

# In the Indiana Supreme Court



In the Matter of the Petition of the Courts  
of Fountain Circuit, Parke Circuit,  
Vermillion Circuit, and Warren Circuit  
Administrative Rule 17 Emergency Relief.

Supreme Court Case No.  
20S-CB-147

## Order Approving Expansion of Operations Plan In Part

By orders issued April 24 and May 13, 2020, this Court ordered trial courts statewide to submit plans for gradually resuming normal operations under limitations appropriate to the 2019 novel coronavirus (COVID-19) public health emergency. Pursuant to that order, the petitioning courts filed expansion of operations plans (“Plans”) on May 29, 2020.

The Court finds that the Plans were made in coordination with appropriate local authorities and local justice system partners to account for local health conditions, facility readiness, and litigants’ needs; and that the Plans make reasonable provisions for resuming normal staffing, providing public access to non-confidential proceedings, and resuming jury trials. Copies of the Plans are attached to this order and incorporated by reference.

Being duly advised, and pursuant to Indiana Administrative Rule 17 and this Court’s inherent authority to supervise the administration of all courts of this State, the Court ORDERS as follows:

1. All emergency relief previously granted to the petitioning courts under Administrative Rule 17 is deemed to expire as of the effective date of this order, except as provided by this Court’s “Order Extending Trial Courts’ Emergency Tolling Authority and Setting Expiration of Other Emergency Orders” issued May 29, 2020 in Case No. 20S-CB-123. However, this Court’s May 13, 2020 “Emergency Order Permitting Expanded Remote Hearings” and paragraph 3 of its May 13 “Order Extending Time for Expanding Trial Court Operations” in Case No. 20S-CB-123 (prohibiting jury trials before July 1 without prior approval of this Court) remain in full force and effect.
2. In the event a presiding judge of one of the four petitioning counties is unable to serve due to COVID-19 related health issues, including quarantine or mandatory self-isolation, the Court authorizes the judges of the other petitioning courts to exercise general jurisdiction over any and all cases in each other’s courts.
3. The Plans are approved **in part**, with the exception that the Plans shall expire on August 15, 2020. Any or all of the petitioning courts may seek relief from this requirement pursuant to Administrative Rule 17 if a particularized local emergency requires relief beyond that date.

The petitioning courts shall comply with the terms of the Plan **as modified above** through its stated duration, subject to further order of this Court.

Done at Indianapolis, Indiana, on 6/3/2020, **effective May 29, 2020.**

A handwritten signature in black ink that reads "Steve David". The signature is written in a cursive style with a horizontal line underneath it.

Steve David

Acting Chief Justice of Indiana

***FOUNTAIN CIRCUIT COURT TRANSITION PLAN FOR GRADUALLY  
EXPANDING OPERATIONS***

**I. Employment Procedures**

A. Remote work may continue to be allowed where feasible throughout the pandemic, unless otherwise directed by the Court.

B. Employee Screening. Employees who have had recent contact with someone who has COVID-19 shall not return to work until after a period of self-quarantine and remaining symptom free for fourteen (14) days.

Employees are required to monitor their health and shall not report to work if, in the prior three (3) days, they have experienced: Fever of 100.4 or greater; chills; muscle and body aches; headache; sore throat; cough; chest tightness, or shortness of breath; or any new loss of taste or smell. If onset of symptoms occurs at work, employees shall report and go home.

Employees must report if anyone living in their household has tested positive for COVID-19 within the last 14 days.

C. The Court, may be permitted or required to use a rotating schedule to minimize the number of staff in the office at any one time.

D. Employees may be required to wear masks when interacting with visitors, staff, attorneys and members of the public (primarily Probation Officers).

E. Employees are required, when feasible, to maintain a distance of at least six (6) feet from others.

F. Employees are required to practice a frequent schedule of hygiene, including hand washing with soap and water, or using an alcohol-based sanitizer; avoid touching the face; sneezing or coughing into a tissue or the arm; and frequent disinfection of used items and surfaces.

Equipment should not be shared unless unavoidable. Equipment shall be disinfected after use. Common break areas shall not be used by more than one individual at a time, and all surfaces must be disinfected after each use.

G. Judges, court, clerk and security staff as well as members of the public who have a fever of 100.4 degrees or higher are not to come into the courthouse.

H. Judges, court, clerk and security staff as well as members of the public who have trouble breathing and/or a dry, unproductive cough, are not to come into the courthouse.

I. Judges, court, clerk and security staff as well as members of the public who have tested positive for COVID-19 are not to come into the courthouse until medically cleared.

J. Judges, court, clerk and security staff as well as members of the public who have had contact with anyone who has tested positive for COVID-19 are not to come into the courthouse until after 14 days of isolation with no additional contact.

## **II. Screening Procedures for the Public**

A. Screening of persons entering the courtroom and probation and court offices shall continue until further order of Court. Temperatures may be taken and screening questions must be answered before admittance to the courtroom and probation and court offices will be allowed. Those not allowed in will be given appropriate clerk or court contact information.

Screening questions shall include:

- a. Are you experiencing fever, cough or shortness of breath;
- b. Have you been in close contact with someone confirmed to have, or who is being evaluated for COVID-19;
- c. Have you recently visited an area that is subject to quarantine as a result of COVID-19.

Persons answering yes to the above questions will be denied access to the Fountain County Courtroom, court and probation offices. Persons who exhibit symptoms of illness potentially indicating COVID-19 will be denied access as well. Those denied access will be provided information regarding the appropriate entity to contact.

## **III. Courthouse Facility Plan**

A. All persons entering the courtroom or court and probation offices may be required to wear face coverings. Masks will be provided to litigants appearing for court. The public, attorneys and witnesses shall provide their own PPE. Masks shall remain in place during the entire stay. A safe social distance of six (6) feet

shall also be maintained. If an employee is not interacting with others, the mask may be removed while a social distance of six (6) feet is maintained at their workstation. To facilitate communications and a good record, judges, attorneys, parties and witnesses may remove their masks while on the bench, during testimony or argument if able to maintain a social distance of six (6) feet or if plexiglass safeguards are in place.

B. In Court filings will not be permitted until July 4, 2020.

C. All hard surfaces, i.e. tables, chairs, door handles, etc. shall be disinfected after each hearing and, for common doors and areas, at least three times during the day and more frequently depending on use/traffic.

D. Hand sanitizer dispensers shall be available at various locations around the courthouse, including at the entry and exits from the building and courtroom.

E. Only the main entrance to the courtroom shall be used for ingress/security and health screening and egress for court proceedings. The North and South entrances will be used by courthouse staff and LEA only. Plexiglass has been installed for separation in the courtroom, probation offices and court offices. Probationers will not be seated during appointments and no other persons shall be permitted to attend the probation meeting unless the probationer is a juvenile and then only the parent or guardian.

