of the Court's Ongoing Operations During the Pandemic.

WHEREAS, the City's March 20, 2020 Press Release (**Exhibit F**) closed the Municipal Complex to the public shortly after the Court had begun conducting its proceedings via a virtual platform on March 17, 2020 (**Exhibit C**). However, the Court recently learned that the City's press release likewise provided information that was both inconsistent with its overall press release (*i.e.*, that the Municipal Complex is closed to the public until further notice), and which conflicts with the Court's Administrative Orders to date (**Exhibit C**, **Exhibit G**, and **Exhibit H**): The final page of the press release instructs members of the public who report to the Municipal Complex that they may still conduct business with a variety of City Departments by entering through the back parking lot doors and either making a phone call or ringing the bell of the Police Department Window to reach one of the many City employees whom the press release made clear were still accessible, accepting package deliveries, and otherwise working within the Municipal Complex during the building closure;

WHEREAS, unbeknownst to the Court until this week, this final page of the press release (which remains in force and on the City's website today) also provided specific instructions for Court visitors: "If you are here to visit the Municipal Court...please enter through the back parking lot doors and go up the stairs to Court offices. Please make sure to look for Municipal Court postings on the doors with operating hours and instructions regarding hearings and court dates." These instructions were neither approved by nor relayed to anyone at the Court;

WHEREAS, any visitors to the Municipal Complex who arrived, expecting to discuss their business with an employee of the Court would find the gates permitting access to the second floor stairs were lowered and locked. However, as also noted in **Exhibit F**, it would be evident that there were a series of City employees who were on site and continuing to work and accept UPS/FedEx deliveries on the first floor—whom they could reach by making a phone call or ringing the bell of the Police Department Window. Further, the sign the Court posted near the Police Window, directing members of the public that they could *not* conduct Court business there, had long since been removed;

The Court is Unlikely to Resume In-Person Proceedings In the Near future.

WHEREAS, over the past two weeks, the City has communicated its efforts to implement safety measures that would facilitate reopening the Municipal Complex in the near future: It has added social distance markings and signage, and it has communicated an intention to provide masks and hand-sanitizer to visitors. The Court anticipates the City will likewise be implementing additional measures that are not yet in place, and the details of which have not yet been thoroughly communicated with the Court (*e.g.*, monitoring the entrances to ensure all visitors are masked and assessed for the presence of fever and other symptoms; the installation of hand-sanitizing stations; and the escalation of sanitation efforts of high-touch surfaces). However, even once the City completes all these steps and others to enable members of the public to safely

access the first floor of the Municipal Complex to conduct City business, there are unique concerns arising out of the provision of Court services that are unlikely to permit in-person proceedings to resume on-site, absent the implementation of additional measures. This includes, but is not limited to, developing added sanitization protocols for spaces in the courtroom and the Clerk's counter that will be repeatedly accessed and touched by new people throughout the day; defining and obtaining the needed space, barriers, and equipment needs to afford attorneys and clients the ability to confidentially confer without being overheard by others; and a series of other safety measures that are unique to the provision of legal services that remain subject to future resolution;

WHEREAS, the Court has been able to conduct its proceedings in a virtual format without any disruption to its case flow, and in a manner it deems safe and appropriate for the current timeframe. It anticipates continuing to conduct hearings in this manner for the time being, especially as Cuyahoga County has returned to a "red" status with High Case Incidence, and daily positive COVID-19 case figures continuing to climb;

NOW THEREFORE:

Litigants interacting with City officials, employees, and contractors or entering City facilities must be provided with accurate information about Court operations—which fails to thwart, delay, or frustrate their ability to obtain proper and timely access to justice. Further, they must not be provided inaccurate information that unnecessarily leads them to believe they must make a live appearance in the Municipal Complex, placing their health and safety at risk during this pandemic, as well as the health and safety of others. Finally, routing litigants to the Ohio Supreme Court to obtain information about an impending proceeding before the South Euclid Municipal Court (when it has no information to assist those litigants) not only delays the litigant's information to timely assistance, but it serves to interfere with the Supreme Court of Ohio's operations as well.

Consequently, the Court orders the following:

1. City officials, employees, and contractors who encounter inquiries from members of the public about proceedings before the South Euclid Municipal Court shall direct them to one or more of the following:
 - a. The Court's website: www.secourt.org
 - b. The Court's phone number: 216-381-2880 (requests for virtual hearings must be directed to extension 563)
 - c. Email: info@secourt.org
 - d. Facsimile: 216-381-1195

- e. The Court's Facebook page
(www.facebook.com/southeuclidmunicipalcourt)
 - f. Administrative Order 2020-11 (**Exhibit K**) or, if it is later superseded by another Administrative Order, City officials, employees, and contractors must provide the most current Administrative Order relating to the provision of Court services during the pandemic)
 - g. The flyer attached to this Order as **Exhibit L**.
2. If City officials, personnel, or contractors wish to post information or press releases online; to create signage; to prepare cards to provide to members of the public; to create stickers to affix to citations; to prepare language for telephone recordings or scripts for their designees to read in response to public inquiries; or to create any other medium designed to inform members of the public how they may resolve Court-related inquiries, they shall only do so in a manner that is consistent with the information in this Order and which does not serve to obfuscate the efficient and orderly operation of Court business.
- Further, the City shall provide any such policies or communications to the Court simultaneously to ensure it is aware of such information; and it shall immediately forward the contact information of individuals whom its representatives or contractors provide this information, so that the Court may make timely efforts to meet the ongoing needs of Court business. The Court is amenable to any and all reasonable methods of communication that provide accurate information and that does not hinder the effective operation of the Court.
- 3. The City shall amend its press release (**Exhibit F**) to remove any suggestion that members of the public who wish to conduct business with the Court should do so by reporting in person to the Municipal Complex or ascending the stairs to the Court's offices to do so. Instead, they should be directed to any or all of the resources in paragraph 1(a) – (g) of Administrative Order 2020-11.
 - 4. City officials, personnel, and contractors who encounter inquiries from members of the public about proceedings before the South Euclid Municipal Court shall refrain from disseminating the cards in **Exhibit I** (or any comparable misinformation) that will frustrate the administration of the Court's docket.
 - 5. If City officials, personnel, and contractors have previously directed or requested others to provide information to members of the public that is inconsistent with this Order, they are hereby directed to alert them to the contents of this Order and shall provide them with a copy.

6. If City officials, personnel, and contractors wish to reach any Court personnel with specific questions about particular matters, they may likewise reach out to them directly, as outlined in the Court's Memorandum of March 19, 2020 (**Exhibit E**).

Any prospective violation of this order and the terms herein that has the tendency to frustrate the effective operation of the South Euclid Municipal Court or the Ohio Supreme Court shall result in an Order to Show Cause why that conduct should not result in a finding of contempt.

Consistent with the guidance provided from the Ohio Supreme Court, the South Euclid Municipal Court will continue to monitor and review this ORDER to determine if additional measures are necessary and available in addressing case management and resolution.

This Order shall remain in effect until further notice.

IT IS SO ORDERED.



Judge Gayle Williams-Byers
Administrative and Presiding Judge
South Euclid Municipal Court

Exhibits to Administrative Order 2020-12

- **Exhibit A** – Executive Order 2020-01D (March 10, 2020)
- **Exhibit B** – SEMC Order 2020-06 (March 11, 2020)
- **Exhibit C** – SEMC Order 2020-07 (March 17, 2020)
- **Exhibit D** – E-mail of March 19, 2020
- **Exhibit E** – Memorandum Attached to E-mail of March 19, 2020
- **Exhibit F** – City Press Release (March 19, 2020)
- **Exhibit G** – E-mail of August 25, 2020
- **Exhibit H** – SEMC Order 2020-10 (July 27, 2020)
- **Exhibit I** – Photograph of City Information Card
- **Exhibit J** – E-mail of August 25, 2020
- **Exhibit K** – SEMC Order 2020-11 (September 18, 2020)
- **Exhibit L** – Court Flyer (attached as the last page, without an Exhibit notation)



MIKE DEWINE
GOVERNOR
STATE OF OHIO

Executive Order 2020-01D

Declaring a State of Emergency

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person. The virus is spread between individuals who are in close contact with each other (within about six feet) through respiratory droplets produced when an infected person coughs or sneezes. It may be possible that individuals can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose or eyes; and

WHEREAS, currently, the Centers for Disease Control and Prevention (CDC) lists over 79 countries with confirmed cases of COVID-19. The CDC reports over 98,000 diagnosed cases worldwide with 3,380 deaths reported worldwide. The CDC has announced 164 confirmed and presumptive positive cases, with eleven deaths reported from the disease in the United States; and

