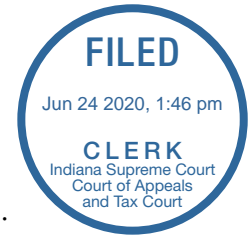


In the
Indiana Supreme Court



In the Matter of the Petition of the Henry
County Circuit Courts for Administrative
Rule 17 Emergency Relief.

Supreme Court Case No.
20S-CB-153

Order Approving Expansion of Operations Plan

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 court(s) filed an amended expansion of operations plan (“Plan”) on June 22, 2020.

The Court finds that the Plan was 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 Plan makes reasonable provisions for resuming normal staffing, providing public access to non-confidential proceedings, and resuming jury trials. A copy of the Plan is 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 court(s) 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. The Plan is approved, and the petitioning court(s) shall comply with its terms through its stated duration, subject to further order of this Court.

Done at Indianapolis, Indiana, on 6/24/2020 , **effective May 29, 2020.**

A handwritten signature in black ink that reads "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

IN THE INDIANA SUPREME COURT

IN THE MATTER OF
THE PETITION OF THE
HENRY COUNTY CIRCUIT
COURTS FOR EMERGENCY RELIEF
UNDER ADMINISTRATIVE RULE 17

SUPREME COURT CASE NO: 20S-CB-153
TRIAL COURT CAUSE NO: 33C01-2003-CB-000044

**AMENDED
TRANSITION PLAN**

Comes now the Henry County Circuit Courts *en banc* and pursuant to the Order of the Indiana Supreme Court, provides this Status Update and Amended Transition Plan as follows:

1. Henry County Courts have continued to function during the COVID-19 pandemic. The Courts have utilized various modifications in conducting hearing which have included parties and counsel appearing by telephone and by video. Going forward, the Courts will continue to use such practices where needed and will strive to employ such practices where requested and where the matters before the Courts allow for such appearances.
2. The Courts are not requesting any additional tolling of time limits beyond the tolling that has been ordered by the Indiana Supreme Court.
3. The Courts are not requesting any additional authority to continue jury trials beyond the date the Indiana Supreme Court has ordered that jury trials can commence.
4. The Courts are not requesting any additional authority for review of placement of offenders in the Henry County Jail or Henry County Community Corrections or of juveniles that have been placed by the Court exercising juvenile jurisdiction.
5. The Courts are not requesting any extension on the prohibition on issuing new writs of attachment, civil bench warrants or body attachments or on the stay of any writs or attachments not yet served.
6. In developing this plan, the Courts have consulted and/or received input from the

Henry County Clerk, Henry County Health Department, Henry County Sheriff, Henry County Prosecutor, Henry County Chief Public Defender, attorneys who practice routinely in Henry County, officials with the Henry County office of the Department of Child Services, Henry County Commissioners and Henry County Council.

7. Employees of the Courts have returned to work on a regular basis. The employees are screened when entering the Justice Center to insure the employees are not displaying any fever or other COVID-19 symptoms. The employees are instructed to err on the side of caution and not come to work if they are sick. The Courts have attempted to make sure staff have masks available to them for wearing while at work. Staff are advised to social distance from other staff and other persons in common work areas. Staff have access to hand sanitizer and non-public bathroom facilities. Staff are advised to report to their department head or supervisor of any COVID-19 symptoms or exposure to any person who has tested positive for COVID-19. Staff have been provided information regarding mental health resources and of their rights under the Families First Coronavirus Response Act.

8. The Courts have taken steps to try make sure each courtroom is sanitized following hearings and the janitorial that cleans the Justice Center also assists in sanitizing each courtroom and public areas in the Justice Center on a regular basis. Mail to the Courts is delivered by the Clerk's office and then distributed to each Court. The Courts make efforts to have all persons, both in the courtrooms and in public areas, to properly social distance.

9. The Courts' security officers screen everyone who enters the Justice Center for temperature and any other symptoms of the COVID-19 virus. The officers also limit spectators who enter the Justice Center to parties, counsel and other necessary witnesses. The Courts will attempt to limit persons admitted to courtrooms in order to comply with social distancing

requirements. If a larger number of persons are present in the Justice Center, some persons may be asked to wait in the lobby area of the courts and will be called in for hearings separately.

Conference rooms are available outside of each courtroom and families will be able to utilize the conference rooms to be separate from other witnesses and the general public. The courtrooms will be open to the public but spectators will be seated at least six feet apart. Spectator seating for the public will be on a first-come first-served basis and the court security staff will monitor social distancing of spectators in the courtrooms and throughout the Justice Center.

10. The Courts have resumed conducting most hearings, but will continue to utilize other means of conducting hearings whenever requested and whenever appropriate.

11. The Courts will begin conducting jury trials when allowed to do so by the Indiana Supreme Court. Criminal cases, especially on persons who have requested an early trial and who are incarcerated, will receive the highest priority when scheduling jury trials. Other cases, both criminal and civil, will be prioritized on a case by case basis. Potential jurors will receive a separate letter and questionnaire when potential jurors are notified of the need for jury service. The letter and questionnaire will allow the Courts to contact any potential juror who requests to be excused or has questions relating to COVID-19. If potential jurors are called for a jury trial, the Courts will take necessary steps to insure that proper social distancing can be achieved with the potential jurors and masks, hand sanitizer and other materials are available for the potential jurors.

12. The Courts anticipate resuming other court-supervised services on June 1, 2020. The Courts' probation department, community corrections department and CASA offices have all been advised of the procedures previously outlined relating to the staff of the Courts and have been requested to follow those procedures in each department mentioned above.

Respectfully submitted this 22 day of June, 2020.



Bob A. Witham, Judge
Henry Circuit Court 1



David L. McCord, Judge
Henry Circuit Court 3



Kit C. Dean Crane, Judge
Henry Circuit Court 2