

STATE OF INDIANA

COUNTY OF CRAWFORD

In Re the Matter of

CAUSE NO.20S-CB-200

EMERGENCY RELIEF UNDER  
INDIANA ADMINISTRATIVE RULE 17

Comes now the Crawford Circuit Court and petitions the Indiana Supreme Court for relief under Administrative Rule 17. In support of this petition, the Court states as follows:

1. The Governor of the State of Indiana has declared a public health emergency due to the outbreak of COVID-19.
2. The Federal Government, by and through the office of the President of the United States of America, has declared the COVID-19 pandemic, a National Emergency.
3. The World Health Organization has determined the outbreak of COVID-19 to be a worldwide pandemic.
4. The Center for Disease Control (CDC) has advised that "social distancing" is an effective strategy for the prevention of the further spread of the virus. Further, that drastic steps are required to immediately halt the spread of the virus. On March 15<sup>th</sup>, 2020, the CDC, issued recommendations that any non-essential event involving more than 50 people should be canceled or rescheduled for EIGHT (8) weeks.
5. The Crawford County School Corporation has suspended classes in the Crawford County Junior Senior High School, Middle School, and the three Elementary Schools, as well as closed all buildings and facilities and suspended all school activities until April 13<sup>th</sup>, 2020. Meal distribution through the Crawford County School Corporation will take place at the local fire district stations and not the school facilities. No one is allowed on school property except authorized school personnel to sanitize and disinfect the buildings.
6. While preparing said petition, the Court has received the news that the Indiana Governor has issued an order extending school closures until May 1<sup>st</sup>, 2020.
7. The Judge of the Crawford Circuit Court attended a meeting with elected officials and the county COVID-19 task force on Monday March 16<sup>th</sup>, 2020 to take steps to limit the amount of activity in the Crawford County Judicial Complex. At that meeting, health officials informed the community leaders that the efforts to lessen the spread of the virus would take months not weeks.
8. On Wednesday March 18<sup>th</sup>, 2020, the Crawford County Commissioners, after another task force meeting, closed the Crawford County Judicial Complex and county offices to the public.
9. Crawford County is in close proximity to Clark and Floyd Counties where there are known cases of people diagnosed with the coronavirus. Many attorneys come from that area to practice in Crawford Circuit Court.

10. Crawford Circuit Court is the only court in the county with one trial court judge and very limited staff. The Court currently has only one full-time court reporter, and just recently hired a part-time staff who is still in training. If the sole trial court judge or court reporter became ill, the business of the Crawford Circuit Court could not continue without the assistance of nearby counties or the Indiana Supreme Court. With the recommendations of the CDC to practice “social distancing” this is not only impractical but dangerous.

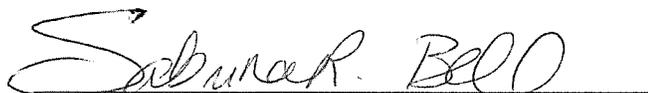
The Judge of the Crawford Circuit Court requests that the Indiana Supreme Court declare that an emergency exists in Crawford County under the authority of Indiana Administrative Rule 17, and to make appropriate emergency orders for Crawford County directing and allowing the Crawford Circuit Court to alter, modify, and suspend necessary procedures as provided in the emergency plan submitted herein, so as to appropriately address this emergency.

#### EMERGENCY PLAN

11. Tolling of all laws, rules, and procedures setting time limits for speedy trials in criminal and juvenile proceedings, public health, mental health, appellate matters, Child in Need of Services, and Termination of Parental Rights; all judgments, support and other orders; and in all other civil and criminal matters before the Crawford Circuit Court. Further, no interest shall be due or charged during this tolled period.
12. The Court shall be allowed to, in its discretion:
  - a. Continue all pre-trial conferences and non-essential hearings;
  - b. Hold pre-trial conferences and hearings by counsel only;
  - c. Allow attorneys and/or parties to appear by video or telephone;
  - d. Allow attorney-only conferences without the requirement of a motion;
  - e. Continue trials for non-incarcerated individuals;
  - f. Continue all jury trials until no later than May 8<sup>th</sup>, 2020 to allow adequate notice to the jury pool;
  - g. Continue all bench trials;
  - h. Continue all non-essential matters;
  - i. Suspend issuing a civil body attachment and Title IV-D attachments; and
  - j. Postpone all juvenile court and Child In Need of Services (CHINS) cases and such postponements shall not count against any time limits.
13. The Courts shall be allowed to, in its discretion, limit those present in the courtroom to the parties in the litigation and their attorneys, to promote adequate social distancing.
14. Posting signage at all public entry points to judicial, clerk, and probation facilities advising individuals not to enter the building if they have:
  - a. Visited China, Iran, South Korea, any European countries, or any other high-risk countries identified by the CDC in the previous fourteen (14) days;

- b. Resided with or been in close contact with someone who has been in any of those countries within the previous fourteen (14) days;
  - c. Traveled domestically within the United States where COVID-19 has sustained widespread community transmission;
  - d. Been asked to self-quarantine by any doctor, hospital, or health agency;
  - e. Been diagnosed with or had close contact with anyone who has been diagnosed with COVID-19; or
  - f. A fever, cough, or shortness of breath;
15. Directing bailiffs or court security officers to deny entrance to individuals attempting to enter in violation of these protocols.
16. Allowing individuals with legitimate court business to stay home and request a continuance by phone to the courts if they are ill, caring for someone who is ill, or in a high-risk category.
17. Providing sanitation materials (such as hand sanitizer or bleach wipes) at all courtroom entrances and counsel tables (if available for purchase).
18. Implementing such changes as may be necessary to protect court, clerk, and probation personnel from exposure to the virus.
19. The Judge of the Crawford Circuit Court is working with representatives of Crawford County Government and the Crawford County Task Force to develop a plan consistent with the objectives of the CDC, Indiana Department of Health, Governor of Indiana, and President of the United States to facilitate social distancing to prevent the further spread of COVID-19.
20. Crawford Circuit Court requests that due to the extension of school closures, this Emergency Plan remain in effect until May 30<sup>th</sup>, 2020, and may be extended as needed upon motion of the Court. The Court will provide a status update on April 30<sup>th</sup>, 2020.

Respectfully submitted this 19th day of March, 2020.



SABRINA R. BELL, JUDGE  
CRAWFORD CIRCUIT COURT