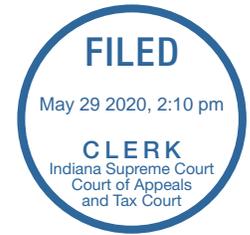


In the Indiana Supreme Court

In the Matter of Administrative Rule 17
Emergency Relief for Indiana Trial Courts
Relating to the 2019 Novel Coronavirus
(COVID-19).

Supreme Court Case No.
20S-CB-123



Order Extending Trial Courts' Emergency Tolling Authority and Setting Expiration of Other Emergency Orders

As a result of the public health emergency relating to the 2019 novel coronavirus (COVID-19), this Court on March 16, 2020 ordered trial courts statewide to implement appropriate continuity-of-operations plans for providing essential judicial services consistent with public health, and to submit those plans for this Court's approval. This Court also issued orders that, among other things, temporarily authorized remote administration of oaths for depositions and other legal testimony, modified procedures for witnessing wills, expanded use of remote proceedings where Constitutionally permissible, and limited attachment and garnishment of stimulus payments received under the CARES Act. Most recently, this Court directed trial courts to develop plans for transitioning towards expanded operations while continuing to protect public health, and to submit those plans for this Court's approval.

The Court finds that although Indiana trial courts are beginning to expand operations as public-health conditions permit, the courts will face a backlog of cases. Prioritizing those cases will require trial courts to have continued authority to toll some cases while advancing others for hearing or trial.

Being duly advised, the Court ORDERS as follows, notwithstanding any contrary provision of any previous order granting local or statewide relief under Indiana Administrative Rule 17:

1. The Court authorizes the tolling, **through August 14, 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 Indiana trial courts. Further, no interest shall be due or charged during this tolled period.
2. For purposes of
 - a. Indiana Criminal Rule 4(A) and 4(C), and
 - b. early-trial demands filed under Indiana Criminal Rule 4(B) **before April 3, 2020**,

the tolled period shall be calculated **from April 3, 2020 through August 14, 2020** and shall be **further subject to** congestion of the court calendar or locally existing emergency conditions for good cause shown.

3. For purposes of Indiana Criminal Rule 4(B) early-trial motions filed **after April 2, 2020 and before August 15, 2020**, the motion shall be deemed to have been made **on August 14, 2020** and shall be **further subject to** congestion of the court calendar or locally existing emergency conditions for good cause shown.
4. Unless further extended by order of this Court, the prohibition on issuing or serving writs of attachment, civil bench warrants, or body attachments pursuant to Trial Rule 64 shall expire at **12:01 a.m. on August 15, 2020**.
5. Unless further extended by order of this Court, the orders issued in:
 - a. this case, regarding attachment and garnishment of CARES Act stimulus funds;
 - b. Case No. 20S-MS-236, regarding remote administration of oaths for depositions and other legal testimony;
 - c. Case No. 20S-MS-237, regarding modified procedures for witnessing wills; and
 - d. Case No. 20S-MS-258 and this case, expanding use of remote proceedings;shall expire at **12:01 a.m. on January 1, 2021**.

Done at Indianapolis, Indiana, on 5/29/2020, on behalf of the Indiana Supreme Court.



Loretta H. Rush
Chief Justice of Indiana