

**New Philadelphia Municipal Court
COVID-19 Modification of Operations
MODIFIED AND EFFECTIVE JULY 27, 2020**

In the interest of public health, and in order to comply with Ohio Governor Mike DeWine's "Responsible Re-Open Ohio" Orders, the Court will implement procedural changes beginning at 8:00 a.m. on Monday, July 27, 2020. This is an evolving situation and may change pursuant to federal, state, or local guidance and directives.

**THE COURTHOUSE WILL RESUME REGULAR HOURS ON JULY 27, 2020,
Monday through Friday from 8:00 a.m. to 4:30 p.m.**

ALL FILINGS, INCLUDING FROM POLICE AGENCIES will be accepted in labeled baskets provided in the hallway outside the Clerk's Office. Access to the Clerk of Court's office will be limited to one person at a time. The Violations Window will accept cash, check and money order payments only. No more than 10 members of the public will be allowed to be in the building at the same time.

Most hearings will continue to be held using remote technology (video or telephone) unless an objection is filed prior to the hearing date. Evidentiary hearings where video or telephone is not practical will be scheduled in court. Access to the Courthouse for in-person hearings will be permitted only for plaintiffs, defendants, attorneys, prosecutors, subpoenaed witnesses, victims, or victim advocates at the time of a scheduled hearing. No more than 10 people, including court staff, will be allowed in the courtroom or hallway waiting area. The Media shall have access to all hearings and court records in accordance with Ohio Sup.R. 12.

**EVERYONE WILL BE REQUIRED TO HAVE THEIR TEMPERATURE CHECKED
BY SECURITY STAFF AT THE COURTHOUSE ENTRANCE. NO ONE HAVING A
TEMPERATURE OF 99.5 DEGREES OR HIGHER, OR OTHER COVID-19
SYMPTOMS, WILL BE ADMITTED INTO THE COURTHOUSE.**

**EVERYONE WILL BE REQUIRED TO WEAR A MASK COVERING THE MOUTH,
NOSE AND CHIN AT ALL TIMES.**

**SOCIAL DISTANCING, HAND SANITIZING, AND OTHER OHIO AND NEW
PHILADELPHIA DEPARTMENT OF HEALTH REGULATIONS WILL BE STRICTLY
ENFORCED THROUGHOUT THE BUILDING.**

The Court will continue to conduct all **incarcerated arraignments and incarcerated felony initial appearances by video. Criminal AND Civil Jury Trials will be scheduled as soon as reasonably possible, possibly at an off-site location. Bench trials and felony preliminary hearings** in which the defendant is incarcerated will be scheduled by the Court and the Defendant will appear by video from the jail, unless objection is made prior to the hearing.

The time tolling provisions of Ohio Am. Sub. H.B. 197 and the Ohio Supreme Court Order effective March 27, 2020 will expire on July 30, 2020.

ACTIVE WARRANTS: Defendants with active warrants may come to the Courthouse on Thursdays at 1:00 p.m. to have their warrant addressed by the Court. Follow all instructions of the Bailiff at the door.

NEW CITATIONS WHERE DEFENDANT 'MUST APPEAR': Only Defendants who have received a citation for any offense in which a victim may be eligible to obtain a Criminal Domestic Violence Temporary Protection Order pursuant to O.R.C. 2919.26 or a Criminal Protection Order pursuant to O.R.C. 2903.213 must appear for arraignment as ordered. See, Journal Entry filed May 2, 2019 (attached) for a full list of these charges. Follow all instructions of the Bailiff at the door.

All other Defendants SHALL NOT APPEAR for arraignment. Defendants who do not appear for arraignment will receive an Order in the mail, with instructions to complete an ONLINE ARRAIGNMENT process. Defendants will log onto the Court's web site at npmunicipalcourt.org, listen to and read "Your Rights as a Defendant," and electronically provide current address, telephone number and email address so that notice of future hearings and hearing instructions can be mailed or emailed.

Temporary Protection Orders will be heard and served per normal procedures, except that victims may appear by telephone unless Defendant objects. Victims wishing to request a protection order should call the prosecutor/victim advocate office listed on the victim information sheet provided by the arresting officer. Victims may also call the Court at (330)343-6797 ext. 0, to be directed to the correct prosecutor's office for assistance.

