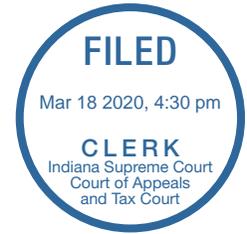


In the
Indiana Supreme Court



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

Supreme Court Case No.
20S-CB-152

Order

The Franklin Circuit Courts *en banc* have petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that on March 6, 2020, Indiana Governor Eric Holcomb signed an executive order declaring an emergency related to the COVID-19 coronavirus (“virus”); that the Franklin County Health Department is directing residents to the Centers for Disease Control and Prevention’s website for guidance and instructions; and that the Franklin County Public School Corporation has closed from March 16, 2020 through April 13, 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 J. Steven Cox 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 Franklin 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 **April 30, 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 Franklin Circuit Courts. 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 **April 30, 2020**. The Franklin Circuit Courts are directed to review **no later than April 16, 2020** whether continued suspension is necessary; and if it is not, to resume jury trials **no later than April 30, 2020** to allow adequate notification of the jury pool. If the Franklin Circuit Courts believe continued suspension is necessary, they may petition this Court to extend the suspension.

3. **Through April 30, 2020**, this Court authorizes immediate suspension of all civil proceedings, except protective orders, emergency CHINS proceedings, JD and JC detention hearings, emergency custody and parenting-time motions, and other emergencies or matters deemed “urgent” in the courts’ discretion.
4. **Through April 30, 2020**, any attorney wishing to appear remotely for any status conference or non-evidentiary hearing in the Franklin Circuit Courts 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.
5. **Through April 30, 2020**, this Court authorizes the use of telephonic or video technology in lieu of in-person appearances unless a litigant’s constitutional rights would be violated and authorizes defendants to appear via teleconference from jail for any hearings except contested sentencing hearings and jury trials.
6. **Through April 30, 2020**, this Court authorizes the Franklin Circuit Courts to suspend any and all court action requiring the travel of Court personnel, including probation staff and CASA volunteers, to any other facility or care provider contracted by the Franklin Circuit Courts for such services.
7. The Franklin Circuit Courts shall file a status update **no later than April 28, 2020** to inform this Court of whether there is an ongoing need for emergency relief.

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



Loretta H. Rush
Chief Justice of Indiana