#### **IV. Resuming Non-Emergency Hearings**

A. So long as AR 14 and AR 17 allow, videoconference hearings will continue through pandemic. The court has started in person hearings already on a limited basis, mainly for criminal hearings and the Court continues to strongly encourage the use of Zoom. The Court has set up its Courtroom to accommodate hybrid hearings where some parties/witnesses can appear in person while other appear remotely. The Court will enforce social distancing in the courtroom, and minimizes the number of people coming into, and congregating in, the courtroom and waiting areas at the same time. The Court shall endeavor to schedule hearings so that no more than 10 people are in the courtroom or waiting area at the same time. All in attendance shall adhere to face covering and social distancing requirements.

B. Essential parties, witnesses, and victims shall be admitted to the courtroom, subject to screening. According to our health department, the Courtroom, which is very large, can easily allow up to 20 people and still practice social distancing, so the public will be admitted up to that maximum.

C. When live hearings must be held, attorneys, parties and witnesses must arrive timely and depart promptly upon conclusion.

D. The Court will stagger its docket in order to minimize contact and provide for social distancing.

E. Where possible, remote testimony by witnesses is encouraged.

F. Proposed exhibits and other filings are required to be filed in advance and electronically unless the party is pro se.

## **V. Jury Trials**

A. Jury trials shall not resume before August 1, 2020 unless ordered otherwise by the Supreme Court.

B. The Courtroom is large enough to accommodate staggered jury panels (and likely the whole panel for misdemeanor and civil trials).

C. Jury trials shall be conducted in the courtroom with the jurors, attorneys and witnesses maintaining a safe social distance. In limited spaces, this may require that few, or no, members of the public will be allowed to attend. If necessary, non-confidential portions of trials will be live streamed to the public with any and all recording of the same being forbidden.

D. All exhibits admitted into evidence shall be displayed electronically. No paper copies shall be distributed to or passed among jurors.

E. Recesses and deliberations shall be conducted in the courtroom. During these times, the courtroom will be locked. All business which must be conducted during these times can be conducted by videoconference and/or in chambers with recording in place.

F. Jury summons will include instructions on social distancing and a COVID-19 questionnaire.

H. Automatic deferrals shall be granted for essential workers; jurors with vulnerable health conditions, or living with those who are vulnerable; jurors who have been exposed to COVID-19 and who have not been in quarantine and symptom free for the fourteen (14) days prior to jury service; jurors who are just returning to work after having been furloughed; jurors exhibiting symptoms occurring upon reporting or after jury is impaneled.

## **VI. Planning**

The Court has met with or otherwise communicated with: Fountain County Health Department, Fountain County Emergency Management, Fountain County Ambulance Service, Fountain County Sheriff Department, Fountain County Prosecutor's Office, the other Fountain County Office holders in the Courthouse, Fountain County Council, local Department of Child Services, local defense bar, and Fountain County Commissioners in developing this plan and throughout the pandemic intends to continue do so. Regular meetings among most of these stake holders will continue throughout the year.

## **VI. Court Supervised Services**

The CASA program is doing most of its work remotely. In-person meetings utilize all CDC guidelines for social distancing. Probation have been provided with adequate PPE, utilizes remote meetings whenever possible, and has revamped its drug testing protocols to protect all employees and clients.

***PARKE CIRCUIT COURT TRANSITION PLAN FOR GRADUALLY  
EXPANDING OPERATIONS***

**I. Employment Procedures**

A. Remote work will continue to be allowed where feasible throughout the pandemic, unless otherwise directed by the Court.

B. Employee Screening. Employees who have had recent contact with someone who has COVID-19 shall not return to work until after a period of self-quarantine and remaining symptom free for fourteen (14) days.

Employees are required to monitor their health and shall not report to work if, in the prior three (3) days, they have experienced: Fever of 100.4 or greater; chills; muscle and body aches; headache; sore throat; cough; chest tightness, or shortness of breath; or any new loss of taste or smell. If onset of symptoms occurs at work, employees shall report and go home.

Employees must report if anyone living in their household has tested positive for COVID-19 within the last 14 days.

C. The Court, where feasible, may use a rotating schedule to minimize the number of staff in the office at any one time.

D. Employees are required to wear masks when interacting with visitors, staff, attorneys and members of the public (primarily Probation Officers).

E. Employees are required to maintain a distance of at least six (6) feet from others.

F. Employees are required to practice a frequent schedule of hygiene, including hand washing with soap and water, or using an alcohol-based sanitizer; avoid touching the face; sneezing or coughing into a tissue or the arm; and frequent disinfection of used items and surfaces.

Equipment should not be shared. Copiers shall be disinfected after use. Common break areas shall not be used by more than one individual at a time, and all surfaces must be disinfected after each use.

G. Judges, court, clerk and security staff as well as members of the public who have a fever of 100.4 degrees or higher are not to come into the courthouse.

H. Judges, court, clerk and security staff as well as members of the public who have trouble breathing and/or a dry, unproductive cough, are not to come into the courthouse.

I. Judges, court, clerk and security staff as well as members of the public who have tested positive for COVID-19 are not to come into the courthouse until medically cleared.

J. Judges, court, clerk and security staff as well as members of the public who have had contact with anyone who has tested positive for COVID-19 are not to come into the courthouse until after 14 days of isolation with no additional contact.

## **II. Screening Procedures for the Public**

A. Screening of persons entering the courthouse shall continue until further order of Court. Temperatures will be taken and screening questions must be answered before admittance to the courthouse will be allowed. Those not allowed in will be given appropriate clerk or court contact information.

Screening questions shall include:

- a. Are you experiencing fever, cough or shortness of breath;
- b. Have you been in close contact with someone confirmed to have, or who is being evaluated for COVID-19;
- c. Have you recently visited an area that is subject to quarantine as a result of COVID-19.

Persons answering yes to the above questions will be denied access to the Parke County Courthouse. Persons who exhibit symptoms of illness potentially indicating COVID-19 will be denied access as well. Those denied access will be provided information regarding the appropriate entity to contact.

## **III. Courthouse Facility Plan**

A. All persons entering the courthouse are required to wear face coverings while in the courthouse. Masks will be provided to members of the public when needed. Masks shall remain in place during the entire stay. A safe social distance of six (6) feet shall also be maintained. If an employee is not interacting with others, the mask may be removed while a social distance of six (6) feet is maintained at their workstation. To facilitate communications and a good record,

judges, attorneys, parties and witnesses may remove their masks during testimony or argument while maintaining a social distance of six (6) feet.

B. No in person filings will be allowed in the clerk's office or in the court through at least June 30, 2020.

C. All hard surfaces, i.e. tables, chairs, door handles, etc. shall be disinfected after each hearing and, for common doors and areas, at least three times during the day and more frequently depending on use/traffic.

