

Hearings in Criminal Cases in the General Division April 2020

The General Division of the Court of Common Pleas of Delaware County plans to hold some hearings by videoconference or by telephone for the foreseeable future.

Parties and attorneys can check our dockets here:

<https://commonpleas.co.delaware.oh.us/court-dockets/> to see whether a particular case has been marked as “Video Conference” or “Phone Conference.” **Attorneys should consult with their clients before the hearings to confirm that the clients are willing and able to participate remotely in the hearings and that they have in hand the connection information listed below.**

1. Remote Videoconference via Zoom.

a. In accordance with Ohio Criminal Rule 43, defendants will participate remotely through a computer webcam or a smartphone utilizing Zoom Technology. For the videoconferences, counsel should participate using Zoom. If counsel do not have access to a webcam or smartphone, there is a dial-in option available to utilize from any phone.

b. Judge Schuck’s Courtroom Zoom Connection:

<https://zoom.us/j/7113286604>

Meeting ID (can be typed into <https://zoom.us/join> or in the app): 711-328-6604

Dial-In Option: 1-253-215-8782 Meeting ID: 711 328 6604

c. Judge Gormley’s Courtroom Zoom Connection:

<https://zoom.us/j/5026129738>

Meeting ID (can be typed into <https://zoom.us/join> or in the app): 502-612-9738

Dial-In Option: 1-253-215-8782 Meeting ID: 502-612-9738

- d. If defendants are not able to participate by videoconference, there are the following options:
 - i. There is a laptop available on Level 300 of the Courthouse with instructions how to appear by video for the proceedings. This is only to be utilized if there are no other options for the defendant to participate remotely.
 - ii. Defense counsel may request a continuance of the hearing.

2. Signing Documents.

a. Plea Paperwork:

i. Out-of-Custody Defendants:

- i. The prosecutor and defense counsel should electronically circulate any plea paperwork and should sign those documents before any change-of-plea hearings.
- ii. Defense counsel should coordinate with their client to obtain their signature.
- iii. An electronic copy of the signed plea paperwork should be emailed to either gormleycourt@co.delaware.oh.us or schuckcourt@co.delaware.oh.us prior to the change of plea hearing.

ii. Defendants in the Delaware County Jail:

- i. First, the prosecutor and defense counsel should electronically circulate and sign the plea paperwork.
- ii. Second, defense counsel should email the signed plea paperwork to JailDocs@co.delaware.oh.us . Be sure to note in the email's subject line or in the body of the email the name of the inmate to whom you'd like the jail staff to give the attached paperwork.
- iii. Third, once the defendant has signed the plea paperwork at the jail, staff at the jail will scan and email the signed paperwork back to defense counsel and to the assigned judge's office (gormleycourt@co.delaware.oh.us or schuckcourt@co.delaware.oh.us).

b. Recognizance Bond:

- i. Out-of Custody: Defendants released on a recognizance bond can download the recognizance-bond form online here:
<https://commonpleas.co.delaware.oh.us/wp-content/uploads/sites/30/2020/03/PERSONAL-RECOGNIZANCE-FORM.pdf> . Only file the recognizance bond AFTER the judge or magistrate has ordered this type of bond. The signed document can be returned to the clerk's office by the following methods:
 - ii. Fax: 740-833-2518

- iii. E-filing: Defense counsel can e-file the document.
 - iv. Mail: The document can be mailed to the clerk's office at
117 N. Union Street, Level 300, Delaware, OH 43015.
 - v. Defendants in the Delaware County Jail: Once the defendant has signed the document, staff at the jail will ensure that it is filed in the office of the Clerk of Courts.
- c. Waiver of Extradition:
- i. Out-of-Custody: Defendants who are being released on bail – whether a recognizance bond or a surety bond – can download the waiver-of-extradition form here:
<https://commonpleas.co.delaware.oh.us/wp-content/uploads/sites/30/2020/03/WAIVER-OF-EXTRADITION.pdf> The signed document can be returned to the clerk's office without any signatures from witnesses, and it can be sent by the following methods:
 - i. Fax: 740-833-2518
 - ii. E-filing: Defense counsel can e-file the document.
 - iii. Mail: The document can be mailed to the clerk's office at 117 N. Union Street, Level 300, Delaware, OH 43015.
 - ii. Defendants in the Delaware County Jail: the Delaware County Jail has the waiver of extradition form available at the jail. Once

the defendant has signed the document, staff at the jail will ensure that it is filed in the office of the Clerk of Courts.

3. Fingerprinting & DNA Collection.

The sheriff is currently not allowing defendants to visit the jail to complete the DNA-collection process required by R.C. 2901.07 or the fingerprinting step required by R.C. 109.57. More information on how these steps will be completed in our cases will be distributed as we learn it.

4. Adult Court Services.

Defendants who are ordered by the court to be supervised by Adult Court Services should promptly call that office at 740-833-2570 following the court hearing.

To start a presentence investigation, any defendant can complete electronically the questionnaire that is available at this site:

<https://adulthoodservices.co.delaware.oh.us/presentence/>

For any presentence investigation, the defendant must complete both the “PSI Packet” and the “ORAS Packet” that are on that site. The defendant’s responses are sent electronically to the Adult Court Services office, so your clients do not need a printer or any paper copies of the documents to start the PSI process.

5. Communication with Defendants in the Delaware County Jail.

In response to the Coronavirus outbreak, the Delaware County Jail has implemented numerous changes designed to increase safety for our staff, the inmates, and those required to enter our facility.

These changes include moving the attorney visitation areas from the current booths with screens to the clergy visitation booths to the left of the Control Room where the participants have solid glass partitions and use a telephone to communicate. While attorneys still have access to their clients via these visitation booths, you may also communicate with your clients by the use of the ICSolutions telephones and the video visitation platform utilized by the inmates (see [Pre-Paid Phone Services Brochure](#) and [The Visitor Video Visitation Brochure](#)).

In both cases your clients may contact your office when they have access to the telephones and video kiosks (generally from 8:00 AM – 9:00 PM, except for 2:00 – 4:00 PM during lockdown). If your client does not have funds, you may create an account for your client by which they could contact you either by telephone or video. The ICSolutions system will allow you to restrict the use of the funds you deposit to only being used to place phone or video calls to your telephone number.