

20S-CB-223

**IN RE THE PETITION FOR
EMERGENCY RELIEF PURSUANT TO
AR 17 BY THE BLUFFTON CITY COURT**

**PETITION FOR RELIEF PURSUANT
INDIANA ADMINISTRATIVE RULE 17**

Come now the Bluffton City Court (“Court”) and petitions the Supreme Court for relief under Indiana Administrative Rule 17. In support of this Petition, the Court informs the Indiana Supreme Court as follows:

1. The Judge of Bluffton City Court has convened with the mayor of Bluffton Indiana and have determined:
 - a. The President of the United State of America and the Governor of the State of Indiana have declared a national emergency over the entire State;
 - b. The United States Center for Disease Control is encouraging “social distancing” as a means of limiting the spread of COVID-19, also known as novel coronavirus, and other potentially fatal viruses, and has recommended gatherings of 50 or more persons be cancelled or postponed for 8 weeks.
 - c. The Wells County Health Department has advised that one of the confirmed cases is an adult person who resides in Wells County; however, that person does have limited exposure to Wells County.

The Judge of Bluffton City Court requests that the Indiana Supreme Court declare that an emergency exists in Wells County, under the authority of Ind. Admin. R. 17, and to make appropriate emergency orders directing and allowing the Court and clerk of the Court to alter, modify, and suspend necessary procedures as provided in the emergency plan submitted herewith, so as to appropriately address this emergency.

EMERGENCY PLAN

The Court submits the following as the Emergency Plan of Bluffton City Court and requests authorization to utilize any combination of these measures as the Court deem appropriate:

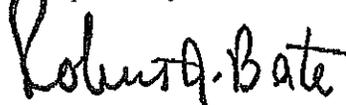
1. Tolling for a limited time all laws, rules, and procedures setting time limits for speedy trials in civil proceedings, all judgments, support, and other orders; and in all other civil and criminal matters before the Court.
2. Continuing and/or rescheduling non-essential hearings.
3. Considering (a) the existence of flu or flu-like symptoms in any attorney, self-represented litigant, or witness expected to testify; (b) exposure of such individuals to anyone who has or may have COVID-19; or (c) status of such individuals in a high-risk

category; to constitute "good cause" to either appear remotely or continue a court setting, to the extent possible without violating statutory or constitutional rights.

4. Subject to applicable Constitutional limitations, limiting spectators (other than parties to the litigation and their attorneys) in courtrooms to the extent necessary to provide adequate social distancing.
5. For court clerk, making drop boxes available, for conventionally filed documents and receipt of payments. The Court will maintain sufficient operations to process emergency matters, mail received, and receipt of payments for fines and judgments.
6. Allowing individuals with legitimate court business to stay home and request a continuance by phone to the court clerk if they are ill, caring for someone who is ill, or in a high-risk category.
7. Posting signage at all public entry points to judicial 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 14 days;
 - b. Resided with or been in close contact with someone who has been in any of those countries within the previous 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 contact with anyone who has been diagnosed with COVID-19; or
 - f. A fever, cough or shortness of breath;
and directing bailiffs or court security officers to deny entrance to individuals attempting to enter in violation of these protocols.

The petitioning Court proposes this plan remain in effect until April 8th, 2020 or as may be extended from time to time, upon Motion of the petitioning Court.

Respectfully submitted:



Robert J. Bate, Judge
Bluffton City Court
Wells County, Indiana