

In the Indiana Supreme Court

In the Matter of the Petition of the Clark
Circuit Courts for Additional
Administrative Rule 17 Emergency Relief.

Supreme Court Case No.
20S-CB-111



Order

On March 13, 2020, the Circuit Courts of Clark County (“courts”) petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The same day, this Court issued an order declaring an emergency in those courts and granting Clark County relief.

On March 30, 2020, the Clark Circuit Courts petitioned this Court for further emergency relief. Part of the requested relief—particularly, extension of the duration of relief—was already been granted statewide on April 3 under Case No. 20S-CB-123. But the courts also seek expansion of relief originally granted, as set forth below. The Court finds that good cause exists for granting additional emergency relief.

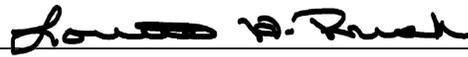
Having previously declared an emergency in the Clark Circuit Courts, the Court GRANTS IN PART the petition for additional relief and APPROVES IN PART the request for additional relief. The Court accordingly ORDERS as follows, in addition to the relief previously granted:

1. The Court authorizes the tolling, from **March 13, 2020 through May 4, 2020**, or the expiration of the public emergency as declared by the Governor, whichever is later, of all laws, rules, and procedures setting time limits for speedy trials in criminal proceedings; all judgments, support, and other orders; and in all other civil and criminal matters before the Clark Circuit Courts. Further, no interest shall be due or charged during this tolled period.
2. **Through May 4, 2020**, or the expiration of the public emergency as declared by the Governor, whichever is later, the Clark Circuit Courts are authorized, in their discretion and subject to applicable constitutional limitations, to utilize audiovisual telecommunication to conduct hearings.
3. This Court authorizes immediate suspension of all criminal and civil jury trials, including those with a “fast and speedy” setting requested, **through May 4, 2020**. The Clark Circuit Courts are directed to review the need for ongoing suspension at an early enough date that, if continued suspension is not necessary, will allow adequate notification of the jury pool to resume jury trials no later than May 4, 2020, or no later than three weeks after the expiration of the public emergency as declared by the Governor, whichever is later. If the Clark Circuit Courts believe continued suspension is necessary, they may petition this Court to extend the suspension.

4. **Through May 4, 2020**, or the expiration of the public emergency as declared by the Governor, whichever is later, the Clark Circuit Courts are authorized, in their discretion and subject to applicable constitutional limitations, to limit spectators (other than parties to the litigation and their attorneys) in courtrooms to the extent necessary to provide adequate social distancing and to limit the size of the gathering consistent with public-health recommendations.
5. The Clark Circuit Courts may adopt, for their own usage, any sample documents, forms, and signs available on the Indiana Supreme Court's COVID-19 Responses and Resources website.
6. **Through May 4, 2020**, the Clark Circuit Courts may permit individuals with legitimate court business to stay home and request a continuance by telephone to the respective court if they are ill, caring for someone who is ill, or in a high-risk category.
7. To the extent the Clark Circuit Courts request an extension of time, that request is deemed **moot** in light of this Court's April 3, 2020 order in Case Number 20S-CB-123 extending through **May 4, 2020**, all Administrative Rule 17 relief previously granted to all circuit, superior, probate, small-claims, and city and town courts who had requested it.

In all other respects, this Court's order of March 13, 2020 remains in full force and effect.

Done at Indianapolis, Indiana, on 4/15/2020.



Loretta H. Rush
Chief Justice of Indiana