D. Hand sanitizer dispensers shall be available at various locations around the courthouse, including at the entry and exits from the building and courtroom.

E. Only the West entrance to the courthouse shall be used for ingress/security and health screening and egress. The East entrance will be used by Probation by appointment only. Probation will have a room near the entrance to the East doors where they will do the majority of their face to face meetings in an effort to keep as few people as possible from coming through the rest of the Courthouse.

#### **IV. Resuming Non-Emergency Hearings**

A. So long as AR 14 and AR 17 allow, videoconference hearings will continue through pandemic. The court has started in person hearings already on a limited basis, but strongly encourages the use of Zoom. The Court has set up its Courtroom to accommodate hybrid hearings where some parties/witnesses can appear in person while other appear remotely. The Court will enforce social distancing in the courtroom, and minimizes the number of people coming into, and congregating in, the courtroom and waiting areas at the same time. The Court shall endeavor to schedule hearings so that no more than 10 people are in the courtroom or waiting area at the same time. All in attendance shall adhere to face covering and social distancing requirements.

B. Essential parties, witnesses, and victims shall be admitted to the courthouse, subject to screening. According to our health department, the Courtroom, which is very large, can easily allow up to 25 people and still practice social distancing, so the public will be admitted up that maximum.

C. When live hearings must be held, attorneys, parties and witnesses must arrive timely and depart promptly upon conclusion.

D. The Court will stagger its docket in order to minimize contact and provide for social distancing.

E. Where possible, remote testimony by witnesses is encouraged.

## **V. Jury Trials**

A. Jury trials shall not resume before July 1, 2020.

B. The Courtroom is large enough to accommodate staggered jury panels (and likely the whole panel for misdemeanor and civil trials).

C. Jury trials shall be conducted in the courtroom with the jurors, attorneys and witnesses maintaining a safe social distance. In limited spaces, this may require that few, or no, members of the public will be allowed to attend. If necessary, non-confidential portions of trials will be live streamed to the public with any and all recording of the same being forbidden.

D. All exhibits admitted into evidence shall be displayed electronically. No paper copies shall be distributed to or passed among jurors.

E. Recesses and deliberations shall be conducted in the courtroom. During these times, the courtroom will be locked. All business which must be conducted during these times can be conducted by videoconference and/or in chambers with recording in place.

F. Jury summons will include instructions on social distancing and a COVID-19 questionnaire.

H. Automatic deferrals shall be granted for essential workers; jurors with vulnerable health conditions, or living with those who are vulnerable; jurors who have been exposed to COVID-19 and who have not been in quarantine and symptom free for the fourteen (14) days prior to jury service; jurors who are just returning to work after having been furloughed; jurors exhibiting symptoms occurring upon reporting or after jury is impaneled.

## **VI. Planning**

The Court has met with or otherwise communicated with: Parke County Health Department, Parke County Emergency Management, Parke County Ambulance Service, Parke County Sheriff Department, Parke County Prosecutor's Office, the other Parke County Office holders in the Courthouse, Parke County Council, local Department of Child Services, local defense bar, and Parke County Commissioners in developing this plan and throughout the pandemic intends to

continue do so. In fact, there is a weekly meeting among most of these stake holders where ongoing operations are discussed.

## **VI. Court Supervised Services**

The CASA program is doing most of its work remotely. In-person meetings utilize all CDC guidelines for social distancing. Probation has been provided with adequate PPE, utilizes remote meetings whenever possible, uses one dedicated room close to the building entrance for any necessary in-person meetings, and has revamped its drug testing protocols to protect all employees and clients.

***VERMILLION CIRCUIT COURT TRANSITION PLAN FOR GRADUALLY  
EXPANDING OPERATIONS***

**I. Employment Procedures**

A. Remote work will continue to be allowed where feasible throughout the pandemic, unless otherwise directed by the Court.

B. Employee Screening. Employees who have had recent contact with someone who has COVID-19 shall not return to work until after a period of self-quarantine and remaining symptom free for fourteen (14) days.

Employees are required to monitor their health and shall not report to work if, in the prior three (3) days, they have experienced: Fever of 100.4 or greater; chills; muscle and body aches; headache; sore throat; cough; chest tightness, or shortness of breath; or any new loss of taste or smell. If onset of symptoms occurs at work, employees shall report and go home.

Employees must immediately report if anyone living in their household has tested positive for COVID-19 within the last 14 days.

C. The Court, where feasible, may use a rotating schedule to minimize the number of staff in the office at any one time.

D. Employees are required to wear masks when interacting with visitors, staff, attorneys and members of the public.

E. Employees are required to maintain a distance of at least six (6) feet from others.

F. Employees are required to practice a frequent schedule of hygiene, including hand washing with soap and water, or using an alcohol-based sanitizer; avoid touching the face; sneezing or coughing into a tissue or the arm; and frequent disinfection of used items and surfaces.

Equipment should not be shared. Copiers shall be disinfected after use. Common break areas shall not be used by more than one individual at a time, and all surfaces must be disinfected after each use.

G. Judges, court, clerk and security staff as well as members of the public who have a fever of 100.4 degrees or higher are not to come into the courthouse.

H. Judges, court, clerk and security staff as well as members of the public who have trouble breathing and/or a dry, unproductive cough, are not to come into the courthouse.

I. Judges, court, clerk and security staff as well as members of the public who have tested positive for COVID-19 are not to come into the courthouse until medically cleared.

J. Judges, court, clerk and security staff as well as members of the public who have had contact with anyone who has tested positive for COVID-19 are not to come into the courthouse until after 14 days of isolation with no additional contact.

## **II. Screening Procedures for the Public**

A. Screening of persons entering the courthouse shall continue until further order of Court. Temperatures will be taken and screening questions must be answered before admittance to the courthouse will be allowed. Those not allowed in will be given appropriate clerk or court contact information.

Screening questions shall include:

- a. Are you experiencing fever, cough or shortness of breath;
- b. Have you been in close contact with someone confirmed to have, or who is being evaluated for COVID-19;
- c. Have you recently visited an area that is subject to quarantine as a result of COVID-19.

Persons answering yes to the above questions will be denied access to the Vermillion County Courthouse. Persons who exhibit symptoms of illness potentially indicating COVID-19 will be denied access as well. Those denied access will be provided information regarding the appropriate entity to contact.

B. Any inmates being brought in to the Vermillion County Jail from another facility will also be screened under the same criteria.

## **III. Courthouse Facility Plan**

A. By ordinance of the Vermillion County Commissioners, persons entering the courthouse are required to wear face coverings while in the courthouse. Members of the public presenting for court without a mask will be provided one

when needed. Masks shall remain in place during the entire stay. A safe social distance of six (6) feet shall also be maintained. If an employee is not interacting with others, the mask may be removed while a social distance of six (6) feet is maintained at their workstation. To facilitate communications and a good record, judges, attorneys, parties and witnesses may remove their masks during testimony or argument while maintaining a social distance of six (6) feet.