WHEREAS, on January 23, 2020, the Ohio Department of Health issued a Director's Journal Entry making COVID-19 a Class A reportable disease in Ohio; and

WHEREAS, on January 28, 2020, the Ohio Department of Health hosted the first statewide call with local health departments and healthcare providers regarding COVID-19; and

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak of COVID-19 a public health emergency of international concern; and

WHEREAS, on January 31, 2020, Health and Human Services Secretary, Alex M. Azar II, declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, on February 1, 2020, the Ohio Department of Health issued a statewide Health Alert Network to provide local health departments and healthcare providers with updated guidance for COVID-19 and revised Person Under Investigation (PUI) criteria; and

WHEREAS, on February 3, 2020, the Ohio Department of Health trained over 140 personnel to staff a call center for COVID-19, in the event it was needed; and

WHEREAS, on February 5, 2020, the Ohio Department of Health began updating and notifying the media of the number of PUIs in Ohio every Tuesday and Thursday; and

WHEREAS, on February 6, 2020, the Ohio Department of Health updated all agency assistant directors and chiefs of staff on COVID-19 preparedness and status during the Governor's cabinet meeting; and

WHEREAS, on February 7, 2020, the Ohio Department of Health and the Ohio Emergency Management Agency met to conduct advance planning for COVID-19; and

WHEREAS, on February 13, 2020, the Ohio Department of Health conducted a Pandemic Tabletop Exercise with State agencies to review responsive actions should there be a pandemic in Ohio; and

WHEREAS, on February 14, 2020, the Ohio Department of Health held a conference call with health professionals across the state. The purpose of the call was to inform and engage the healthcare community in Ohio. Presentations were provided by the Department of Health, Hamilton County Public Health, and the Ohio State University; and

WHEREAS, on February 27, 2020, the Ohio Department of Health and the Ohio Emergency Management Agency briefed the directors of State agencies during the Governor's cabinet meeting regarding preparedness and the potential activation of the Emergency Operations Center; and

WHEREAS, on February 28, 2020, the "Governor DeWine, Health Director Update COVID-19 Prevention and Preparedness Plan" was sent to a broad range of associations representing healthcare, dental, long-term care, K-12 schools, colleges and universities, business, public transit, faith-based organizations, non-profit organizations, and local governments; and

WHEREAS, on March 2, 2020, the Ohio Department of Health activated a Joint Information Center to coordinate COVID-19 communications; and

WHEREAS, on March 5, 2020, the Ohio Department of Health hosted the Governor's Summit on COVID-19 Preparedness, a meeting with the Governor, cabinet agency directors, local health department commissioners, and their staff; and

WHEREAS, on March 6, 2020, the Ohio Department of Health opened a call center to answer questions from the public regarding COVID-19; and

WHEREAS, on March 09, 2020, testing by the Department of Health confirmed that three (3) patients were positive for COVID-19 in the State of Ohio, creating a potentially dangerous condition which may affect the health, safety and welfare of citizens of Ohio; and

WHEREAS, on March 09, 2020, the Ohio Emergency Management Agency activated the Emergency Operations Center; and

WHEREAS, in accordance with Ohio Revised Code section 5502.22, this Executive Order is necessary to authorize previously-alerted state departments and agencies to prepare to respond to this public health emergency as needed;

NOW THEREFORE, I, Mike DeWine, Governor of the State of Ohio, by virtue of the authority vested in me by the Constitution, the laws of this State and in accordance with Section 5502.22 of the Ohio Revised Code do hereby order and direct that:

1. A state of emergency is declared for the entire State to protect the well-being of the citizens of the Ohio from the dangerous effects of COVID-19, to justify the authorization of personnel of State departments and agencies as are necessary, to coordinate the State response to COVID-19, and to assist in protecting the lives, safety, and health of the citizens of Ohio.
2. I hereby further request the Department of Administrative Services and other departments and agencies of the State to suspend purchasing and contracting requirements contained in Chapters 125 and 153 of the Revised Code, pursuant to Section 125.061 of the Revised Code, during the period of the emergency for the Ohio Emergency Management Agency and any other State agency participating in emergency assistance under this declaration; in order to procure any necessary resources or supplies to protect the health, safety, and welfare of the citizens of Ohio.
3. After consultation with the appropriate medical experts, the Department of Health shall create and require the use of diagnostic and treatment guidelines and provide those guidelines to health care providers, institutions and providers.
4. The Department of Health issue guidelines for private businesses regarding appropriate work and travel restrictions, if necessary.
5. State agencies shall develop and implement procedures, including suspending or adopting temporary rules within an agency's authority, consistent with recommendations from the Department of Health designed to prevent or alleviate this public health threat.
6. This Proclamation does not require the implementation of the Department of Administrative Services Directive HR-D-11. Accordingly, State employees' obligations to travel to and from work is not to be limited as a result of this proclamation.
7. All citizens are urged to heed the advice of the Department of Health and other emergency officials regarding this public health emergency in order to protect their health and safety.

8. Persons who believe that they have been subjected to excessive prices for essential consumer goods during this public health emergency should contact the office of the Ohio Attorney General at 800-282-0515.

I signed this Executive Order on March 09, 2020, in Columbus, Ohio, and it shall take effect immediately and remain in full force and effect until the emergency no longer exists, such time to be determined by the Director of Health and the Executive Director of the Emergency Management Agency in consultation with the Governor, who will coordinate State response efforts and terminate the emergency upon the recommendation of appropriate officials of the other responding State departments and agencies.


Mike DeWine, Governor

ATTEST:


Frank LaRose, Secretary of State



Filed on MARCH 10, 2020
Per Trinity McQuinn
In the Office of the Secretary
of State at Columbus, OH
FRANK LaROSE
Secretary of State

**SOUTH EUCLID MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO
1349 SOUTH GREEN RD, SOUTH EUCLID, OH 44121
PHONE: 216-381-2880; FAX 216-381-1195**

ADMINISTRATIVE ORDER NO. 2020-6

AFFECTIVE IMMEDIATELY AND UNTIL FURTHER NOTICE THE SOUTH EUCLID MUNICIPAL COURT WILL CLOSE daily at 3:30 PM to sanitize in response to Covid-19 (coronavirus) health concerns. The court shall reopen each day at 8:00am to resume the normal court schedule.

This ORDER shall remain in effect until terminated, modified or otherwise specified.



IT IS SO ORDERED

JUDGE GAYLE WILLIAMS-BYERS

JOURNALIZED ON
(DATE) 3/11/20 **BY:** IS

DATE: March 11, 2020 JOURNALIZED ON: March 11, 2020 by: Deborah Summers

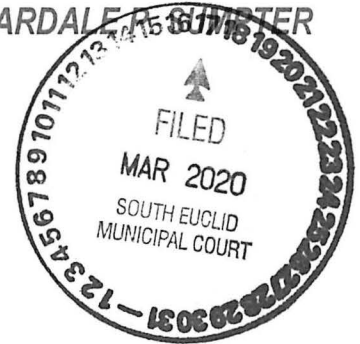
SOUTH EUCLID MUNICIPAL COURT



JUDGE
Gayle Williams-Byers

CLERK OF COURT
CHARDAL E. SUMTER

IN THE SOUTH EUCLID MUNICIPAL COURT
CUYAHOGA COUNTY, OHIO



In the matter of
Temporary Order In Response To The
COVID-19 (CORONAVIRUS) Public Health

Administrative Order 2020-07

On March 17, 2020 this Court issued an Administrative Order making certain findings of fact, and, based upon those findings, this Court has the responsibility to respond and take measures, protecting the public based upon the public health emergency created by COVID-19.

Therefore it is hereby ordered effective as of March 17, 2020; the following temporary mandates will take effect:

1. **Civil/Small Claims Cases:** All civil/small claims cases will be continued until the week of April 20, 2020.
2. **Traffic/Criminal Arraignments:** Hearings scheduled on the following dates will be continued: March 19, 2020, March 26, 2020, April 2, 2020, April 9, 2020 and April 16, 2020 new dates will be issued.
3. **Traffic/Criminal Pre-Trials and Hearings:** In cases in which the defendant previously waived his/her rights to a speedy trial, all proceedings (pre-trials, status hearings, show cause hearings motion hearings, suppression hearings, probation violation hearings, etc.) will be continued until the week of April 20, 2020. All other hearings must be schedule by calling the Clerk's office at 216.381.2880.
4. **Speedy Trials:** All Bench and Jury Trials not subject to Speedy Trial violations shall be rescheduled to the week of April 20, 2020 and beyond and new dates will be issued.
5. **Mental Health Docket:** Will report by telephone at 216.381.2880 or email at probation@secourt.org until further notification.
6. **Housing Docket:** All hearings shall be suspended and rescheduled and resume after April 20, 2020.

