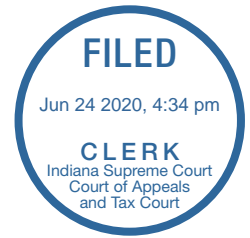


In the Indiana Supreme Court

In the Matter of the Petition of the Gibson
County Courts for Administrative Rule 17
Emergency Relief

Supreme Court Case No.
20S-CB-167



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 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 **June 22, 2020**.

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

Loretta H. Rush
Chief Justice of Indiana

Filed: 20S-CB-167

STATE OF INDIANA)
COUNTY OF GIBSON)

IN THE GIBSON CIRCUIT AND SUPERIOR COURTS
ANNUAL TERM

IN RE:
TRANSITION PLAN

CAUSE NO. 26D01-2004-CB-000013

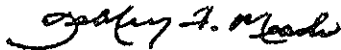
GIBSON COUNTY CIRCUIT AND SUPERIOR COURTS AMENDED EMERGENCY PETITION PURSUANT TO ADMINISTRATIVE RULE 17

Comes now the Judges of the Gibson Circuit and Superior Courts and files an amended petition with the Indiana Supreme Court for relief under Ind. Admin. Rule 17. In support of this petition, the Judges of the Gibson Circuit and Superior Courts inform the Indiana Supreme Court of the following:

1. The Governor of Indiana has begun implementing a four-phase plan to begin easing restrictions throughout the state in an attempt to return to normal operations. The State is now in phase three as of the date of this petition.
2. The Indiana Supreme Court previously granted in part a petition from the Gibson Circuit and Superior Courts authorizing the tolling, from March 19th, 2020, of all laws, rules, and procedures setting time limits for speedy trials in criminal and juvenile proceedings, public health, and mental health matters; all judgments, support, and other orders; and in all other civil and criminal matters before the courts of Gibson County and prohibiting any interest be due or charged during the tolled period.
3. The Indiana Supreme Court further authorized the immediate suspension of all criminal and civil jury trials, including those with a "fast and speedy" setting requested.
4. The Indiana Supreme Court further authorized the immediate suspension of all civil proceedings, except for protective orders in domestic violence cases, emergency child in need of services (CHINS) proceedings, and other emergencies or matters deemed urgent in the courts' discretions.
5. The Indiana Supreme Court further authorized the immediate suspension of all criminal proceedings, except for emergency motions and petitions, bond hearings, initial hearings, emergency hearings, and any other criminal hearing or proceedings necessary to protect a defendant's Constitutional rights.
6. Gibson County has not experienced widespread positive tests for COVID-19. As of the date of this petition, there have been 13 positive cases in the county.
7. While the number of infections are low, the Judges of the Gibson Circuit and Superior Courts believe that certain actions are necessary to continue to attempt to reduce the spread of COVID-19 and to protect court personnel, law enforcement officers and others that use the court system.
8. The Judges of the Gibson Circuit and Superior Courts request that the Indiana Supreme Court modify its previous order allowing the courts to begin easing restrictions while continuing to protect individuals working for or coming into contact with the courts.

9. The modified emergency plan of the Gibson Circuit and Superior Courts would take effect immediately upon approval by the Indiana Supreme Court and would continue through July 31, 2020, and is as follows:
- a. The tolling of all laws, rules, and procedures setting time limits for speedy trials in criminal and juvenile proceedings, public health, mental health, and appellate matters; all judgments, support, and other orders; and in all other civil and criminal matters before the Gibson Circuit and Superior Courts shall CEASE. Further, parties may resume charging interest shall be due or charged .
 - b. The suspension of all civil proceedings shall CEASE.
 - c. The suspension of all criminal proceedings shall CEASE.
10. The Judges of the Gibson Circuit and Superior Courts may use their discretion in prioritizing non-emergency hearings.
11. The Judges of the Gibson Circuit and Superior Courts may continue to allow any staff member to work from home that they determine to be in a high-risk category due to physician-identified health conditions. Staff are required to report COVID-19 illness or contact with someone who has COVID-19 to their supervising judge as well as to the county health nurse and must follow appropriate testing and timeline protocols before returning to work.
12. Gibson County, IN provides mental health coverage to all full-time employees. Further, all employees may contact the county health nurse for guidance as to available mental health care providers. Southwestern Indiana Mental Health is located in Gibson County, IN and is available to provide mental health services if requested.
13. The Judges of the Gibson Circuit and Superior Courts may require individuals entering the courthouse to have their temperature taken and to answer a brief health survey and to may prohibit individuals with a fever or other health concerns from entering the building. This screening will be conducted by health care providers provided by the Gibson County Commissioners.
14. The Judges of the Gibson Circuit and Superior Courts request the Supreme Court extend the authorization of the Courts, in their discretion and subject to applicable Constitutional limitations, to limit spectators in the courtrooms to the extent necessary to provide adequate social distancing, so long as public access is provided, for as long as the Public Health Emergency remains in effect.
15. The Judges of the Gibson Circuit and Superior Courts may utilize video conference hearings when available and appropriate.
16. The Judges of the Circuit and Superior Courts shall file a status update no later than July 31, 2020 to inform the Indiana Supreme Court of whether there is an ongoing need for emergency relief.

Dated this 10th day of June, 2020.



Jeffrey Meade; Judge
Gibson Circuit Court



Robert Krieg; Judge
Gibson Superior Court