B. No in person filings will be allowed in the clerk's office or in the court through at least June 30, 2020. Electronic filing, by fax or e-filing, is available, and a receptacle for filings shall remain outside the clerk's office. All filings placed in the receptacle must be fastened together or in an envelope and shall be processed as soon as possible.

C. All hard surfaces, i.e. tables, chairs, door handles, etc. shall be disinfected after each hearing and, for common doors and areas, at least three times during the day and more frequently depending on use/traffic.

D. Hand sanitizer dispensers shall be available at various locations around the courthouse, including at the entry and exits from the building and courtroom and at counsel tables.

E. Only the West entrance to the courthouse shall be used for ingress/security and health screening and egress. In an effort to keep as few people as possible from coming through the rest of the Courthouse, Probationers with appointments for face-to-face visits must appear alone, will be screened upon entry, must wear a mask at all times when in the courthouse and will be escorted to and from their appointment to the courthouse door. Security staff has been provided masks for probationers who appear without a mask and will call probation staff upon a probationer's arrival so they may be escorted.

#### **IV. Resuming Non-Emergency Hearings**

A. So long as AR 14 and AR 17 allow, videoconference hearings will continue throughout the pandemic. The court may hold in person hearings on a limited basis, but strongly encourages the use of Zoom conferencing. The Court has set up its Courtroom to accommodate social distancing in the courtroom, and will minimize the number of people coming into, and congregating in, the courtroom and waiting areas. The Court shall endeavor to schedule hearings so that no more than 10 people are in the courtroom or waiting area at the same time. All in attendance shall adhere to face covering and social distancing requirements.

B. Essential parties, witnesses, and victims shall be admitted to the courthouse, subject to screening. Practicing social distancing, the Courtroom can

accommodate up to 12 people and still practice social distancing, so the public will be admitted up to that maximum. If necessary, an overflow area can be set up in the courthouse auditorium.

C. When live hearings must be held, attorneys, parties and witnesses must arrive timely and depart promptly upon conclusion.

D. The Court will stagger its docket in order to minimize contact and provide for social distancing.

E. Where possible, remote testimony by witnesses is encouraged.

## **V. Jury Trials**

A. Jury trials shall not resume before July 1, 2020.

B. The courthouse auditorium will be utilized to accommodate staggered jury panels for jury selection.

C. Jury trials shall be conducted in the courtroom with the jurors, attorneys and witnesses maintaining a safe social distance. In limited spaces, this may require that few, or no, members of the public will be allowed to attend. If necessary, non-confidential portions of trials will be live streamed to the public with any and all recording of the same being forbidden.

D. All exhibits admitted into evidence shall be displayed electronically. No paper copies shall be distributed to or passed among jurors.

E. Recesses and deliberations shall be conducted in the courtroom. During these times, the courtroom will be locked. All business which must be conducted during these times can be conducted by videoconference and/or in chambers with recording in place.

F. Jury summons will include instructions on social distancing and a COVID-19 questionnaire.

H. Automatic deferrals shall be granted for essential workers; jurors with vulnerable health conditions, or living with those who are vulnerable; jurors who have been exposed to COVID-19 and who have not been in quarantine and symptom free for the fourteen (14) days prior to jury service; jurors who are just returning to work after having been furloughed; jurors exhibiting symptoms occurring upon reporting or after jury is impaneled.

**VI. Planning**

The Court has met with or otherwise communicated with: Vermillion County Health Department, Vermillion County Emergency Management, Vermillion County Sheriff Department, Vermillion County Prosecutor's Office, Vermillion County Clerk's Office, local Department of Child Services, local defense bar, and Vermillion County Commissioners in developing this plan and throughout the pandemic and intends to continue to do so. Biweekly County Commissioners meetings are held in the Courthouse and ongoing operations are discussed.

**VI. Court Supervised Services**

The CASA program is doing most of its work remotely. In-person meetings utilize all CDC guidelines for social distancing. Probation has been provided with adequate PPE, utilizes remote meetings whenever possible, and has reviewed its drug testing protocols to protect all employees and clients.

Juror Name: \_\_\_\_\_ Juror #: \_\_\_\_\_

**ADDITIONAL JUROR QUESTIONNAIRE REGARDING COVID-19**

1. Are you an essential healthcare worker? \_\_\_\_ YES \_\_\_\_ NO  
2. If yes, where are you employed and in what capacity? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Have you been exposed to COVID-19? \_\_\_\_ YES \_\_\_\_ NO

4. If yes, approximate date of exposure: \_\_\_\_\_

5. Have you tested positive for COVID-19? \_\_\_\_ YES \_\_\_\_ NO

6. If yes, approximate date of positive test: \_\_\_\_\_

7. Are you currently experiencing any symptoms of COVID-19 and been told to quarantine? \_\_\_\_ YES \_\_\_\_ NO

8. If yes, on what date were you told to quarantine? \_\_\_\_\_

9. Are you an employee who has been laid off due to COVID-19 and have recently been returned to work? \_\_\_\_ YES \_\_\_\_ NO

10. If yes, where are you employed, how long were you laid off, and when did you return to work? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

11. Are you considered an individual in a vulnerable population due to age or health conditions? \_\_\_\_ YES \_\_\_\_ NO

12. Any other concerns related to COVID-19 you have regarding your jury service? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**I SWEAR OR AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE ABOVE STATEMENTS, REPRESENTATIONS, AND ANSWERS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.**