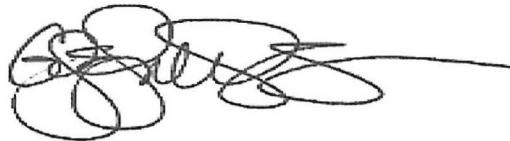
7. **Night Court:** All docket shall be suspended and resume on April 23, 2020.
8. **Probation Reporting:** All probationers will report by telephone at 216.381.2880 or email at probation@secourt.org until further notification.
9. **Payments:** The Court will accept payments in the form of a personal, cashier or certified check or money orders **ONLY**. Please make your check or money order payable to "South Euclid Municipal Court". Please mail your payments to the following address: South Euclid Municipal Court, 1349 S. Green Road, South Euclid, Ohio 44121.
10. **Traffic/Criminal and Civil/Small Claims Filings:** All filings maybe accepted fax or email. The Court's fax number is 216.381.1195 and the email address is info@secourt.org. All filings must include the case number as well as complete contact information for the litigant and or requestor.
11. **Attorney Fee Bills:** All fee bills must be submitted to the Court via fax and must include complete case numbers on all documents and complete contact information.

Be advised that for all continued court dates whether Civil/Small Claims or Traffic/Criminal notices of new court dates will be sent as follows: Self-represented Pro Se litigants will receive notice via mail of the new hearing date at the last known address provided to the Court. Attorneys including appointed counsel on criminal cases will receive notice via email or in the event that no email address is noted or provided notice shall be sent via mail to the last know office address available to the Court. In all events all parties are encourage to frequently to review the Court's online docket at secourt.org for updated information regarding new Court dates.

The Court will continue to monitor and review this situation to determine if additional measures are necessary.

This Order shall remain in effective until further notice from the Court.

IT IS SO ORDERED.



Judge Gayle F. Williams-Byers

JOURNALIZED ON: March 17, 2020
BY: C. P. Sumpter

From: Judge <judgegwb@secourt.org>
Sent: Thursday, March 19, 2020 3:58 PM
To: Kevin Nietert; 'gwelo'
Cc: Keith Benjamin; joseph.frank@sbcglobal.net; mgelfand@seuclid.com; ruthigray50@gmail.com; friendsofsara@gmail.com; jg@janegoodman.com; tisdaleforsoutheuclid@gmail.com; shardy@seuclid.com; csumpter@secourt.org; isimmons@secourt.org
Subject: South Euclid Municipal Court COVID-19 Protocol
Attachments: COVID19_SEMC_Modify.pdf
Importance: High

CAUTION EXTERNAL EMAIL

Good afternoon all,

Please see the attached memoranda which will serve as the protocol for the South Euclid Municipal Court employees for the coming weeks. Please note that the South Euclid Municipal Court Clerk's office will remain open remotely with clerks on site intermittently to perform certain tasks required tasks such as mail and payment collections and deposits along with checking for any faxed requests or other information that may have been delivered to the court. Feel free to contact the Clerk of Court, Chardale Sumpter at CSumpter@secourt.org or Chief Administrative Bailiff, Isaiah Simmons at Isimmons@secourt.org should you have any questions.

Thank you for your understanding
Judge Gayle Williams-Byers

SOUTH EUCLID MUNICIPAL COURT



JUDGE
Gayle Williams-Byers

CLERK OF COURT
Chardale P. Sumpter

MEMORANDA

In the recent weeks, the South Euclid Municipal Court has taken several steps to limit the impact on the public in response to the recent public health concerns caused by the COVID-19 (Coronavirus) pandemic. To that end, the court began by limiting public access to the second floor court area at a designated time to provide for daily deep cleaning and sanitation, using hospital grade disinfectant. Following strong advice from the State of Ohio Health Department and the CDC, more stringent measures became necessary which required further limitation of public access to the court.

Now, the South Euclid Municipal Court has issued an extensive Administrative Order (#2020-07) which outlines further limitation of all court dockets and appearances by litigants, parties and the public. This Order further provides guidance on when the South Euclid Municipal Court can reasonably expect to return to normal court operations, although the circumstances surrounding these matters remain fluid.

In adhering to the most recent State Board of Health and CDC recommendations concerning critical but necessary conduct to stem the tide of virus spread, it has become clear and necessary that normal, daily court operations will need to be modified and therefore conducted remotely.

As a result and effective as of the close of business March 19, 2020, all South Euclid Municipal Court employees will work remotely with the exception of the South Euclid Municipal Court security bailiffs. The following protocols shall now be used to reach court staff in resolving daily functionality issues.

1. **Email** all warrant on complaints and Probable Cause Affidavits to Magistrate Dean Valore at: DValore@secourt.org and carbon copy Patty Overberger at PattyO@secourt.org and Jennifer McCown at JMcCown@secourt.org for input and case assignment.

2. **Email** all tickets (Traffic and NT) to Patty Overberger at:

1349 South Green Road • South Euclid, Ohio 44121 (216) 381-2880 • Fax (216) 381-1195

PattyO@secourt.org and carbon copy Jennifer McCown at JMcCown@secourt.org so that these may be input into the court system and assigned case numbers. The original documents may be saved for pick up at a later date. Feel free to contact Patty or Jennifer with questions.

3. For all Search Warrant requests, TPO hearings, Felony Initial Appearance Hearings, Bond Reviews or Pretrials where the Defendant has not waived Speedy Trial, contact Chief Administrative Bailiff Isaiah Simmons at Isimmons@secourt.org and carbon copy Clerk of Court Chardale Sumpter at CSumpster@secourt.org and Jennifer McCown at JMcCown@secourt.org.
4. All payments with the exception of bond postings, shall be made consistent with the SEMC Administrative Order #2020-07. Please contact Clerk of Court Chardale Sumpter at CSumpster@secourt.org with questions regarding any payments to the South Euclid Municipal Court.

Please note that as this is a new experience for the court, some modifications will no doubt be necessary in order to perfect this process. I am asking that you “pack your patience” as we work to navigate this very challenging experience. Our goal is to maintain as much functionality as possible for as long as necessary and remain as accessible as humanly possible. Thank in advance for your patience.

Always in pursuit of Justice,



Judge Gayle Williams-Byers



COME TOGETHER & THRIVE

FOR IMMEDIATE RELEASE
March 19, 2020

SOUTH EUCLID CLOSES MUNICIPAL BUILDINGS DURING COVID-19 PANDEMIC City Council & Boards and Commissions Meetings Postponed

The City of South Euclid continues to make adjustments to its operations as a result of the , evolving Coronavirus 2019 (COVID-19) situation. Effective March 20, 2020 City Hall and all municipal buildings (including the Community Center and Service Department) will be closed to the public through at least April 6, 2020. Additionally, all City Council and Boards and Commission Meetings have been cancelled through the end of March 2020.

However, City staff remain committed to serving residents and businesses and will continue to maintain essential city operations and serve residents and the community as best as we can. Please note the following:

- City Services, including Police, Fire, EMS will continue 24/7 and residents should not hesitate to call 9-1-1 in the event of an emergency.
- Rubbish collection will also continue as scheduled.
- City staff will be available during normal business hours to answer any inquiries or concerns residents and businesses may have via telephone (216.381.0400) and email. The City's website (www.cityofsoutheuclid.com) has email and phone listings for all departments, as well as special information about the provision and submission of building and housing permits and plans.

These adjustments are consistent with the Ohio Governor's social distancing orders and recommendations made by State and local health departments. Further adjustments may be necessary in the days ahead, and we strongly encourage residents to check the City's website and Facebook pages for updates. In addition, we ask residents to please consider signing up for the City's E-Newsletter on our homepage at www.cityofsoutheuclid.com.

The health and safety of all residents – as well as our employees – is our top priority, and these additional measures are aimed at safeguarding the wellbeing of all residents, employees and visitors. Please visit our website www.cityofsoutheuclid.com at any time to find necessary information from the comfort and safety of your home.

