



**In the
Indiana Supreme Court**

In the Matter of)	
)	Supreme Court Case No.
Jefferson County Petition)	39S00-0905-MS-248
)	Lower Court Case Number:
For Emergency Relief.)	39CO1-0905-MI-2009
)	
)	

PETITION OF THE TRIAL COURTS AND CLERK OF JEFFERSON COUNTY UNDER
ADMINISTRATIVE RULE 17 FOR RELIEF DUE TO EMERGENCY CAUSED BY FIRE

Come now the judges of the Jefferson Circuit and Superior Courts, file this petition on behalf of the courts and the Clerk of Jefferson Circuit Court, and state as follows:

On May 20-21, 2009, a fire caused extensive physical damage to the Jefferson County Courthouse, which houses the offices of the Jefferson Circuit and Superior Courts and the Clerk of the Jefferson Circuit Court. As a result, the judges, clerk and their respective staffs are unable to perform the duties of their offices in the assigned locations and will not be able to do so until alternate housing is secured and/or repairs are made to the existing facilities. In addition to the duties of the courts and clerk, the circumstance will also adversely affect litigants, the bar and public who are facing deadlines pursuant to statutes, rules and court orders, and judgments.

The judges of the Jefferson Circuit and Superior Courts have convened en banc and have determined that, in accord with Administrative Rule 17, they should seek emergency relief. Accordingly, petitioners respectfully request that the Supreme Court enter an order of emergency relief which relief will be in place until no later than June 5, 2009. Thereafter, petitioners will review the status of court and clerk operations and may seek additional time if circumstances so warrant.

More specifically, petitioners respectfully request:

1. That the Supreme Court authorize the tolling, from 12 a.m. May 21, 2009 until 12 noon June 5, 2009, 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 Jefferson Circuit and Superior Courts. In addition, we request that the order tolling such time limits provide that no interest may be charged for delay in payment due to this tolled period of time.

2. That the Supreme Court authorize petitioners to move the courts' and clerk's location to another appropriate facility in order to continue the orderly administration of justice. The petitioners shall provide to the Supreme Court the address and location of such facility by no later than June 5, 2009. In accord with I.C. 33-33-39-3, the Jefferson Superior Court shall conduct its sessions in Madison, Indiana.
3. That the Supreme Court authorize each of the judges of the Jefferson Circuit and Superior Courts to exercise general jurisdiction over any and all cases in each other's courts in order to assure the continued orderly administration of justice.
4. That the Supreme Court authorize the closing of the Clerk's office and the courts, starting today, May 21, 2009, and until 12 noon June 5, 2009. To the extent possible, if appropriate space becomes available to open a court earlier than June 5, 2009, the petitioners will open a court to process emergency matters only.

Petitioners further state that they will communicate with the Jefferson County Bar and are and will be available to deal with emergency and other pressing matters.

Accordingly, petitioners respectfully request that the Indiana Supreme Court find that an emergency exists which impeded the orderly operation of the courts and the Clerk's office in Jefferson County and grant the requested relief under the authority of Ind. Admin.R. 17.

Signed this twenty-first (21st) day of May 2009.

and

For the Jefferson Circuit and Superior courts

For the Clerk of Jefferson Circuit Court



The Honorable Ted R. Todd

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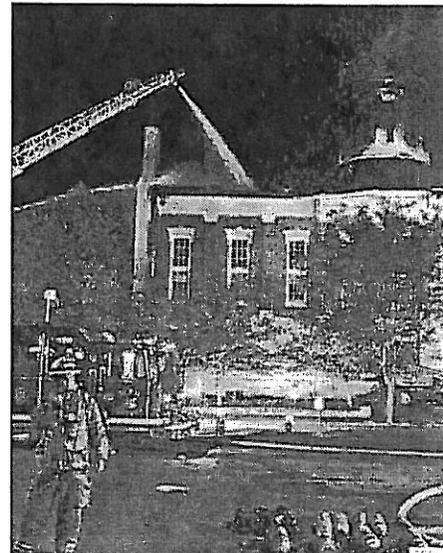
Fire ravages renovated courthouse

