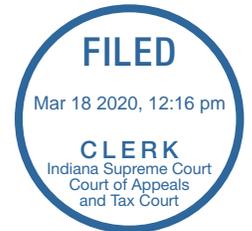


# In the Indiana Supreme Court

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

Supreme Court Case No.  
20S-CB-145



## Order

The courts of Greene 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, the World Health Organization has declared the virus a pandemic, the CDC is encouraging “social distancing,” and Indiana University and Purdue University are holding class online only for the remainder of the spring semester. It appears from the petition that this emergency will inhibit litigants’ and courts’ ability to comply with statutory deadlines and rules of procedure.

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 Greene 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 17, 2020**:

1. The Court authorizes the tolling, from the effective date of this order **through April 20, 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 Greene 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 Greene County are directed to review **no later than April 13, 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 Greene County believe continued suspension is necessary, they may petition this Court to extend the suspension.
3. **Through April 20, 2020**, this Court authorizes the courts of Greene County, in their discretion, to continue all hearings they deem non-essential. 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,

including non-adjudicatory and non-detention juvenile CHINS and delinquency proceedings; and to consider a party's bona fide wish to avoid unnecessary social contact to be good cause for continuances by the court under Indiana Trial Rule 53.5.

4. **Through April 20, 2020**, the courts of Greene 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 to the extent necessary to provide adequate social distancing.
5. **Through April 20, 2020**, this Court authorizes the courts of Greene County to hold pre-trial and discovery status hearings by counsel only; allow attorney-only conferences whenever possible without the requirement of a motion; use telephonic or video technology in lieu of in-person appearances, unless a litigant's due process rights would be violated; and, have defendants appear via teleconference from jail for any hearings, except contested sentencing hearings and jury trials.
6. **Through April 20, 2020**, any attorney wishing to appear remotely for any status conference or non-evidentiary hearing in courts of Greene County may do so without further leave of court upon filing a "Notice of Remote Appearance" in the court in which the matter will be heard.
7. The courts of Greene County shall file a status update **no later than April 18, 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