For more information, contact Keith Benjamin, Director of Community Services at kbenjamin@seuclid.com or 216.288.6378

-30-

1349 South Green Road • South Euclid, Ohio 44121-3985 • 216.381.0400 • Fax 216.291.4959
Web: www.cityofsoutheuclid.com • Facebook: www.facebook.com/southeuclid
• Twitter: www.twitter.com/southeuclidLIVE



CITY HALL & MUNICIPAL BUILDINGS CLOSED TO THE PUBLIC

Based on recommendations from the State of Ohio and Federal Centers for Disease Control, effective March 20, 2020 City Hall and all municipal buildings will be closed to the public. **However, this does not mean that we are not here to serve you. Staff are available and/or onsite during normal business hours to answer any inquiries or concerns residents and businesses may have via phone or email. Here are some key telephone numbers & email addresses:**

Mayor/Law Director	216.381.0400 ext. 221	mayor@seuclid.com or law@seuclid.com
Service Department	216.381.0402	service@seuclid.com
Building Department	216.381.0400 ext. 242	mferrante@seuclid.com or jross@seuclid.com
Housing Department	216.381.0400 ext. 206	housingprograms@seuclid.com
Community Services	216.381.0400 ext. 234	commervices@seuclid.com
Economic Development	216.381.0400 ext. 205	econcdev@seuclid.com
Community Center	216.291.0771	mmartines@seuclid.com
Community Partnership on Aging	216.291.3902	contactus@communitypartnershiponaging.org
Police Department (non-emergency)	216.381.1234	CALL 9-1-1 for an Emergency
Fire Department (non-emergency)	216.381.0656	CALL 9-1-1 for an Emergency

CITY SERVICES, INCLUDING POLICE, FIRE, EMS WILL CONTINUE TO SERVE AND SUPPORT OUR COMMUNITY 24/7.
IN THE EVENT OF AN EMERGENCY DO NOT HESITATE TO CALL 9-1-1.

Please visit our website at any time to get additional information and find out how you can do business with the City from the comfort and safety of your home. We will continue to update you on changes through social media and on the City website.

Scan the following code from your smartphone
to go directly to the City's website for more
information:





COME TOGETHER & THRIVE

Effective March 20, 2020 and until further notice, City Hall and all municipal buildings (including the Service Department and Community Center) are temporarily closed to the public, as a safeguard recommended during the Coronavirus (COVID-19) Pandemic.

City Staff are here to serve you during business hours, however, please note the following:

- ***If you are here to visit the Building and Housing Department...*** please enter through the back parking lot doors and call 216.691.4242, 216.691.4278 or 216.691.4206 for assistance.
- ***If you are here to visit the Police Department...*** please enter through the back parking lot doors and go to the Police Department Window. Please ring the bell on the window for assistance.
- ***If you are here to visit the Municipal Court...*** please enter through the back parking lot doors and go up the stairs to Court offices. Please make sure to look for Municipal Court postings on the doors with operating hours and instructions regarding hearings and court dates.
- ***If you are making a UPS or FedEx Delivery...*** please enter through the back parking lot door, go to the Police Department window and ring the bell on the window and a staff member will meet you to sign and accept package delivery.
- ***If you are here to visit any other municipal office...*** please see additional postings on this door for additional contact information, call 216.381.0400 for assistance or go to www.cityofsoutheuclid.com for additional help and information.

SOUTH EUCLID MUNICIPAL COURT



JUDGE
Gayle Williams-Byers

CLERK OF COURT
CHARDALE P. SUMPTER

In the matter of
Temporary Order in Response To The
COVID-19 (CORONAVIRUS) Public Health Pandemic

Administrative Order 2020-09

On May 18, 2020, this court hereby issues the following Administrative Order and makes the following findings of fact: The Ohio Supreme Court's Guidance to Local Courts regarding COVID-19 issued on March 30, 2020 remains valid. This court further finds that it is in the public's interest that where possible, and consistent with the Ohio Supreme Court's guidance, that conducting virtual hearings helps to ensure public safety through the consistent practice of proper social distancing which preserves the health and wellbeing of court staff, litigants and the public at large. Further, this court finds that consistent with its responsibility to maintain adequate access to justice while balancing these important safety requirements, the following temporary mandates shall be and remain in effect until further order by this court:

1. **Civil/Small Claims Cases:** All civil/small claim pretrial cases shall be held virtually or by telephone upon agreement by the parties or upon notice by the court. All civil/small claim trials shall be rescheduled to begin the week of July 27, 2020. Parties shall receive a new court date via U.S. mail or by email, if previously provided to the court.
2. **Evictions:** All eviction matters, both first and second cause hearings shall be stayed until further Order of the court.
3. **Traffic/Criminal Arraignments:** All Arraignment hearings scheduled through July 27, 2020 shall be issued new hearing dates via U. S. mail. This information will also be available for review on the court's online docket at www.secourt.org. **ALL DEFENDANTS WILL RECEIVE NOTICE OF AN OPPORTUNITY TO HAVE THEIR HEARING CONDUCTED VIRTUALLY (BY TELEPHONE OR TELECONFERENCE) ALONG WITH INSTRUCTIONS ON HOW TO REQUEST A "VIRTUAL" HEARING.** For additional information, please email your request including your name, case type and contact information to: info@secourt.org, or contact the South Euclid Municipal Court at (216) 381-2880 ext. 213, or by fax at (216) 381-1195.

4. **Traffic/Criminal Pretrials and Hearings:** In cases where the defendant previously waived his/her rights to a speedy trial, proceedings (pre-trials, status hearings, show cause hearings, motion hearings, suppression hearings, sentencing, probation violation hearings, etc.) may be continued until the week of July 27, 2020. Hearings on these and other matters may be conducted virtually upon ORDER by the court or request of the parties. **Note, if you want to have your case heard “virtually,” you may do so by requesting the case be scheduled for hearing.** To request a hearing, please email your send an email including your name, case type and contact information to: info@secourt.org, or contact the court at (216) 381-2880 ext. 213, or by fax at (216) 381-1195.
5. **Speedy Trial:** All Bench and Jury Trials not subject to Speedy Trial violations shall be rescheduled to the week of July 27, 2020 or beyond. New trial dates shall be issued to the parties via U.S. mail or by email if previously provided to the Court.
6. **F.R.E.E. Specialized Mental Health Docket:** Client participants shall regularly report virtually, by telephone at 216.381.2880 ext.223 or by email at probation@secourt.org as directed by the South Euclid Municipal Court and Probation Department. Clients shall also maintain communication with all service providers, mentors and support system participants during this time.
7. **Housing Docket:** All hearings shall be rescheduled until the week of July 27, 2020.
8. **Night Court Docket:** The Night Court Docket may resume on Thursday August 28, 2020.
9. **Probation Reporting:** All probationers and first offender participants shall report by telephone at (216) 381-2880 ext. 223 or by email at probation@secourt.org until further notice.
10. **Payments:** The South Euclid Municipal Court will **ONLY** accept payment in the form of a personal, cashier or certified check or money order. Please make your check or money order payable to “South Euclid Municipal Court” and mail to the following address:
**South Euclid Municipal Court
1349 South Green Road
South Euclid, Ohio 44121**
11. **Traffic/Criminal and Civil/Small Claims Filings:** All filings may be accepted by fax at (216) 381-1195, email at info@secourt.org or mail at South Euclid Municipal Court, 1349 South Green Road, South Euclid, Ohio 44121, Attn. Clerk of Courts. All filings must include the case number as well as complete information for the litigator and/or requestor.

12. **Attorney Fee Bills:** All fee bills must be submitted to the Court via fax and must include complete case numbers on all documents and complete contact information for all parties.

It is further ORDERED by this court that for all continued court dates whether Civil/Small Claims or Traffic/Criminal, notices of new court dates shall be sent as follows: Self-represented/Pro Se litigants will receive notice via U.S. mail of the new hearing date at the last known address provided. Attorneys including appointed counsel on criminal cases will receive notice via email or in the event that no email address is noted or provided, notice shall be sent via U.S. mail to the last known office address provided. In all events, parties are encouraged to frequently review the South Euclid Municipal Court online docket at www.secourt.org for current information regarding rescheduled hearing dates.

Further, be advised that the South Euclid Municipal Court continues to reassess and monitor the changing conditions during this global pandemic. This ORDER takes into consideration that some cases are appropriate for “virtual” hearing and therefore shall be set sua sponte (on the court’s own motion). Under these circumstances, all litigants are ORDERED to appear unless excused by the court. For litigants who desire a “virtual” hearing, whether self-represented or represented by counsel, a request can be made by contacting the South Euclid Municipal Court via one of the following methods:

Fax: (216) 381-1195

Email: Info@secourt.org

Phone: (216) 381-2880 ext. 213

Your case can only be scheduled if you have **AND** provide the court with your current email address. This email address will be used to provide you with the virtual hearing “court date” information. **YOU WILL BE PERMITTED TO ATTEND THE HEARING BY TELEPHONE USING THE “DIAL IN OPTION” EVEN IF YOU DO NOT HAVE ACCESS TO A COMPUTER ON THE DATE OF YOUR SCHEDULED HEARING.**

When you contact the court to request your hearing, be prepared to provide the following information:

Full name as listed on the complaint or citation

Current telephone number

Current email address

Date of the complaint/citation

Name of the charge (so that the case can be properly researched and matched to the proper litigant)

Shortly following your request, you will receive an emailed “invitation” notifying you of your hearing date and time. It will be necessary for you to follow the instructions provided to access the FREE videoconferencing tool for your hearing – whether you attend by video or by phone.

