

NEW PHILADELPHIA  
MUNICIPAL COURT

The New Philadelphia Municipal Court  
New Philadelphia, Ohio

MAR 16 2020

CLERK  
JULIE A. STAMETS

**Administrative Order**

**Judge Nanette DeGarmo Von Allman**

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

Judge Nanette DeGarmo Von Allman, the Administrative and Presiding Judge of the New Philadelphia Municipal Court, makes the following Findings of Fact:

1. On March 9, 2020 Ohio Governor Mike DeWine issued Executive Order 2020-01D “Declaring a State of Emergency” in response to the growing COVID-19 public health crisis.
2. On March 11, 2020 the World Health Organization officially declared COVID-19 to be a global “pandemic” requiring “urgent and aggressive action” to control the spread of the virus.
3. On March 14, 2020 a community transfer case of COVID-19 was confirmed in Tuscarawas County.

Based upon these Findings of Fact, the New Philadelphia Municipal Court has developed a continuum of flexible responses to the public health crisis. The continuum of responses is intended to protect public health, to maintain essential court functions, and to continue to protect the rights of all individuals subject to the authority of the Court.

**THEREFORE, IT IS HEREBY ORDERED:**

1. The New Philadelphia Municipal Court hereby adopts the Temporary Modification of Operations attached to this Order and incorporated by reference. The Temporary Modification of Operations may be revised by the Court at any time.

2. Local Rules of Court may be temporarily adapted to allow Court flexibility, within Constitutional limits, in response to the public health emergency.
3. The New Philadelphia Municipal Court Employee Handbook provisions may be temporarily adjusted to maintain essential court operations and functions.
4. The New Philadelphia Municipal Court authorizes the use of audiovisual devices and technologies for all actions and proceedings.
5. When the emergency subsides, the Court shall enter an Order declaring an end to the emergency and resumption of normal operations.
6. The Court will have the lawful authority, within constitutional limits, to do and direct to be done all things necessary to ensure the orderly and efficient administration of justice for the duration of the declared public health emergency.



Judge Nanette DeGarmo Von Allman

Cc: Clerk of Court  
Tuscarawas County Attorneys  
Tuscarawas County Law Enforcement Agencies  
Tuscarawas County Jail  
New Philadelphia City Health Department  
Local Media

**New Philadelphia Municipal Court**  
**Temporary Modification of Operations**  
**Effective March 16, 2020**  
**Revised March 16, 2020 12:00 p.m.**

In the interest of public health, and in order to comply with Ohio Governor Mike DeWine's Executive Order 2020-01D issued March 9, 2020, and the Order of the Ohio Director of Public Health issued March 12, 2020, the Court will implement the following procedural changes beginning at 8:00 a.m. on Monday, March 16, 2020. This is an evolving situation and may change pursuant to federal, state, or local guidance and directives.

The Courthouse will be open regular hours. Access may be temporarily refused by security staff to any visibly-ill person and any other person who is not an attorney, prosecutor, law enforcement officer, plaintiff, defendant, subpoenaed witness, victim, or victim advocate having business with the Court. Media shall have access in accordance with Ohio Sup.R. 12 per normal procedure. Social distancing and CDC recommended hygiene practices will be enforced throughout the Courthouse.

Until further notice, the following procedures will be enforced by the Court:

**I. ESSENTIAL COURT FUNCTIONS**

- \* The Court will conduct all incarcerated arraignments and incarcerated felony initial appearances by video per current procedure.
- \* Regular Thursday 1:00 p.m. arraignment Court will be held only for defendants who walk-in with an active warrant and defendants charged with an 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. In all other cases, the defendant is not to appear for arraignment and will receive a "next hearing date" Order from the Court in the mail
- \* No Civil or Criminal Jury Trials will be conducted.
- \* Bench trials and felony preliminary hearings in which the defendant is incarcerated will be scheduled. The Defendant will appear by video from the jail.
- \* Temporary Protection Orders will be heard and served per current procedures.

**II. OTHER COURT FUNCTIONS**

- \* Currently scheduled criminal and traffic pre-trials, tax mediation, and other hearings which are not evidentiary in nature are to be conducted by counsel, by telephone, outside of the Courthouse. Counsel will then notify the assignment commissioner in writing as to the case

status. Counsel may request, or the Court will order, the continuance of any criminal or traffic trial or evidentiary hearing, with or without a time waiver.

\* All court FILINGS, garnishments and payments will be accepted only at the Violations Window. The Clerk's offices, public payment computer terminal, and attorney mailboxes will NOT be accessible. All mail normally placed in the mailboxes will be available at the Violations Window.

\* Payments may also be made by mail, on the Court's website at [www.npmunicipalcourt.org](http://www.npmunicipalcourt.org) or by calling 1-866-895-0198.

\* Treatment Team meetings and weekly review hearings for the New Philadelphia Municipal Recovery Court are suspended.

\* Probation officers will minimize face-to-face contact with probationers and with those on pre-trial supervision. Pre-trial supervision intakes at the jail are suspended. Probation terms will continue to be enforced as the probation officer deems necessary and appropriate.

\* Assignment to, and all currently assigned work dates for the New Philadelphia Municipal Work Crew and Inmate Work Program **are suspended**. All currently schedules show cause and review hearings are cancelled. Defendants will receive new work and review hearing dates from the Probation department.

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