

20S-CB-127

**ALLEN SUPERIOR AND CIRCUIT COURTS
Fort Wayne, Indiana**

**IN RE: THE MATTER OF REQUESTING
RELIEF UNDER INDIANA
ADMINISTRATIVE RULE 17**

Cause 02D01-2003-CB-

**PETITION FOR RELIEF UNDER INDIANA
ADMINISTRATIVE RULE 17**

The Courts of Allen County petition the Indiana Supreme Court for relief under Indiana Administrative Rule 17. In support of this petition, the Allen Superior and Circuit Courts inform the Indiana Supreme Court as follows:

1. The Allen Superior Court Board of Judges in conjunction with the Allen Circuit Court Judge has determined:
 - A. The Governor of the State of Indiana has declared a public health emergency;
 - B. Allen County local schools corporations have closed the schools through Monday, April 13, 2020.
 - C. The Governor of the State of Indiana has restrictions on all non-essential gatherings of more than 250 individuals;
 - D. The United States Center for Disease Control ("CDC") recommends that effective March 15, 2020, and for the next eight weeks, all non-essential gatherings must be limited to no more than 50 people;
 - E. The United States CDC is encouraging "social distancing" as a means of limiting the spread of COVID-19 and other potentially fatal viruses;
 - F. The Allen Circuit and Superior Courts hold hearings and proceedings which result in several hundreds of people entering the Allen County Court buildings.

- G. The Court has received numerous inquiries about the health and safety of litigants, counsel, prospective jurors and the public;
- H. That mitigation of the spread of contagions is of utmost importance to protect the citizens of Allen County;
- I. That the local courts have appointed Judge Andrea Trevino Chief Judge of the Allen Superior Court, as the presiding judge of this emergency.

The judges of Allen County request that the Indiana Supreme Court declare that an emergency exists in Allen County under the authority of Ind. Admin. R. 17, and to make appropriate emergency orders for Allen County directing and allowing the Courts and Clerk of Allen County to alter, modify, and suspend necessary procedures as provided in the emergency plan submitted with this petition, to appropriately address this emergency.

Further, we request the Indiana Supreme Court:

(1) authorize the tolling, beginning March 16, 2020, and until April 13, 2020, of all laws, rules, and procedures setting time limits in all criminal, juvenile, CHINS, domestic relations, mental health, and all civil matters before the courts of Allen County; and

(2) beginning March 16, 2020, and until April 13, 2020, authorize the Allen County courts, in their discretion, to continue all hearings they deem non-essential.

March 16, 2020.

Andrea R Trevino

Judge Andrea R. Trevino
Chief Judge and Administrative
Judge, Allen Superior Court,
Family Division

J. C. Gull

Judge Frances C. Gull
Administrative Judge, Allen
Superior Court, Criminal Division

Craig J. Bobay

Judge Craig J. Bobay
Administrative Judge, Allen
Superior Court, Civil Division

Thomas J. Felts

Judge Thomas J. Felts,
Allen Circuit Court

Nancy E. Boyer

Judge Nancy E. Boyer,
Allen Superior Court

Charles F. Pratt

Judge Charles F. Pratt,
Allen Superior Court

David J. Avery

Judge David J. Avery,
Allen Superior Court

Wendy W. Davis

Judge Wendy W. Davis,
Allen Superior Court

David M. Zent

Judge David M. Zent,
Allen Superior Court

Jennifer L. DeGroote

Judge Jennifer L. DeGroote,
Allen Superior Court