You are welcome to email any questions or concerns about this process to info@secourt.org or contact the Clerk of Courts office at (216) 381-2880 ext. 213 no less than 48 hours before your

1349 South Green Road • South Euclid, Ohio 44121 (216) 381-2880 • Fax
(216) 381-1195

hearing date. This will allow the court enough time to address your concern without delaying your hearing.

Because the hearings are held virtually, it is important that you “arrive”/log in on time. Please be respectful and remain silent by placing your phone or device on “mute” while others are speaking. If appearing by video, please dress appropriately as if you are appearing in the “actual” courtroom. Finally, please hold any questions you have until your case is called.

As these are difficult times for everyone involved, I, along with the staff of the South Euclid Municipal Court, appreciate your willingness to engage innovation as we work to utilize technology in new ways and ensure your continued access to justice.

Consistent with the guidance provided from the Ohio Supreme Court, the South Euclid Municipal Court will continue to monitor and review this ORDER to determine if additional measures are necessary and available in addressing case management and resolution.

This Order shall remain in effect until further notice.

IT IS SO ORDERED.



Judge Gayle Williams-Byers
Administrative and Presiding Judge
South Euclid Municipal Court

SOUTH EUCLID MUNICIPAL COURT



JUDGE
Gayle Williams-Byers

In the matter of
Temporary Order in Response To The
COVID-19 (CORONAVIRUS) Public Health Pandemic

Administrative Order 2020-10



On July 27, 2020, this court hereby issues the following Administrative Order and makes the following findings of fact: Since the onset of the COVID-19 pandemic, the South Euclid Municipal Court has worked to continue court operations while protecting the health of court employees, justice system partners and stakeholders as well as the general public. The Ohio Supreme Court's Guidance to Local Courts regarding COVID-19 issued on May 18, 2020 remains largely valid with the noted modifications as adopted in this Order. Consistent with said guidance, this court finds it necessary to exercise caution as it relates to those who are required to participate in in-person court appearances. The Ohio Supreme Court has instructed Ohio courts to only require personal court appearances in cases of immediate need. To facilitate this goal, ensure litigant accountability, provide a safe courthouse environment, decrease incidences where litigants have failed to appear as required, this court shall utilize technology and conduct virtual hearings for all proceedings except otherwise specified and until such time where this Order is terminated. Further, this court finds the following temporary mandates shall be and remain in effect until further order by this court:

1. **Civil/Small Claims Cases:** All civil/small claim pretrial cases shall be held virtually or by telephone upon agreement by the parties or upon notice by the court. Hearings for all matters shall be rescheduled to begin the week of July 27, 2020. Parties shall receive a new court date via U.S. mail or by email, *if previously provided to the court.*
2. **Evictions:** All eviction matters, both first and second cause hearings shall be held virtually or by telephone upon agreement by the parties or upon notice by the court. Hearings for all matters shall be rescheduled to the week of July 27, 2020. Parties shall receive a new court date via U.S. mail or via email, in the event that one has been provided to the court.
3. **Traffic/Criminal Arraignments:** All Arraignment hearings shall be conducted virtually. Defendants are required to contact the court and schedule a hearing to advance the case. Defendants and parties may also visit the court's online docket at: www.secourt.org. **ALL DEFENDANTS WILL RECEIVE NOTICE OF AN**

OPPORTUNITY TO HAVE THEIR HEARING CONDUCTED VIRTUALLY (BY TELEPHONE OR TELECONFERENCE) ALONG WITH INSTRUCTIONS ON HOW TO REQUEST A "VIRTUAL" HEARING ONCE CONTACT INFORMATION IS PROVIDED TO THE SOUTH EUCLID MUNICIPAL COURT. For additional information or instructions on how to arrange a virtual hearing, please email your information including your name, case type and contact information to: info@secourt.org, or contact the South Euclid Municipal Court at (216) 381-2880 ext. 563, or by fax at (216) 381-1195.

4. **Traffic/Criminal Pretrials and Hearings:** All traffic/criminal pretrial hearings shall be held virtually or by telephone upon agreement by the parties or by ORDER of the court. Parties shall receive new court dates via U.S. mail or by email, ***if previously provided to the court.*** To request a hearing, please email your information including your name, case type and contact information to: info@secourt.org, or contact the court at (216) 381-2880 ext. 563, or by fax at (216) 381-1195. **Note, if you want to have your case heard "virtually," you may do so by requesting the case be scheduled for hearing.**
5. **Speedy Trial:** All Bench and Jury Trials not subject to Speedy Trial violations shall be rescheduled to the week of September 20, 2020 or beyond. New trial dates shall be issued to the parties via U.S. mail or by email, if previously provided to the Court.
6. **F.R.E.E. Specialized Mental Health Docket:** Client participants shall regularly report virtually, by telephone at 216.381.2880 ext. 223 or by email at probation@secourt.org as directed by the South Euclid Municipal Court and Probation Department. Clients shall also maintain communication with all service providers, mentors and support system participants during this time.
7. **Housing Docket:** All hearings shall resume during the week of August 3, 2020.
8. **Night Court Docket:** The Night Court Docket may resume on Thursday August 27, 2020.
9. **Probation Reporting:** All probationers and first offender participants shall report by telephone at (216) 381-2880 ext. 223 or by email at probation@secourt.org until further notice.
10. **Payments:** The South Euclid Municipal Court will **ONLY** accept payment in the form of a personal, cashier or certified check or money order. Please make your check or money order payable to "South Euclid Municipal Court" and mail to the following address:
**South Euclid Municipal Court
1349 South Green Road
South Euclid, Ohio 44121**

11. **Traffic/Criminal and Civil/Small Claims Filings:** All filings may be accepted by fax at (216) 381-1195, email at info@secourt.org or mail at South Euclid Municipal Court, 1349 South Green Road, South Euclid, Ohio 44121, Attn. Clerk of Courts. All filings must include the case number as well as complete information for the litigator and/or requestor.
12. **Attorney Fee Bills:** All fee bills must be submitted to the Court via fax and must include complete case numbers on all documents and complete contact information for all parties.

It is further ORDERED by this court that for all continued court dates whether Civil/Small Claims or Traffic/Criminal, notices of new court dates shall be sent as follows: Self-represented/Pro Se litigants will receive notice via U.S. mail of the new hearing date at the last known address provided. Attorneys including appointed counsel on criminal cases will receive notice via email or in the event that no email address is noted or provided, notice shall be sent via U.S. mail to the last known office address provided. In all events, parties are encouraged to frequently review the South Euclid Municipal Court online docket at www.secourt.org for current information regarding rescheduled hearing dates.

Further, be advised that the South Euclid Municipal Court continues to reassess and monitor the changing conditions during this global pandemic. This ORDER takes into consideration that some cases are appropriate for "virtual" hearing and therefore the court may schedule these matters set sua sponte (on the court's own motion). Under these circumstances, all litigants are ORDERED to appear unless excused by the court. For litigants who desire a "virtual" hearing, whether self-represented or represented by counsel, a request can be made by contacting the South Euclid Municipal Court via one of the following methods:

Fax: (216) 381-1195

Email: Info@secourt.org

Phone: (216) 381-2880 ext. 563

Your case can only be scheduled if you have **AND** provide the court with your current email address. This email address will be used to provide you with the virtual hearing "court date" information. **YOU WILL BE PERMITTED TO ATTEND THE HEARING BY TELEPHONE USING THE "DIAL IN OPTION" EVEN IF YOU DO NOT HAVE ACCESS TO A COMPUTER ON THE DATE OF YOUR SCHEDULED HEARING.**

When you contact the court to request your hearing, be prepared to provide the following information:

Full name as listed on the complaint or citation

Current telephone number

Current email address

Date of the complaint/citation

Name of the charge (so that the case can be properly researched and matched to the proper litigant)

Shortly following your request, you will receive an emailed "invitation" notifying you of your hearing date and time. It will be necessary for you to follow the instructions provided to access the FREE videoconferencing tool for your hearing – whether you attend by video or by phone.