\_\_\_\_\_  
SIGNATURE OF JUROR

# Warren Circuit Court Transition Plan

## 1. Administrative Rule 17 Components

- a. Request the Supreme Court extending the tolling of all laws, rules, and procedures setting time limits for speedy trials in criminal and juvenile proceedings, before the Warren Circuit Court until July 1, 2020, with all tolling under Criminal Rule 4 to begin anew on said date in each case that was pending at the time this Plan was filed.
- b. Request the Supreme Court extend the suspension of in person new juror orientations, and/or postponement of jury service to a later date for jurors who are vulnerable or post high risk to others, for as long as the public health emergency for coronavirus (“COVID-19”) declared by Executive Order 20-02 (the “Public Health Emergency”), remains in effect, so as to require social distancing.
- c. Request the Supreme Court extend the authorization of the Court, in its discretion and subject to applicable Constitutional limitations, to limit spectators in its courtroom to the extent necessary to provide adequate social distancing, so long as public access is otherwise provided, for as long as the Public Health Emergency, remains in effect, so as to require social distancing.
- d. Request that the Supreme find that this Court may continue to consider (a) the existence of flu or flu-like symptoms in any attorney, self-represented litigant, or witness expected to testify; or (b) exposure of such individuals to anyone who has or may have the virus; to constitute “good cause” to either appear remotely or continue a court setting, to the extent possible without violating statutory or constitutional rights, for as long as the Public Health Emergency, remains in effect.
- e. Request that the Supreme Court continue to authorize signage to be posted at all public entry points to judicial facilities advising individuals not to enter the building if they have:
  - i. Visited China, Iran, South Korea, any European countries, or any other high-risk countries identified by the Centers for Disease Control and Prevention (“CDC”) in the previous 14 days;
  - ii. Resided with or been in close contact with someone who has been in any of those countries within the previous 14 days;
  - iii. Traveled domestically within the United States where the virus has sustained widespread community transmission;
  - iv. Been asked to self-quarantine by any doctor, hospital, or health agency;
  - v. Been diagnosed with or had contact with anyone who has been diagnosed with the COVID-19 in the past 14 days, or
  - vi. Has covid-like symptoms, as identified by the Centers for Disease Control, in the past 14 days;and to direct bailiffs or court security officers to deny entrance to individuals attempting to enter in violation of these protocols, for as long as the Public Health Emergency, remains in effect.
- f. Request that the Supreme Court continue to authorized that in the event a presiding judge of this Court is unable to serve due to COVID-19 related health issues, including quarantine or mandatory self-isolation, the judges of Fountain, Parke, or Vermillion Counties be authorized

to exercise general jurisdiction over any and all cases in the Warren Circuit, for as long as the Public Health Emergency, remains in effect.

## 2. Planning

- a. This Plan was developed after consultation by the Court with local community stake holders in Warren County (“County”) and state government, including but not limited to: County Health Officer, Emergency Management Director, Pauper Attorneys, Prosecutor, Clerk of the Court; Chief Probation Officer, Commissioners, Indiana Office of Court Services, Senior Judge representative, Community Corrections Director, Local Office of Department of Child Services, CASA Director, regional and district judicial officers, and others, and based upon printed materials from the Indiana State Department of Health, County Health Department, Supreme Courts of Michigan, Ohio, and Georgia, CDC, and other state and local offices.
- b. The Court has reviewed and will continue to review County health data using the *Indiana COVID-19 Dashboard*, published by the Indiana State Department of Health at [www.coronavirus.in.gov](http://www.coronavirus.in.gov) for this county and in conjunction with information from the local health department.
- c. The Court will expect 14-day period of a downward or even trajectory in local data, before advancing to the next phase dates for expanding operations, by considering: covid deaths; positives cases as a percentage of total cases tested; and, local hospitals treating all patients without crisis care.
- d. A media campaign will be employed to share this information with the public, local bar association, community and elected officials, to gain voluntarily compliance.
- e. The Court, during the planning stage, has adopted key terms used in this Plan.
  - i. “Court Offices” shall mean to the Courtroom, Court Offices, Probation Offices, and area immediately adjacent thereto.
  - ii. “COVID-19 symptoms” means, as adopted by the CDC at the time of this Plan or later modified by the CDC:
    1. Fever (100.4 that day or in the preceding 3 days).
    2. Shortness of breath or difficulty breathing
    3. Chills
    4. Muscle and body aches
    5. Sore throat
    6. New loss of taste or smell
    7. This list is not all possible symptoms. Other less common symptoms have been reported, including gastrointestinal symptoms like nausea, vomiting, or diarrhea
  - iii. “High Risk”, shall refer to a person who:
    1. has experienced COVID-19 symptoms in the past 2-14 days;
    2. has tested positive for COVID-19 in the past 14 days;
    3. has been in contact with a person in the past fourteen (14) days, that tested positive for COVID-19; or
    4. has been ordered to quarantine or self-isolate by a medical professional or local health officer.
  - iv. “Phase” shall mean the four stages of expanded court operations, recommended in the *Resuming Operations of the Trial Courts – COVID-19 Guidelines*, with Phase

I currently in effect; Phase II estimated to begin by May 30<sup>th</sup>; Phase III estimated to begin there after based on local health data (Jury Trials not begin before July 1<sup>st</sup>); and Phase IV to begin when the Public Health Emergency is over.

- v. “Social Distancing”, also called physical distancing, shall mean keeping space between a person and other people outside of that person’s home. To practice social or physical distancing:
  1. Stay at least 6 feet (about 2 arms’ length) from other people, and
  2. Do not gather in groups (in excess of stated capacities).
- vi. “Visitors” shall mean any person coming to the Court Offices, who is not an employee of the Court, including attorneys, litigants, spectators, and witnesses.
- vii. “Vulnerable” means a person over the age of 65, or anyone who has any of the following underlying medical conditions:
  1. chronic lung diseases or moderate to severe asthma;
  2. serious heart conditions;
  3. immunocompromised from any disease such as cancer, smoking, AIDS, or medications that compromise immunity;
  4. severe obesity (BMI of 40 or higher); or
  5. chronic kidney disease requiring dialysis.

### 3. Employment Procedures

- a. Court Employees will take the same steps as visitors, plus these additional steps to minimize the spread of viruses in areas and on surfaces around the Court Offices, which are now adopted as a Court Procedure the following throughout this Public Health Emergency:
  - i. Clean and sanitize work areas often.
  - ii. Provide hand sanitizer and/or wipes and trash cans at counsel tables, when supplies are available and encourage visitors to wipe down or wash their hands.
  - iii. Provide wipes or napkins in break area, for use when handling microwaves, refrigerator and cabinet doors, and cleaning of handles on coffee makers or drink dispensers; and promote washing hands immediately after handling those surfaces.
  - iv. Avoid closing doors, to increase air circulation and reduce the need to handle door knobs or latches; consider virus film for elevator and handicap buttons; and open windows when weather permits to increase air circulation.
  - v. Avoid sharing phones, microphones, writing utensils or other office equipment that come in contact with the face, mouth or hands, and when necessary keep those surfaces sanitized after use.
  - vi. Employees shall wear face coverings when working or coming within six (6) feet of others.
  - vii. Notify supervisor, if experiencing COVID-19 like symptoms; have tested positive for COVID-19; or have been instructed to quarantine by medical professionals or health officers. Employees shall check their temperatures before coming to work and in the evening to monitor for fever above 100.4°F, reporting elevated temperature, covid-like symptoms or exposure to their supervisor immediately and without returning to work. Employees experiencing symptoms, while in the workplace, shall leave the work place immediately and phone their supervisor after leaving the building to report concerns. Employees shall get tested if they are

experiencing covid-like symptoms. Employees may be required to self-isolate, even with a negative result, depending upon the severity of symptoms and exposure. Employees shall report if someone they live with or have been with in the last fourteen days tests positive for COVID-19. Disciplinary action may result of a violation of these paragraph or directives in this Plan. Employees should: consult the *Self-Checker: A Guide To Help You Make Decisions And Seek Appropriate Medical Care* on the CDC website, which provides a short quiz to help employees decide whether to seek treatment; call a physician; and/or contact the local health department to inquire about testing.

