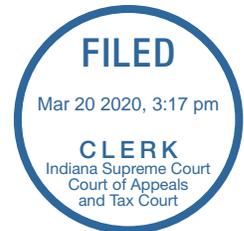


In the Indiana Supreme Court

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

Supreme Court Case No.
20S-CB-198



Order

The courts of Porter County *en banc* have petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that federal and state emergencies have been declared regarding outbreak of the 2019 novel coronavirus (COVID-19); the U.S. Center for Disease Control (CDC) has determined that “social distancing” is necessary to prevent the spread of the virus; the Porter County Commissioners have implemented social distancing policies pursuant to this recommendation; and Porter County does not possess adequate hygiene stations or supplies to adequately protect the ordinary traffic in judicial facilities. It appears from the petition that this emergency is likely to inhibit litigants’ and courts’ ability to comply with statutory deadlines and rules of procedure. The Honorable Mary A. DeBoer 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 the petition, DECLARES pursuant to Indiana Administrative Rule 17 that an emergency exists in Porter County, and APPROVES the plan as submitted. The Court further ORDERS as follows to ensure the orderly and fair administration of justice during this emergency, effective **March 19, 2020**:

1. The Court authorizes the tolling, from the effective date of this order **through April 24, 2020**, of all laws, rules, and procedures setting time limits for speedy trials in criminal and juvenile proceedings, public health, and mental health matters; all judgments, support, and other orders; and in all other civil and criminal matters before the courts of Porter 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 Porter County are directed to review **no later than April 24, 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 Porter County believe continued suspension is necessary, they may petition this Court to extend the suspension.

3. **Through April 24, 2020**, this Court authorizes immediate suspension of all civil proceedings, except juvenile delinquency and child in need of services (CHINS) detention hearings and other emergencies or matters deemed “urgent” in the courts’ discretion.
4. **Through April 24, 2020**, any attorney wishing to appear remotely for any status conference or non-evidentiary hearing in any of the courts of Porter 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.
5. **Through April 24, 2020**, the courts of Porter 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 and to limit the size of the gathering consistent with public-health recommendations.
6. **Through April 24, 2020**, the courts of Porter County may consider (a) the existence of flu or flu-like symptoms in any attorney, self-represented litigant, or witness expected to testify; or (b) exposure of such individuals to anyone who has or may have COVID-19; to constitute “good cause” to either appear remotely or continue a court setting, to the extent possible without violating statutory or constitutional rights.
7. The courts of Porter 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 3/20/2020.



Loretta H. Rush
Chief Justice of Indiana