You are welcome to email any questions or concerns about this process to info@secourt.org or contact the Clerk of Courts office at (216) 381-2880 ext. 563 no less than 48 hours before your hearing date. This will allow the court enough time to address your concern without delaying your hearing.

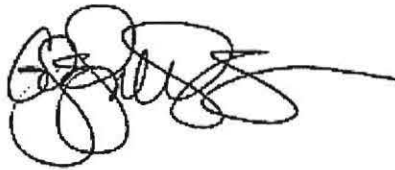
Because the hearings are held virtually, it is important that you "arrive"/log in on time. Please be respectful and remain silent by placing your mobile phone or device on "mute" while others are speaking. If appearing by video, please dress appropriately as if you are appearing in the "actual" courtroom. Finally, please hold any questions you have until your case is called.

As these are difficult times for everyone involved, I, along with the staff of the South Euclid Municipal Court, appreciate your cooperation with the court's technological approach to ensuring continued access to justice.

Consistent with the guidance provided from the Ohio Supreme Court, the South Euclid Municipal Court will continue to monitor and review this ORDER to determine if additional measures are necessary to appropriately address case management and resolution.

This Order shall remain in effect until further notice.

IT IS SO ORDERED.



Judge Gayle Williams-Byers
Administrative and Presiding Judge
South Euclid Municipal Court

JOURNALIZED ON: July 31, 2020
BY: C. P. Sumpter

THE SOUTH EUCLID MUNICIPAL COURT
IS GOVERNED BY:

THE OHIO SUPREME COURT

Address: 65 S Front St, Columbus, OH 43215

Phone: 614-387-9000

TTY: 614-387-9404

PLEASE DIRECT ANY CONCERNS YOU MAY HAVE
REGARDING THE S.E. COURT TO THEM
AS THE CITY HAS ABSOLUTELY NO JURISDICTION
TO ADDRESS THESE MATTERS

From: judgegwb <judgegwb@secourt.org>
Sent: Tuesday, August 25, 2020 12:15 PM
To: gwelo@seuclid.com; mlograsso@seuclid.com; knietert@sepolice.us
Cc: Kimberly V. Riley; George D. Jonson; csumpter@secourt.org; isimmons@secourt.org
Subject: Proposed follow up email

Importance: High

CAUTION EXTERNAL EMAIL

Mayor Welo, Director Lograsso and Chief Nietert,

I wanted to first follow up on a conversation from a few weeks ago stemming from our discussion around parking spaces. During this time you mentioned the frequent meetings being held to prepare the municipal complex for reopening and wondered aloud of the court's plans for sometime in December. Given that we all agree that the current state of the municipal complex is not suitable for public traffic, as there are no six foot distancing floor markings anywhere in the building, no temperature check stations at the entry doors, only a single hand sanitizer stand at the main entry door facing S. Green Road, no disposable masks for distribution to the public upon necessity or emergency (in fact, I will note that I frequently do not see City employees or police officers wearing masks while in the building. Only court staff are masked for the duration of their time in the building – as far as I am aware. This is consistent with established court policy), I would like to accept your offer to join these meetings. No doubt, the court will be affected by any reopening decisions that are or will be made in the coming months. I appreciate your forward thinking and inclusive approach.

Indeed, this year has been an exception to all that we know to be “normal.” The uniqueness in how we have necessarily needed to modify even our physical interactions with each other has been nothing short of challenging. The South Euclid Municipal Court has been no exception. If you will recall, at the onset of this pandemic's most notable impact – the shutdown in March, I provided each of you with a detailed memoranda explaining the court's transition to virtual operations. On the heels of the memoranda came a correlating Administrative Orders outlining more specific court operations as we all adjusted to this “new normal.” Unarguably, this has presented its own challenges, wherein several have risen to the occasion. I even remarked as to how well this process has run with the help of prosecutors who are professional and committed along with the police department when they worked with prisoners and attorneys to connect through the videoconferencing capabilities provided by the court's computer and application to ensure hearing access. These times have been unique,

but proudly, from the months of mid-March through late June, we have, by and large, been able to work together through this once in a lifetime pandemic.

For example, when I received a call from Chief Nietert outlining the frustration of the police department from litigants making frequent inquiry to the department regarding court operations and in response, he suggested the court's primary gate be opened during the normal business hours, we were able to have a conversation and to my understanding, we reached an understanding as to why I believed his recommendation was not appropriate at this time. Instead, I suggested litigants be directed to the Administrative Order posted on all entry doors or at the foot of the stairwells. There seemed to be an appreciation that entry onto the 2nd floor would not result in litigants receiving any more attention than they would on the first floor. In fact, what was more likely to happen is that such activity could cause the potential spread of the virus due to visitor access to high traffic areas. Nonetheless, in an effort to ameliorate the salient concern raised by Chief Nietert, I directed court staff to create and post a sign at the police department window alerting litigants that the South Euclid Police Department does not accept payment or conduct business on behalf of the South Euclid Police Department. Shortly following postage and unbeknownst to me at the time of my recent conversation with Mayor Welo and Director Lograsso, this signage was removed. Nonetheless, this conversation was revisited with Mayor Welo and Director Lograsso with broad agreement regarding the court's position. I took this opportunity to once again thank the City for understanding the court's position and effort to keep all city employees safe during this time.

It is important to note, however, that sometime beginning in late-June through today, there has been an apparent deterioration of communication between the police department and myself. I am not certain if any of you are aware and will not attribute direct knowledge to you, but will use this communication to inform you that members of the South Euclid Police Department in concert with employees of Top of the Line Cleaning, Inc. have engaged in behavior that I find to be an obstruction to Access to Justice. These individuals are distributing "yellow-backed" cards to distribute to litigants who in some instances are being told and instructed to "physically appear" at the municipal building for hearings police officers have known since March are only taking place virtually. It is my understanding that distribution of these cards began sometime in the month of June. However, litigants have been encouraged to contact the Ohio Supreme Court with complaints regarding the Court – even when the reason for their misunderstanding is related to police error. This is amazingly unfortunate because what is happening appears wholly inconsistent with the ideals and commitment of working together and demonstrating respect that was outlined in Chief Nietert's June 22nd letter to me.

Insofar as we have previously discussed concerns with the court and reached meaningful resolution, I believe that concerns of this import could have easily been discussed and

potentially resolved with equally thoughtful conversation. The seemingly deliberate effort to engage in this behavior without inviting a discussion seems to fly in the face of the professed reconciliation and contrition that Chief Nietert sought with his June communication to me.

Please note that while I invite a thoughtful conversation regarding this matter, I will also release an Administrative Order which will address the contours of the behavior outlined here. Under the circumstances, I find that such notice is necessary since the historical appreciation of such Administrative Orders have been misinterpreted.

Notwithstanding all, I look forward to a fruitful discussion in the near future. My hope is that I will be able to enlighten you all as to the nature and impact of your behavior as managers as well as how it can impede Access to Justice based on the actions of your subordinates and vendors. Perhaps at its conclusion, we will be able to chart a path forward wherein our individual goals in public service can be better achieved.

I look forward to receiving the dates of the meetings and the opportunity to meaningfully address this concern.

Respectfully,
Judge Gayle Williams-Byers
Administrative and Presiding Judge

SOUTH EUCLID MUNICIPAL COURT



JUDGE
Gayle Williams-Byers

CLERK OF COURT
CHARDALE P. SUMPTER

In the matter of
Temporary Order in Response To The
COVID-19 (CORONAVIRUS) Public Health Pandemic

Administrative Order 2020-11



On September 21, 2020, this court hereby issues the following Administrative Order and makes the following findings of fact: Since the onset of the COVID-19 pandemic, the South Euclid Municipal Court has worked to continue court operations while protecting the health of court employees, justice system partners and stakeholders as well as the general public. The Ohio Supreme Court's Guidance to Courts throughout Ohio regarding COVID-19 issued on May 18, 2020 remains largely valid with the noted modifications as adopted in this Order. Consistent with said guidance, this court finds it necessary to exercise caution as it relates to those who are required to participate in in-person court appearances. The Ohio Supreme Court has instructed Ohio courts to only require personal court appearances in cases of immediate need. To facilitate this goal, ensure litigant accountability, provide a safe courthouse environment and decrease incidences where litigants have failed to appear as required, this court shall utilize technology and conduct virtual hearings for all proceedings except otherwise specified and until such time where this Order is terminated. Further, this court finds the following temporary mandates shall be and remain in effect until further order by this court:

1. **Civil/Small Claims Cases:** All civil/small claim pretrial cases where there is no immediate need for an in-person hearing, shall be held virtually or by telephone upon notice by the court. Parties shall receive confirmed court dates via U.S. mail or email, ***based upon information previously provided to the Court. Litigants are responsible for contacting the Court to update all contact information.*** The South Euclid Municipal Court can be contacted at (216) 381-2880 ext. 298, by fax at (216) 381-1195 or at info@secourt.org.
2. **Evictions:** All eviction matters where there is no immediate need for an in in-person hearing, both first and second cause hearings shall be held virtually or by telephone upon notice by the court. Parties shall receive confirmed court dates via U.S. mail or email, ***based upon information previously provided to the Court. Litigants are responsible for contacting the Court to update all contact information.*** The South Euclid Municipal Court can be contacted at (216) 381-2880 ext. 298, by fax at (216) 381-1195 or at info@secourt.org.