*Self-Checker: A Guide to Help You Make Decisions and Seek Appropriate Medical Care:* <https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

- viii. When employees must come within six (6) feet of another person or place hands upon another person, in the scope of their employment, such as for courthouse or probation searches, screening, arrest, or other lawful interactions, employees shall: wear appropriate personal protective equipment (“PPE”) of medical grade (i.e., N95/N99), and gloves; ask advanced screening questions of the individual; and, ask the individual to wear a face covering, all if appropriate and time permitting under exigent circumstances. Employees shall take steps to separate desks, work stations, and seating areas, from other employees and visitors to maintain social distancing, whenever possible. The Court provided all employees with medical grade PPE masks (N95/N99), gloves, and made disposable face covering are also available.
  - ix. Physical changes and sign postings will occur at the Court Offices, set forth in Section 4, to protect employees from visitors and other employees, by promoting social distancing, hand washing, and other healthy practices.
  - x. The Court will inquire of employees as to those, who consider themselves vulnerable and offer reasonable accommodations to protect against COVID-19, as set forth through this Plan and welcome other suggestions.
  - xi. The Court will share information with employees on resources for mental health support, including *Be Well Indiana*, where employees may speak with someone directly about COVID-19, at the ISDH COVID-19 Call Center (open daily from 8 a.m. to midnight ET: 877-826-0011) or by visiting [www.bewellindiana.com](http://www.bewellindiana.com), or calling 2-1-1 from a mobile phone, or texting the employee’s zip code to 898-211.
- b. Phase I
- i. The Court plan to make reasonable accommodations to isolate vulnerable workers, by heightened social distancing and eliminating access to public, which may including telework, where feasible.
  - ii. To maximize social distancing, employees and visitors should maximize physical distance from others, with a goal of maintaining six (6) feet social distancing. The Court will post signage and physical barriers, including taping off areas, remove/rearranging seats, floor decals, and other increased messaging to promote awareness with employees and visitors of social distancing requirements. The Court will compel non-household members to social distance in the Court offices.
  - iii. Employees will be prohibited from congregating in violation of social distancing guidelines; encouraging re-spacing of workstations to meeting CDC guidelines;

meetings will be conducted by remote appearance; suspend in person trainings and continuing education; and encourage employees to explore innovative methods to improve social distancing in all aspects of court and probation services.

- iv. The Court will encourage telework, when feasible with Court operations, and minimize non-essential business travel.
  - v. Probation and Problem-Solving Court appointments, home visits, and searches when necessary, will occur using social distancing practices and approved medical grade PPE. Written, video, or telephonic reporting and will be used in all cases, except where in person is necessary due to protect the community. Sweat patches for drug screens, kiosk check-ins, and smart phone apps for searches/visits will be used to reduce face-to-face contact with probation officers and clients, to supplement conventional methods of telephone, mail and e-mail reporting. If conventional UA drug testing is necessary, best practices for section (a)(viii) above shall be followed.
- c. Phase II
- i. Telework will be permitted, so long as court operations and business needs permit, if feasible, to assist with reasonable accommodations or staggering of employees.
  - ii. Non-Essential travel for business will be permitted.
  - iii. Probation and Problem-Solving Court, appointments and home visits will return to regular frequency, while insuring persons in waiting areas adhere to social distancing practices, by promoting: timely meetings; prompt arrival/departure by clients; discouraging of guests and children with probationers; and encouraging remote reporting for low risk or compliant clients.
  - iv. Conventional UA drug testing may resume with greater regularity, while still following section (a)(viii) best practices above, with high risk on IRAS and Problem-Solving Court participants prioritized.
- d. Phase III
- i. The Court will resume normal staffing operations through Phase IV.
  - ii. Conventional UA drug testing may resume at pre-pandemic levels with both probationers and Problem-Solving Court participants. Clients shall be screened, by the use of medical grade PPE will be at the discretion of the Probation officer, with clients encouraged to wear face coverings.
  - iii. Monitoring of employee health issues will conclude, with employees directed to self-report if they become High Risk through Phase IV.
- e. Phase IV
- i. Operations resume to pre-pandemic practices in Probation.
  - ii. Probation officers, Chief Probation Officer and Court will staff best practices and technology from pandemic to continue.

#### 4. Courthouse Security Plan

- a. Employees and visitors to the Court Offices shall be advised to practice good hygiene, designed to minimize the spread of viruses, including these admonishments:
  - i. Wash your hands with soap and water or use hand sanitizer, especially after touching frequently used items or surfaces.
  - ii. Avoid touching your face.
  - iii. Sneeze or cough into a tissue, or the inside of your elbow.

- iv. Disinfect frequently used items and surfaces as much as possible.
  - v. Strongly consider using face coverings while in the Court Offices.
  - vi. Avoid all physical contact, such as shaking hands.
  - vii. People who feel sick shall stay home
  - viii. Do not enter the Court Offices, if you are at high-risk of infecting others.
  - ix. Visitors should not bring personal items to Court Offices, such as hand bags, purses, backpacks, and the like, which would require searching and add increased surfaces for cross-contamination.
- b. The Court has posted floor markings to: separate employees from each other and the public; promoting social distancing; and create visual awareness of 6' spacing. The Court has also modified seating capacity, specified a traffic flow, and restricted certain areas, all to further ensure social distancing and capacity limitations are met. These will remain for as long as the Public Health Emergency requires social distancing.
- c. Phase I
- i. Through Phase III, custodial and/or courtroom staff will clean the Courtrooms after use, including points of ingress and egress (handrails, door handles, handicap and elevator buttons, and the like), and these practices:
    - 1. Disinfection of common and high-traffic areas.
    - 2. Spot clean contact areas during recess and breaks, in the Courtrooms and access areas.
    - 3. Avoid closing doors, to increase air circulation and reduce the need to handle door knobs or latches; install anti-virus film for elevator/handicap buttons and kiosks, as available; and open windows when weather permits to increase air circulation.
  - ii. Provide wipes or napkins in kitchen area with sanitizing spray, for use when handling microwaves, refrigerator and cabinet doors, and cleaning handles of coffee makers or drink dispensers; and post signs requiring employees to wash hands immediately after handling those surfaces.
  - iii. Through Phase II, mail coming from the jails, prisons, work release centers, or other confinement facilities, shall be placed in safe storage for 36 hours before processing.
  - iv. Through Phase II, the Court will work with county executives to limit public access to the building to one entrance and suggest screening practices.
- d. Phase II
- i. As visitors increase to the Court, Courtroom Deputies will insure strict compliance with social distancing and barriers displayed.
  - ii. Improvements to Court infrastructure will be made, if needed, to allow for text notifications, when Court Offices capacity limits are close to being exceeded. Visitors (including media) will provide contact, case, and cell phone information to staff, then be given an estimated wait time and directed to wait outside or in their vehicle. Staff may then send text notifications using Google Voice or another platform, when the interested case is nearing the top of the docket. This will also be used by probation. Staff will minimize congestion in court lobby, by directing litigants into courtroom when possible, to improve social distancing.
- e. Phase III
- i. The Court has identified a local library across the street that may be used as an alternate location for jury deliberations. The Courtroom has adequate size for