By Laura Ungar
 Posted: May 21, 2009

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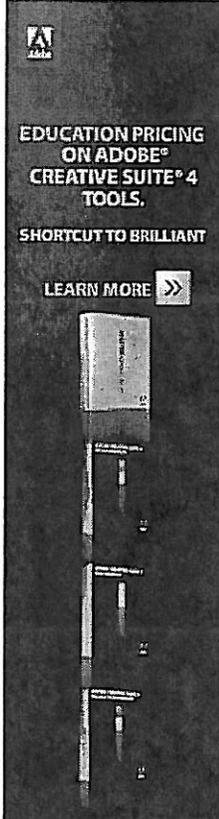
Firefighters remained at the Jefferson County Courthouse in Madison early today watching for hotspots after flames and smokes engulfed the 154-year-old building, a police dispatcher said.

The fire which began Wednesday evening was under control, said Madison Police dispatcher Megan Burris.



Firefighters battle a fire at the 154-year-old Jefferson County Courthouse Wednesday Madison, Ind., that caused extensive damage to the building's dome and clock tower. - BRIAN BOHANNON / AP

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Fire crews from across Southern Indiana and Northern Kentucky were called to the scenic Ohio River city about 60 miles from Louisville after the blaze was reported at 6:13 p.m.

Smoke billowed hundreds of feet into the air, and flames shot out the top of the 154-year-old building at 300 E. Main St.

The blaze "fully engulfed" the structure, a dispatcher with the Madison Police Department said. The fire was declared tentatively under control just before 9:15 p.m., said Larry Pfeiffer, a second police dispatcher.

As the fire raged, prisoners at a nearby jail were taken to an old high school building while jail employees were being temporarily sent to the police department to work, Pfeiffer said.

No serious injuries were reported, Pfeiffer said.

Dean Adams, who works down the street from the courthouse, said he watched firefighters battling the blaze about 7 p.m. and saw about six firetrucks lining the street. The area was blocked off to traffic, he said.

Adams said the recently painted cupola was in flames, as was the building's facade.

He said he had just admired the gold-colored dome as he drove toward the courthouse yesterday



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morning, and was upset to see it burn.

"I was saddened," Adams said. "It's an important part of the downtown."

Madison, which has about 12,000 residents, has the largest historic district in Indiana with more than 130 blocks on the National Register of Historic Places, according to the city's tourism site, www.visitmadison.org.

An August 2006 fire damaged two other downtown buildings, including the former city hall.

Pfeiffer said the courthouse will need extensive repairs before it is usable again. The dome and central tower appeared to be severely damaged in video shown on WHAS-TV in Louisville.

Jefferson County Prosecutor Chad Lewis told The Associated Press that crews had been renovating the dome and had just finished painting it in preparation for Madison's bicentennial June 6-14.

"It's gonna take awhile before they hold court in there," Pfeiffer said.

Reporter Laura Ungar can be reached at (502) 582-7190. The Associated Press contributed to this story.

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Capsaicin wrote:

Investigate for arson. If it is an arson, perhaps there will be that small chance a lead will come that finally will solve the attempted bombing of the Tippecanoe County Courthouse in the late 1990's.

5/21/2009 10:25:16 AM

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richison wrote:

My heart sank when pictures of this fire came on the news last evening. Another courthouse fire that destroys valuable records of our past. When will it stop? How many records are now gone that could have been saved through local efforts. State government is not doing its job in adequately preserving our records and it fights efforts by local citizens to do the job. Rather than let local groups have access to old records in order to preserve their contents, our state government dictates that they be stored in inadequate storage, i.e. basement of a 154 year old building, or sent to the black hole, known as the State Archives. ATTENTION INDIANA COMMISSION ON PUBLIC RECORDS! Instead of throwing up road blocks when local groups want to digitize, index, copy, or in any way preserve local records, you should be encouraging them, not fighting them.

5/21/2009 10:03:33 AM

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WayneKelsey wrote:

Replying to FlynnSanders

No, look at the bi-line. The reporter was in Madison.

It doesn't say that. It says the story took place in Madison.

And it's by-line, not bi-line.

5/21/2009 9:18:20 AM

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USAToday wrote:

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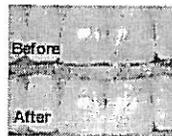
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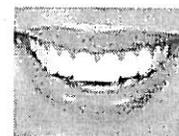
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