3. **Traffic/Criminal Arraignments:** All Arraignment hearings where there is no immediate need for an in-person hearing, shall be conducted virtually. Defendants are required to contact the Court and schedule a hearing to advance their case. Defendants and parties may also visit the Court's online docket at: www.secourt.org. **ALL DEFENDANTS WILL RECEIVE NOTICE OF AN OPPORTUNITY TO HAVE THEIR HEARING CONDUCTED VIRTUALLY (BY TELEPHONE OR TELECONFERENCE) ALONG WITH INSTRUCTIONS ON HOW TO REQUEST A "VIRTUAL" HEARING ONCE CONTACT INFORMATION IS PROVIDED TO THE SOUTH EUCLID MUNICIPAL COURT.** For additional information or instructions on how to arrange a virtual hearing, please email your information including your name, case type and contact information to: info@secourt.org, or contact the South Euclid Municipal Court at (216) 381-2880 ext. 298, or by fax at (216) 381-1195. **IF YOUR CITATION INDICATES AN "ON SITE" HEARING DATE, PLEASE CONTACT THE SOUTH EUCLID MUNICIPAL COURT PRIOR TO YOUR ARRIVAL. THE INFORMATION YOU HAVE RECEIVED REGARDING THIS "ON SITE" HEARING DATE IS INCORRECT. ALL COURT HEARINGS ARE HELD VIRTUALLY AS INDICATED THROUGHOUT THIS ORDER.**
4. **Traffic/Criminal Pretrials and Hearings:** All traffic/criminal pretrial hearings where there is no immediate need for an in-person hearing, shall be held virtually or by telephone by ORDER of the Court. Parties shall receive new court dates via U.S. mail or by email, *if previously provided to the court*. Litigants are responsible for contacting the Court to update all contact information. To request a hearing, please email your information including your name, case type and contact information to: info@secourt.org, or contact the court at (216) 381-2880 ext. 298, or by fax at (216) 381-1195. **IF YOUR CITATION INDICATES AN "ON SITE" HEARING DATE, PLEASE CONTACT THE SOUTH EUCLID MUNICIPAL COURT PRIOR TO YOUR ARRIVAL. THE INFORMATION YOU HAVE RECEIVED REGARDING THIS "ON SITE" HEARING DATE IS INCORRECT. ALL COURT HEARINGS ARE HELD VIRTUALLY AS INDICATED THROUGHOUT THIS ORDER.**
5. **Bench Trials and Evidentiary Hearings:** All Bench Trials and Evidentiary Hearings where there is no immediate need for an in-person hearing, shall be conducted virtually. The Court shall schedule a final logistical meeting with all attorneys and pro-se litigants in advance of the hearing date to ensure proper understanding of the process for said hearings.
6. **Jury Trials:** Jury Trials not subject to Speedy Trial violations shall be rescheduled to further notice by the Court. Until such time that the South Euclid Municipal Court is assured that the South Euclid Municipal Complex has become a suitable environment to protect the health and safety of the public, jurors, litigants,

attorneys and court staff during this pandemic. Whereas, currently, the South Euclid Municipal Complex fails to provide any six feet markings to promote proper social distancing, hand sanitizing stations at all entrances into the building, temperature checks for entrants or in the alternative a thermometer for entering parties to conduct said checks personally, emergency disposable face masks for the public and a consistently enforced mask policy for City employees while in the Municipal building. For these reasons, this Court finds the Municipal Complex to be at increased risk of COVID-19 virus transmission and ill-suited for public visitation.

7. **F.R.E.E. Specialized Mental Health Docket:** Participating clients shall continue to regularly report virtually, by telephone at 216.381.2880 ext. 223 or by email at probation@secourt.org as directed by the South Euclid Municipal Court and Probation Department. Clients shall also maintain communication with all service providers, mentors and support system participants while complying with all treatment plan requirements.
8. **Night Court Docket:** The Night Court Docket shall remain suspended until further notice.
9. **Probation Reporting:** All probationers and first offender participants shall report by telephone at (216) 381-2880 ext. 223, email at probation@secourt.org or virtually until further notice.
10. **Payments:** The South Euclid Municipal Court will **ONLY** accept payment in the form of a personal, cashier or certified check or money order. Please make your check or money order payable to "South Euclid Municipal Court" and mail to the following address:

**South Euclid Municipal Court
1349 South Green Road
South Euclid, Ohio 44121**

NOTE THAT PAYMENT OF ANY FINE, FEE (WHETHER FILING FEE OR OTHERWISE) WILL NOT BE ACCEPTED BY THE SOUTH EUCLID POLICE DEPARTMENT. DO NOT ATTEMPT TO MAKE ANY PAYMENTS, SCHEDULE ANY HEARINGS OR ASK ANY QUESTIONS REGARDING THE SOUTH EUCLID MUNICIPAL COURT AT THE SOUTH EUCLID POLICE DEPARTMENT. FURTHER, IF YOUR CITATION INDICATES AN "ON SITE" HEARING DATE, PLEASE CONTACT THE SOUTH EUCLID MUNICIPAL COURT AT (216) 281-2880 EXT. 298 OR AT INFO@SECOURT.ORG PRIOR TO YOUR ARRIVAL. THE INFORMATION YOU HAVE RECEIVED REGARDING THIS "ON SITE" HEARING DATE IS INCORRECT, AS ALL COURT HEARINGS ARE HELD VIRTUALLY AS INDICATED IN THIS ORDER.

11. **Traffic/Criminal and Civil/Small Claims Filings:** All filings may be accepted by fax at (216) 381-1195, email at info@secourt.org or mail at South Euclid Municipal Court, 1349 South Green Road, South Euclid, Ohio 44121, Attn. Clerk of Courts. All filings must include the case number as well as complete information for the litigator and/or requestor.
12. **Attorney Fee Bills:** All fee bills shall be submitted to the Court via fax and must include complete case numbers on all documents and complete contact information for all parties.

It is further ORDERED by this court that for all continued court dates whether Civil/Small Claims or Traffic/Criminal, notices of new court dates shall be sent as follows: Self-represented/Pro Se litigants will receive notice via U.S. mail of the new hearing date at the last known address provided. Attorneys including appointed counsel on criminal cases will receive notice via email or in the event that no email address is noted or provided, notice shall be sent via U.S. mail to the last known office address provided. In all events, parties are encouraged to frequently review the South Euclid Municipal Court online docket at www.secourt.org for current information regarding rescheduled hearing dates.

Further, be advised that the South Euclid Municipal Court continues to reassess and monitor the changing conditions during this global pandemic and hereby issues this Order with the intent to be consistent with the guidance that is issued and outlined by the Ohio Supreme Court. As such and given the current circumstances, all litigants and parties are ORDERED to appear unless excused by the Court. **To schedule a hearing, contact South Euclid Municipal Court using any of the following methods:**

Fax: (216) 381-1195

Email: Info@secourt.org

Phone: (216) 381-2880 ext. 298

Your case can only be scheduled if you have **AND** provide the court with your current email address. This email address will be used to provide you with the virtual hearing “court date” information. **YOU WILL BE PERMITTED TO ATTEND THE HEARING BY TELEPHONE USING THE “DIAL IN OPTION” EVEN IF YOU DO NOT HAVE ACCESS TO A COMPUTER ON THE DATE OF YOUR SCHEDULED HEARING.**

When you contact the court to request your hearing, be prepared to provide the following information:

Full name as listed on the complaint or citation

Current telephone number

Current email address

Date of the complaint/citation

Name of the charge (so that the case can be properly researched and matched to the proper litigant)

Shortly following your request, you will receive an emailed “invitation” notifying you of your

1349 South Green Road • South Euclid, Ohio 44121 (216) 381-2880 • Fax
(216) 381-1195

hearing date and time. It will be necessary for you to follow the instructions provided to access the FREE videoconferencing tool for your hearing – whether you attend by video or by phone.

