

In the Indiana Supreme Court

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

Supreme Court Case No.
20S-CB-225



Order

Martinsville City Court has petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states, in part, that the federal and state governments have declared a state of emergency due to the 2019 novel coronavirus and issued directives to practice “social distancing” as a means of reducing the spread of the virus. The petition states that Martinsville City Court is “of limited jurisdiction and primarily adjudicates infractions and misdemeanors” and is in session every Wednesday for initial hearings and trials. It appears 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 the Martinsville City Court, and APPROVES IN PART the plan as submitted. The Court ORDERS as follows to ensure the orderly and fair administration of justice during this emergency, effective **March 23, 2020**:

1. The Court authorizes the tolling, from the effective date of this order **through April 29, 2020**, of all laws, rules, and procedures setting time limits for speedy trials in criminal proceedings; all judgments, support, and other orders; and in all other civil and criminal matters before Martinsville City Court. Further, no interest shall be due or charged during this tolled period.
2. **Through April 29, 2020**, this Court authorizes immediate suspension of all criminal and civil trials and hearings in Martinsville City Court, including in those criminal cases with a “fast and speedy” setting requested, subject to Constitutional limitations.
3. **Through April 29, 2020**, any defendant whose case is pending in Martinsville City Court or whose case is filed in the Martinsville City Court may be released on their own recognizance, without the necessity of posting a bond, and given an order to appear on April 29, 2020 or a date thereafter, unless prohibited by statute.

4. Martinsville City Court shall file a status update **no later than April 24, 2020**, to inform this Court of whether there is an ongoing need for emergency relief.

Done at Indianapolis, Indiana, on 3/24/2020.



Loretta H. Rush
Chief Justice of Indiana