Criminal and traffic pre-trials will be scheduled by telephone with the Court. Further hearing(s) will be scheduled during this pretrial.

Eviction first-claim hearings will be conducted in person. Plaintiffs must comply with the federal CARES Act eviction/foreclosure moratorium requirements before filing any eviction action. **Second claim hearings, small claims and all other civil matters** will be scheduled, at the discretion of the court, by video or in person.

Payments may be made in person at the violations window (cash or check), by mail, via the Court's website at www.npmunicipalcourt.org or by calling 1-866-895-0198. The credit card terminal in the Clerk's office is NOT available.

Treatment Team meetings and weekly review hearings for the **New Philadelphia Municipal Recovery Court** will be conducted by telephone or video conference. Random drug testing will continue.

Probation officers will minimize face-to-face contact with Defendants and hold in-person meetings only for essential matters. Pre-trial Supervision assessments will be conducted by telephone. Pre-trial Supervision and Probation terms will continue to be enforced as the probation officer deems necessary and appropriate.

The New Philadelphia Municipal Work Program and Inmate Work Program resumed on June 13, 2020.

Tuscarawas County Attorneys

Tuscarawas County Law Enforcement Agencies

Tuscarawas County Jail

New Philadelphia City Health Department

Local Media

MAY 02 2019

CLERK
JULIE A. STAMETS

IN THE NEW PHILADELPHIA MUNICIPAL COURT
NEW PHILADELPHIA, OHIO

IN THE MATTER OF LOCAL RULE—
WRITTEN NOT GUILTY PLEA
PROHIBITED IN CASES
WHERE PROTECTION ORDER
MAY BE ISSUED

JOURNAL ENTRY

JUDGE

NANETTE DEGARMO VON ALLMAN

Pursuant to Sup. R. 5, O.R.C. 2937.23, and Ohio Criminal Rule 46, the Court determines that there is an immediate need for this rule and therefore adopts this emergency rule without prior notice and opportunity for comment effective May 1, 2019. A copy of this emergency rule was filed with the Clerk of the Ohio Supreme Court pursuant to Sup. R. 5. A copy of this rule was distributed to the Tuscarawas County Bar Association, attorneys regularly appearing in criminal matters before this court, and the Tuscarawas County Public Defender. Copies of this emergency rule are also available from the Clerk of this Court.

The Court invites commentary from the public and bar regarding this emergency rule. Comments may be made in writing to the Clerk of this Court. The comment period shall be from the implementation of this rule until May 25, 2019.

The emergency rule as adopted states:

Written Not Guilty Plea Prohibited

The Defendant must personally appear before the Court for arraignment if charged with any of the offenses listed below. The Court will not accept a written Not Guilty Plea filed by or on behalf of a Defendant when a victim may be eligible to obtain a Criminal Domestic Violence Temporary Protection Order pursuant to O.R.C. 2919.26 or a Criminal Protection Order pursuant to O.R.C. 2903.213.

The following crimes, when the victim is a family or household member (O.R.C. 2919.26):

- Domestic Violence (R.C. 2919.25)
- Criminal Damaging (R.C. 2909.06)

- Criminal Mischief (R.C. 2909.07)
- Burglary (R.C. 2911.12)
- Aggravated Trespass (R.C. 2911.211)
- Any offense of violence as defined in R.C. 2901(9)(a) through (d), or a violation of a substantially similar municipal ordinance.

Other Criminal offenses (O.R.C. 2903.213):

- Felonious Assault (R.C. 2903.11)
- Aggravated Assault (R.C. 2903.12)
- Assault (R.C. 2903.13)
- Aggravated Menacing (R.C. 2903.21)
- Menacing by Stalking (R.C. 2903.211)
- Menacing (R.C. 2903.22)
- Aggravated Trespass (R.C. 2911.211)
- Any sexually oriented offense as defined in R.C. 2950.01 (A)(1) through (13), or a violation of a substantially similar municipal ordinance.


Judge Nanette DeGarmo VonAllman

CC: Tuscarawas County Bar Association President
 Clerk of the Ohio Supreme Court
 Tuscarawas County Public Defender
 Prosecuting Attorneys
 Local Defense Attorneys
 Clerk