- c. Phase III
  - i. Court staff will continue to make available surgical type face masks to those visitors, adults and children over the age of two (2) years, who fail to bring their own masks. Signs will remain posted encouraging face coverings, but courtroom deputies will no longer make courtesy suggestions.
  - ii. Employees will no longer be required to take their temperatures daily, unless a fever is suspected or other covid-like symptoms present to the employee or those in close contact with them.
  - iii. As Jury Trials resume, masks/signs will be made available to take to any remote location, if used, to promote social distancing and markings at those locations while used by the Court.
- d. Phase IV
  - i. Court facilities return to normal operations.
  - ii. Discussions with courtroom deputies, staff, and county executives to determine those best practices and technology from pandemic to continue.

## 6. Resuming Non-Emergency Hearings

- a. Phase I
  - i. All vulnerable individuals should continue to avoid the Court Offices or seek reasonable accommodations, if avoidance is not feasible. Members of households with vulnerable residents should be aware that when coming to Court Offices, where distancing is not practical, they could carry the virus back home. Vulnerable members of the public should continue to self-isolate, including appear remotely for hearings or seeking continuances. Parties seeking continuances should include in motions if they are vulnerable or high-risk members of the community, which may be considered good cause in all most the most critical matters.
  - ii. The Court will prioritize cases to be heard, with incarcerated defendants, CHINS/TPR Initial and Detention Hearings, Protective Orders, and emergency provisional family law matters continuing to have priority. Low priority cases, such as final hearings on divorces without children, proceedings supplemental, civil jury trials, and estate matters may not be heard until Phase IV. Within similar priority cases, the Court will address a first in – first out basis (“FIFO”), hearing those cases which were first to be stayed/continued during earlier phases, being the first to come out of the stay and set for further proceedings.
  - iii. Problem Solving Court treatment team will be held virtually (or hybrid) through Phase III, followed by all participants meeting either remotely or in person (staggered times) during this Phase. The Court appreciates the unique benefit afforded to all participants and treatment team members when all parties are present during each participants court session, such that these matters may require accommodations throughout Phase III, to insure all participants are present, remotely or in person, for the entire duration of Court, without offending court capacity and social distancing limits.
  - iv. The Court will incentivize priority settings to those attorneys and litigants who agree to appear remotely, by setting hearings dedicated to remote sessions.

- v. Senior judges and *pro tems* will be used liberally for remote hearings, when the presiding judge is unavailable or for concurrent sessions using Zoom. The Court and senior judge have worked in test hearings through Zoom, to enable a smooth transition and prepare the senior judge for the new platform and local practices.
- vi. Through Phase III, the Court will maximize remote hearing for DOC and jail inmate, exercising great care to minimize the movement of incarcerated individuals to the Court Offices and strive to minimize movement of inmates between jailing facilities.
- vii. During any hearing, throughout this Plan, where the public is excluded from the Courtroom, the Court will: (1) publish the Zoom hearing information in the order setting the hearing or by docket entry, which will be available on [mycase.IN.gov](http://mycase.IN.gov); and/or (2) live stream the court proceedings.

b. Phase II

- i. All vulnerable individuals should continue to avoid the Court Offices, unless reasonable accommodations can be made. Members of households with vulnerable residents should be aware that when coming to Court Offices, where distancing is not practical, they could carry the virus back home. Vulnerable or high-risk members of the public should continue to self-isolate, by appearing remotely for hearings or seeking continuances. Parties seeking continuances should include in motions if they are vulnerable or high-risk members of the community, which will generally be considered good cause in most matters.
- ii. Court dockets will resume with in person hearings being staggered, avoiding any “cattle call” type hearings that would violate social distancing considerations and ISDH or local health department’s recommended maximum capacities.
- iii. Through Phase III, Problem Solving Court participants will continue meeting remotely, but with an increasing number of staggered in person hearings occurring during the sessions on a rotating basis, or as needed based upon each individual therapeutic participant’s needs and team recommendations. Remote hearings may be offered as incentives and to assist with social distancing at the same time.
- iv. The Court will continue closely prioritize cases to heard, with incarcerated defendants, CHINS/TPR’s of all types, Protective Orders, and emergency provisional family law matters continuing to have priority. More moderate level cases will be scheduling, including contested custody matters, IV-D and family law matters, pretrial hearings on civil cases and infractions, and all remaining criminal cases. Within similar priory cases, the Court will address a FIFO basis, hearing those cases which were continued at the start of the pandemic.
- v. The Court will incentivize priority settings to those attorneys and litigants who agree to appear remotely, by setting hearings sessions dedicated to matters that can be resolved remotely.
- vi. Criminal bench trials will begin, with witnesses staggered to avoid capacity limits. Paging and queuing will continue. Remote civil bench trials may resume, if scheduling permits, with priority given to remote hearings.
- vii. Most hearings occurring during this phase will be held remotely, including evidentiary hearings. Only those with the highest concerns for constitutional protections and timeliness, or those having complex issues, should be conducted in person during this Phase, unless scheduling permits otherwise.

- c. Phase III
  - i. Vulnerable individuals can resume regular visits to Court offices, but should practice social distancing, avoiding visits during congested times where distancing may be impractical, unless precautionary measures are observed, as greater groups may be expected during this phase. The Court may consider the need to have occasional settings reserved for vulnerable litigants. High risk individuals will still be required to appear remotely or seek continuances.
  - ii. The Court will continue to strongly encourage remote hearings, when constitutionally appropriate, but more traditional hearings in person may resume to improve court access and case resolutions.
  - iii. To improve case resolutions, the Court may relax restrictions on Courtroom lawyering, allowing attorney-client conferencing to occur, so long as social distancing and capacity limits are observed, but avoiding pre-pandemic practices. Courtroom negotiations and conferences should be kept to a minimum until Phase IV.
  - iv. In later stages of Phase III, the Court will begin to examine any cases that have been delayed since the start of the pandemic to consider docket priority in the early stages of Phase IV.
- d. Phase IV
  - i. All cases will resume on a FIFO basis, as the backlog from the pandemic is address.
  - ii. Court, staff, and local bar will address those best practices and technology from pandemic to continue.

