

BEFORE THE INDIANA SUPREME COURT

INDIANAPOLIS, INDIANA

CASE NO. 20S-CB-187

JACKSON COUNTY CIRCUIT AND SUPERIOR COURTS
EMERGENCY PETITION FOR ADMINISTRATIVE ORDERS PURSUANT TO
ADMINISTRATIVE RULE 17

The Jackson Circuit and Superior Courts, having conferred with local officials, now petition the Indiana Supreme Court for relief under Ind. Administrative Rule 17. In support of this petition, the courts inform the Supreme Court as follows:

- 1) That the courts of Jackson County have convened in banc to discuss an appropriate response to COVID-19.
- 2) That the courts of Jackson County have appointed Judge Bruce A. MacTavish as the presiding Judge for this emergency.
- 3) That on March 6, 2020, Governor Eric Holcomb signed an Executive Order declaring an emergency related to 2019 novel coronavirus (COVID-19).
- 4) That on March 13, 2020, President Donald Trump declared a national emergency relating to COVID-19.
- 5) That on March 16, 2020, Governor Eric Holcomb announced that Indiana will adhere to the Center for Disease Control and Prevention (CDC) for large events and mass gatherings and also ordered bars, nightclubs and restaurants closed to in-person patrons.
- 6) That the CDC has determined that "social distancing" is a necessary strategy for the prevention of the further spread of COVID-19.
- 7) That the physical design and seating in individual courtrooms in Jackson County, when at or near capacity, prevent "social distancing" as recommended by the CDC.
- 8) That the judges of Jackson County request that the Supreme Court declare that an emergency exists warranting emergency measures pursuant to Ind. Administrative Rule 17.

- 9) The Jackson County Court Emergency Plan would take effect upon approval and remain in effect through and including April 15, 2020, with the possibility of a thirty (30) day extension upon request and the showing of ongoing emergency.
- 10) The Jackson County Court Emergency Plan is as follows:
- a. All civil proceedings would be suspended, except for petitions for protective orders, delinquency proceedings, and emergency CHINS proceedings;
 - b. All laws, rules and procedures setting time limits for speedy trials in criminal and juvenile proceedings, public health, mental health, and in all civil matters will be tolled whilst the Emergency Plan is in effect;
 - c. All criminal proceedings would be suspended except emergency motions and petitions, bond hearings, and initial hearings for persons held in-custody;
 - d. The courts may limit the attendance at hearings of "spectators" unnecessary to the proceeding to allow for safe separation within the courtroom of at least six feet between attendees (as six feet is the recommended social separation by the CDC);
 - e. The Jackson County Judges may exercise general jurisdiction over cases in each other's courts upon request and agreement with each other.

Respectfully requested this 18th day of March, 2020 in Brownstown, Jackson County, Indiana.



Bruce A. MacTavish,
Presiding Judge