

# In the Indiana Supreme Court

In the Matter of the Petition of the  
Hobart City Court for  
Administrative Rule 17 Emergency Relief.

Supreme Court Case No.  
20S-CB-205



## Order

The Hobart City Court has petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition seeks relief in response to the 2019 novel coronavirus (COVID-19) and the recommendations of the Center for Disease Control and Prevention, the Indiana Supreme Court, and the Governor of Indiana. The petition also states that local area schools have been closed and that the Hobart City Court shares a building with a community senior center and other city offices. The petition states that this emergency requires limiting city court operations.

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 Hobart City Court, 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 30, 2020**, of all laws, rules, and procedures setting time limits in all matters within the Hobart City Court's jurisdiction. Further, no interest shall be due or charged during this tolled period.
2. **Through April 30, 2020**, this Court authorizes immediate suspension of all non-essential hearings and proceedings.
3. **Through April 30, 2020**, the Hobart City Court is authorized to reduce the number of court staff members working and/or to permit working remotely if feasible; provided, however, that the court shall maintain sufficient operations to process emergency matters, mail and e-mail received, e-filing of pleadings, and receipt of payments for fines and judgments.
4. **Through April 30, 2020**, the Hobart City Court is authorized, subject to Constitutional limitations, to limit physical access to the clerk's office to the hours the building that houses the office is open, as determined by the City of Hobart.
5. **Through April 30, 2020**, the Hobart City Court is authorized to utilize video or telephonic conferencing in lieu of in-person appearances, subject to Constitutional limitations. Non-evidentiary hearings may be conducted by remote appearance.

6. **Through April 30, 2020**, the Hobart City Court is authorized to issue summonses in lieu of bench warrants, writs of attachment, notice of failure to appear, or notices of failure to pay.
7. **Through April 30, 2020**, the Hobart City Court may consider (a) the existence of flu or flu-like symptoms in any attorney, self-represented litigant, or witness expected to testify; (b) exposure of such individuals to anyone who has or may have COVID-19; or (c) status of such individuals in a high-risk category; to constitute “good cause” to either appear remotely or continue a court setting, to the extent possible without violating statutory or constitutional rights.
8. **Through April 30, 2020**, any attorney wishing to appear remotely for any status conference or non-evidentiary hearing in the Hobart City Court 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.
9. **Through April 30, 2020**, the Hobart City Court is authorized, in its 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.
10. **Through April 30, 2020**, the Hobart City Court is authorized to utilize a drop box for conventional paper filed documents and receipt of payments.
11. **Through April 30, 2020**, the Hobart City Court shall allow individuals with legitimate court business who are ill, caring for someone who is ill, or in a high-risk category for COVID-19 to request a continuance by telephone.
12. **Through April 30, 2020**, the Hobart City Court is authorized to post signage at all public entry points to judicial facilities advising individual not to enter the building if they have:
  - a. visited China, Iran, South Korea, any European countries, or any other high-risk countries identified by the CDC in the previous 14 days;
  - b. resided with or been in close contact with someone who has been in any of those countries within the previous 14 days;
  - c. traveled domestically within the United States where COVID-19 has sustained widespread community transmission;
  - d. been asked to self-quarantine by any doctor, hospital, or health agency;
  - e. been diagnosed with or had contact with anyone who has been diagnosed with COVID-19; or
  - f. a fever, cough or shortness of breath;and to direct court security officers to deny entrance to individuals attempting to enter in violation of these protocols.

13. The Hobart City Court shall file a status update **no later than April 16, 2020** to inform this Court of whether there is an ongoing need for emergency relief.

Done at Indianapolis, Indiana, on 3/20/2020.

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

Loretta H. Rush  
Chief Justice of Indiana