



In the Indiana Supreme Court

In the Matter of the Petition of the Courts
of Hamilton County for Additional
Administrative Rule 17 Emergency Relief.

Supreme Court Case No.
20S-CB-133

Order

On March 16, 2020, the Circuit and Superior Courts of Hamilton County (“courts”), petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. On March 18, 2020, this Court issued an order declaring an emergency in those courts and granting Hamilton County relief.

On March 30, 2020, the Hamilton County courts petitioned this Court for further emergency relief. Specifically, the courts seek: 1) an order from this Court suspending Administrative Rule 14 and to permit all hearings during this emergency to be conducted by telephone or audiovisual telecommunications, subject to the due process rights of litigants;” and 2) authorization to temporarily modify sentences “where a defendant has been ordered to serve a direct commitment through work release, allowing the defendant to be moved to electronically monitored home detention for the duration of this emergency.” The Court finds that good cause exists for granting additional emergency relief.

Having previously declared an emergency in the Hamilton Circuit and Superior 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. **Through May 4, 2020**, the Hamilton Circuit and Superior Courts are authorized, in their discretion and subject to applicable constitutional limitations, to utilize audiovisual telecommunication to conduct hearings. The Court declines to suspend Administrative Rule 14.
2. **Through May 4, 2020**, the courts of Hamilton County are authorized to review county-jail and direct placement community correction sentences of non-violent offenders and juveniles; and after consultation with a team comprised of the State, a public defender, community corrections, and the county sheriff, to modify sentences to probation, home detention, or order temporary release from the jail, with service of executed sentences to resume as thereafter ordered by the courts of Hamilton County.

In all other respects, this Court's order of March 18, 2020 remains in full force and effect.
Done at Indianapolis, Indiana, on 4/2/2020.

A handwritten signature in black ink, appearing to read "Loretta H. Rush", is written above a horizontal line.

Loretta H. Rush
Chief Justice of Indiana