

IN THE INDIANA SUPREME COURT

In the Matter of the Petition of the
Gibson County Courts for
Administrative Rule 17 Emergency
Relief

Supreme Court Case No. 20S-CB-167
Trial Court Cause No. 26D01-2003-CB-_____

Emergency Petition for Administrative Orders

Comes now the Courts of Gibson County and petition the Supreme Court for relief under Ind. Administrative Rule 17. In support of this petition, the courts inform the Supreme Court as follows:

1. The courts of Gibson County have convened in banc and have determined:
 - A. The 2019 novel coronavirus (COVID-19) is spreading across the state, nation, and world.
 - B. The President of the United States has declared a national emergency over the COVID-19 outbreak.
 - C. That on March 6, 2020, Indiana Governor Eric J. Holcomb signed an executive order declaring a public health emergency due to the COVID-19 virus, and has initiated actions and steps to reduce the spread of the virus.
 - D. The World Health Organization (WHO) has declared the COVID-19 a Pandemic.
 - E. The United States Centers for Disease Control and Prevention (CDC) is encouraging “social distancing” as a means of limiting the spread of COVID-19 and other potentially fatal viruses.
 - F. The Gibson Circuit and Superior Courts do not have the physical space necessary for social distancing.
 - G. The Gibson County Health Department is actively working with the Indiana State Department of Health and the CDC and has referred Gibson County residents to the CDC website for guidance and instruction regarding the COVID-19 outbreak.
 - H. All schools in Gibson County are closed to reduce the spread of COVID-19.
 - I. That compliance with appropriate public-health practices will inhibit litigants’ and courts’ ability to comply with statutory deadlines and rules of procedure.

- J. That the judges of the Gibson County courts believe an emergency exists and that certain actions are necessary to reduce the spread of COVID-19 and to protect court personnel, law enforcement officers, and others that use the court system.
- K. That the local courts have appointed Judge Robert Krieg as the presiding judge for this emergency.

The judges of Gibson County request that the Supreme Court declare an emergency exists in Gibson County under the authority of Ind. Admin. R. 17, and to make appropriate emergency orders for Gibson County directing and allowing the courts and clerk of Gibson County to alter, modify, and suspend necessary procedures as provided in the emergency plan submitted herewith, so as to appropriately address this emergency.

The Gibson County Courts emergency plan which would take effect upon approval and run through Thursday, April 30, 2020 is as follows:

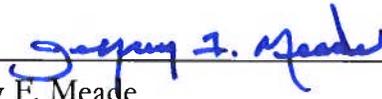
- a. The tolling, from the date of the Supreme Court's order through April 30, 2020, of all laws, rules, and procedures setting time limits for speedy trials in criminal and juvenile proceedings, public health, mental health, and appellate matters; all judgments, support, and other orders; and in all other civil and criminal matters before the Gibson Circuit or Superior Courts. Further, no interest shall be due or charged during this tolling period.
- b. Effective the date of the Supreme Court's order through April 30, 2020, the immediate suspension of all civil proceedings, except for protective orders in domestic violence cases and emergency Child in Need of Service (CHINS) proceedings.
- c. Effective the date of the Supreme Court's order through April 30, 2020, the immediate suspension of all criminal proceedings, except for emergency motions and petitions, bond hearings, initial hearings, emergency hearings, and any criminal hearing or proceeding necessary to protect a person's right to a speedy trial.
- d. The judges of the Gibson courts shall file a status update no later than April 29, 2020 to inform the Indiana Supreme Court of whether there is an ongoing need for emergency relief.

All DONE at Princeton, Gibson County, Indiana, this the 17th day of March, 2020.

Respectfully submitted,



Robert Krieg
Judge, Gibson Superior Court



Jeffrey F. Meade
Judge, Gibson Circuit Court

Filed with
-Clerk of the Court
-Indiana Office of Judicial Administration (IOJA)