

# In the Indiana Supreme Court



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

Supreme Court Case No.  
20S-CB-141

Trial Court Case No.  
48C06-2003-CB-000004

## Order

The courts of Madison County *en banc* have petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that because of 2019 novel coronavirus (COVID-19) a federal and State emergency has been declared, CDC is encouraging “social distancing”, and Madison County Schools are closed through April 6, 2020. It appears from the petition that this emergency will inhibit litigants’ and courts’ ability to comply with statutory deadlines and rules of procedure. The Honorable Mark Dudley has been appointed as the presiding Judge for this emergency.

The Court finds that good cause exists for granting emergency relief.

Being duly advised, the Court GRANTS IN PART the petition, DECLARES pursuant to Indiana Administrative Rule 17 that an emergency exists in Madison County, and APPROVES IN PART the plan as submitted. The Court further ORDERS as follows to ensure the orderly and fair administration of justice during this emergency, effective **March 16, 2020**.

1. The Court authorizes the tolling, from the effective date of this order **through May 4, 2020**, 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 courts of Madison County. Further, no interest shall be due or charged during this tolled period.
2. 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 courts of Madison County are directed to review **no later than April 17, 2020** whether continued suspension is necessary; and if it is not, to resume jury trials **no later than May 4, 2020** to allow adequate notification of the jury pool. If the courts of Madison County believe continued suspension is necessary, they may petition this Court to extend the suspension.
3. **Through May 4, 2020**, this Court authorizes immediate suspension of all civil proceedings, except protective orders regarding family or domestic violence, stalking, or a sex offense, civil commitments, emergency guardianships, emergency Child in

Need of Services (CHINS) proceedings, and juvenile detention hearings, and other emergencies or matters deemed “essential” in the courts’ discretion. In criminal proceedings, bond hearings and arraignments of inmates shall be deemed essential. The courts shall also retain discretion to schedule and hold hearings in any case not deemed essential.

4. **Through May 4, 2020**, the courts of Madison County 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 and adjacent hallways to the extent necessary to provide adequate social distancing.
5. The courts of Madison County shall file a status update **no later than April 17, 2020** to inform this Court of whether there is an ongoing need for emergency relief.

Done at Indianapolis, Indiana, on 3/18/2020.



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Loretta H. Rush  
Chief Justice of Indiana