You are welcome to email any questions or concerns about this process to info@secourt.org or contact the Clerk of Courts office at (216) 381-2880 ext. 298 no less than 48 hours before your hearing date. This will allow the court enough time to address your concern without delaying your hearing.

Because the hearings are held virtually, it is important that you “arrive”/log in on time. Please be respectful and remain silent by placing your mobile phone or computer on “mute” while others are speaking. If appearing by video, please dress appropriately as if you are appearing in the “actual” or native courtroom environment. Finally, please hold any questions you have until your case is called.

As these are difficult times for everyone involved, I, along with the staff of the South Euclid Municipal Court, appreciate your cooperation with the court’s technological approach to ensuring continued access to justice.

Consistent with the guidance provided from the Ohio Supreme Court, the South Euclid Municipal Court will continue to monitor and review this ORDER to determine if additional measures are necessary to appropriately address case flow management and resolution.

This Order shall remain in effect until further notice.

IT IS SO ORDERED.



Judge Gayle Williams-Byers
Administrative and Presiding Judge
South Euclid Municipal Court

Journalized on 09/18/2020
By J McCown

Exhibit L – Court Flyer

(attached as the next page,
without an Exhibit notation)

SOUTH EUCLID MUNICIPAL COURT



JUDGE
Gayle Williams-Byers

CLERK OF COURT
CHARDALE P. SUMPTER

The South Euclid Municipal Court remains open during its normal business hours (8am – 4pm, Monday – Friday). However, due to the ongoing COVID-19 (Coronavirus) Pandemic, most Court proceedings are occurring from individuals' computers, tablets, smartphones, and telephones—they are NOT occurring in this building. In-person proceedings are rare, and scheduled by appointment only.

Payments for traffic and speeding citations are only accepted via mail to the Court at the address below – payable only via money order or personal, cashier, or certified check to the “South Euclid Municipal Court.”

- Visit the Court's website (www.secourt.org)
- Review Administrative Order 2020-11 (<http://southeuclidcourt.com/wp-content/uploads/2020/09/ADMINISTRATIVE-ORDER-COVID-19-Sept-18-2020.pdf>)
- Visit the Court's Facebook page: www.facebook.com/SouthEuclidMunicipalCourt

For more information, consult the following – someone will return all communications by the next business day:

- E-mail info@secourt.org
- Call (216) 381-2880 (ext. 298 to schedule virtual hearings)
- Fax (216) 381-1195

Judge Gayle Williams-Byers
Administrative and Presiding Judge

EXHIBIT 2

THE SOUTH EUCLID MUNICIPAL COURT
IS GOVERNED BY:

THE OHIO SUPREME COURT

Address: 65 S Front St, Columbus, OH 43215

Phone: 614-387-9000

TTY: 614-387-9404

PLEASE DIRECT ANY CONCERNS YOU MAY HAVE
REGARDING THE S.E. COURT TO THEM
AS THE CITY HAS ABSOLUTELY NO JURISDICTION
TO ADDRESS THESE MATTERS

EXHIBIT 3

PHONE 216-361-2380
FAX 216-361-1195
Additional Court Locations:
216-691-4226
216-691-4212
216-691-4213
116-691-4214
216-691-4215
216-691-4215



DO NOT TOUCH THIS COUNTER

EXHIBIT 4

THERE ARE NO
IN-PERSON COURT
HEARINGS BEING HELD
AT THIS TIME. ALL
COURT HEARINGS ARE
VIRTUAL.

IF YOU HAVE
QUESTIONS ABOUT
YOUR CASE,
DO NOT CONTACT THE
S.E. POLICE
DEPARTMENT.

CONTACT SOUTH EUCLID
MUNICIPAL COURT AT
216-381-2880 ext. 298
OR VIA EMAIL
AT
INFO@SECOURT.ORG.

EXHIBIT 5

SOUTH EUCLID MUNICIPAL COURT



JUDGE
Gayle Williams-Byers

CLERK OF COURT
CHARDALE P. SUMPTER

In the matter of South Euclid Police Department
Communications Regarding Court Operations
Throughout The COVID-19 (CORONAVIRUS)
Public Health Pandemic

Administrative Order 2021-01

WHEREAS, on November 4, 2020, this Court issued Administrative Order 2020-12 directing the South Euclid Police Department ("SEPD") on how to properly communicate information related to Court operations. Said Order specifically, directed the SEPD to cease and desist from distribution of all materials, "yellow cards" or any other information purporting to outline court functions that have not been approved by this Court.

WHEREAS, on multiple occasions following the issuance of Administrative Order 2020-12, the City of South Euclid and the SEPD have been apprised of the continued distribution of said "yellow cards" and other information regarding Court operations not approved by the Court.

WHEREAS, the "yellow" cards distributed to defendants directly violate Administrative Order 2020-12 and instruct defendants to contact the Ohio Supreme Court in relation to cases scheduled on the docket of the South Euclid Municipal Court. Further, encouraging or instructing defendants to follow the directives in the "yellow" cards will and cannot assist defendants in obtaining a court date, warrant recall or other important or requested case information.

WHEREAS, this Court finds that the act of diverting a defendant anywhere other than the South Euclid Municipal Court operates as an impediment to a defendant's basic right of Access to Justice, particularly when this Court has provided clear instruction to the South Euclid Police Department regarding information to be communicated to defendants who make inquiry to the SEPD about Court administration. Denying litigants straightforward information about the Court, increases the time it takes to process and resolve cases, potentially resulting in the issuance of warrants for failure to appear, denial of due process rights and potential violations of speedy trial rights. Above all, such behavior serves to further erode trust in our embattled criminal justice system, particularly for defendants from underrepresented and minority communities who represent the vast majority of the

defendants affected by this conduct.

WHEREAS, it is the duty of this Court to ensure the fair administration of justice to all defendants at each and every stage of a proceeding and in so doing, must also preserve the tenants of Access to Justice. **THEREFORE**, this court finds that the SEPD and/or its leadership has failed to ensure the directives of this Court's Administrative Order 2020-12 have been followed.

THEREFORE, it is the ORDER of this Court that all South Euclid Police Officers, Staff and agents shall immediately CEASE AND DESIST the design, creation, duplication, reproduction, distribution, dissemination or communication of any and all information regarding the operations of the Court that have not been authorized.

FURTHER, it is the ORDER of this Court that the Chief of the South Euclid Police Department shall sign, on behalf of the SEPD, a notice of compliance with this Order, on a weekly basis beginning on Friday, April 2, 2021 and continuing for 12 weeks thereafter. Each notice of compliance shall simply state that, as of the date of the notice, the SEPD has complied with this Court's Order 2021-01. Each such notice shall be scanned and submitted to the Chief Administrative Bailiff of the South Euclid Municipal Court at Isimmons@Secourt.org by 4:00 p.m. on the date it is due.

FURTHER, it is the ORDER of this Court that the SEPD SHALL use Exhibit "L" found in Administrative Order 2020-12 also attached hereto as Exhibit "A" as the ONLY written information to be provided to the public regarding Court operations until further notice. Failure to comply with this Court's order as outlined shall result in the immediate scheduling of hearing to Show Cause for Contempt of Court.

This Order shall remain in effect until further notice.

IT IS SO ORDERED.



Judge Gayle Williams-Byers
Administrative and Presiding Judge
South Euclid Municipal Court

JOURNALIZED ON
(DATE) 3/24/21 BY: Okany

Exhibit A

SOUTH EUCLID MUNICIPAL COURT



JUDGE

Gayle Williams-Byers

CLERK OF COURT

CHARDALE P. SUMPTER

The South Euclid Municipal Court remains open during its normal business hours (8am – 4pm, Monday – Friday). However, due to the ongoing COVID-19 (Coronavirus) Pandemic, most Court proceedings are occurring from individuals' computers, tablets, smartphones, and telephones—they are NOT occurring in this building. In-person proceedings are rare, and scheduled by appointment only.

Payments for traffic and speeding citations are only accepted via mail to the Court at the address below – payable only via money order or personal, cashier, or certified check to the "South Euclid Municipal Court."

- Visit the Court's website (www.secourt.org)
- Review Administrative Order 2020-11 (<http://southeuclidcourt.com/wp-content/uploads/2020/09/ADMINISTRATIVE-ORDER-COVID-19-Sept-18-2020.pdf>)
- Visit the Court's Facebook page: www.facebook.com/SouthEuclidMunicipalCourt

For more information, consult the following – someone will return all communications by the next business day:

- E-mail info@secourt.org
- Call (216) 381-2880 (ext. 298 to schedule virtual hearings)
- Fax (216) 381-1195

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