## 7. Jury Trials

- a. Phase I
  - i. Jury Trials remain stayed until Phase III (July 1, 2020).
  - ii. Final Pretrial Hearings should be held on those cases anticipated for Phase III settings, and summons jurors, if not already under summons. Court will discuss with attorneys, the new practices to be used for jury selection and trials, to seek input and prepare them for trial, encouraging only the most serious be set for firm trial dates, and strongly discourage setting trials where a resolution is expected.
  - iii. The Court will review Jury Trials set for Phase III and IV, to identify whether additional panel members should be summonsed. The Court will revise its current jury questionnaire to include appropriate COVID-19 questions and prepare literature for prospective jurors on the new selection process and the Court's practices. The Court will communicate information to prospective jurors who may develop symptoms of COVID-19 in the 14 days prior to reporting for jury duty, of the best practices for high risk individuals and manner in which to notify the Jury Administrator.
  - iv. The Court is exploring web-based jury questionnaire submission, to minimizing document handling and allow for more rapid and increase responses, as a supplement to traditional mail-in processes.
- b. Phase II

- i. Revised jury questionnaires will be reviewed to determine best estimates for jury appearance rates, to make final adjustments to panel size.
    - ii. Juror deferrals will be granted liberally to: vulnerable jurors; high risk jurors; front line and essential workers; previously furloughed workers just returning to work; employees of long term care facilities; those without childcare due to COVID-19; and others most impacted by COVID-19.
    - iii. Final review of Administrative Rule 17 concerns should occur to confirm all local data and best practices supports the safe and practical commencement of Jury Trials on July 1, 2020, as expected without further extensions or Criminal Rule 4 concerns.
  - c. Phase III
    - i. Criminal Jury trials will resume first, to include those with pending Early Trial motions under Criminal Rule 4, on a FIFO basis. Other criminal jury trials with incarcerated defendants will follow, with priority given to Level 6 felony and misdemeanor jury trials, requiring fewer jurors and smaller panels. The Court may consider the use of remote jury selection where appropriate and by agreement. Jurors will be provided with meals from local restaurants who agree to comply with health department procedures limits contact with the foods, or given the opportunity to leave for lunch, at each juror's discretion. Court staff picking up the food will exercise safe practices. Masking will be encouraged with all jurors and PPE provided, while social distancing is mandated.
    - ii. The Court will primarily use block/staggered panels for jury selection, with parties arriving at staggered times in groups; or at an off-site location if necessary, to maintain social distancing. Accommodations have been made to courtroom and jury seating to comply with social distancing guidelines, with court staff monitoring group size. Jurors will be mailed the advanced information concerning social distancing, which will include the jury video and an admonishment to view the same.
    - iii. The Court is developing a COVID-19 Jury Questionnaire, including an option to complete and submit it online, to avoid handlining paper. Jury instruction may be shared by power point to avoid coming in proximity to the jury.
    - iv. The Jury room and waiting area, have been marked with signs to adjust for new seating capacity. In the event of larger juries requiring greater capacity, the Courtroom will be used for deliberations, the jury will be split into separate rooms for jury breaks, and an off-site location next the Courthouse has been identified for use.
  - d. Phase III
    - i. Criminal Jury Trials of all types not addressed in Phase II, will be given priority.
    - ii. The Court will continue to practice those social distancing and policies set forth for juries in Phase II.
    - iii. If all pre-Phase I criminal jury trials are disposed of and current criminal jury trials addressed timely, the Court will begin addressing civil jury trials on FIFO basis, encouraging ADR in cases to minimize unnecessary trials.
  - e. Phase IV
    - i. All jury trials will resume without social distancing and under pre-pandemic practices.

- ii. The Court, Jury Administrator, staff, and local bar will address those best practices and technology from pandemic to continue.

## 8. Court Supervised Services

### a. Phase I

- i. Court Appointed Special Advocates (“CASAs”) may resume home visits in the critical cases needed to assure the safety of children, including in-home CHINS, but are encouraged to continue to conduct most visits virtually. CASA shall: call first (exigent circumstance excepted) to conduct high risk and vulnerable occupant screening questions; maintain social distancing; and wear appropriate PPE during any on-site visits. CASAs who are vulnerable themselves, should not be used for home visits, and the Court authorizes continued remote visits or substitute CASAs in lieu thereof. Homes where vulnerable individuals may be found, should be avoided during this Phase, as much as possible, and high-risk homes avoided completely by CASAs. CASAs shall comply with the same self-screening practices as court employees (*See*: Section 3), concerning self-assessments to determine risk of covid-like symptoms, reporting the same to the CASA Director through Phase 3.
- ii. The Court will provide CASAs and pretrial services with PPE. Both should use remote appearances for testimony during hearings, family team meetings, and the like, using free Zoom licenses or other platforms.
- iii. Pretrial services will resume with all but the highest risk and seriously non-compliant clients posing a risk to the community, while others continue to be monitored by remote means (call-in, write-in, kiosks, web portals, or virtual applications). It will be a reasonable rule of supervision during the pandemic to require compliance with remote reporting and monitoring. Anti-virus film will be installed to cover pretrial kiosks, which will be subject to more frequent sanitization practices and signage to order users to wash hands after use.

### b. Phase II

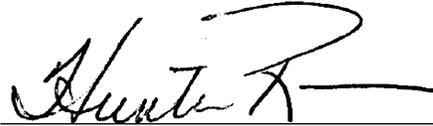
- i. CASA may resume more liberal home visits. Homes with vulnerable individuals, should be visited only in higher risk cases and with advance notice, so that those individuals may practice greater social distancing from the CASA, including going to another location in the home. Social distancing must be maintained with occupants of these homes, including all children, who may not appreciate social distancing guidelines.
- ii. Pretrial services will continue with some expanded face-to-face visits occurring with moderate to high risk, non-compliant offenders, while still promoting remote check-in for all compliant and low risk offenders. Pretrial Services should continue to be considerate of vulnerable clients and weigh heavily the need for face to face reporting. If a vulnerable client must come to the office, the employees shall wear face coverings, in addition to social distancing.

### c. Phase III

- i. CASAs may resume home visits as needed, adhering to social distancing and masking recommendations. Vulnerable CASAs should still avoid performing home visits. Visits may be alternated between virtual and face-to-face, with non-

- vulnerable CASAs. Remote appearances in court will continue to be strongly encouraged.
- ii. Pretrial services resume with more liberal face to face visit of moderate to high risk offenders for compliance, but less frequent than pre-pandemic levels, using remote access as a substitute.
- d. Phase IV
- i. CASA resumes pre-pandemic best practices for visits and CASA operations.
  - ii. Pretrial Services resumes best practices and court's pretrial matrix guidelines for moderate to high risk defendants and non-compliant defendants, of face-to-face meetings.
  - iii. Court, CASA Director, and pretrial services administrator will address those best practices and technology from pandemic to continue.

APPROVED AND ADOPTED: May 29, 2020



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Hunter J. Reece, Judge  
WARREN CIRCUIT COURT