

20S-CB-144

Marion County Small Claims Courts

IN RE THE MATTER OF THE: |
PETITION OF THE MARION COUNTY |
SMALL CLAIMS COURTS FOR |
ADMINISTRATIVE RULE 17 |
EMERGENCY RELIEF |

ADMINISTRATIVE RULE 17 PETITION

Comes now the Marion County Small Claims Courts and petitions the Supreme Court for relief under Ind. Administrative Rule 17. In Support of this petition, the courts inform the Supreme Court as follows:

1. The Presiding Judge of the Marion County Small Claims Courts has determined:
 - A. That the United States Center for Disease Control is encouraging “social distancing as a means of limiting the spread of COVID-19 and other potentially fatal viruses.”
 - B. That the State of Indiana has declared a public health emergency concerning COVID-19.
 - C. That the Marion County Health Department has closed all local schools through Monday April 6, 2020, and implemented local restrictions on all non-essential gatherings of more than 50 individuals in Indianapolis.
 - D. That the Mayor has declared a local disaster emergency limiting travel for non-essential individuals and closed bars, entertainment venues, and certain businesses like gyms and movie theaters starting March 17, 2020 at 8:00 A.M.
 - E. That the manner in which the Marion County Small Claims Courts schedule hearings requires numerous members of the public to be in close contact with each other for a significant time period. These members of the public are of all ages and physical fitness and often are short on financial resources that would be further strained by contracting an illness such as COVID-19.
 - F. That members of the public often feel compelled to comply with court summons despite illness.
 - G. That the Marion County Small Claims Courts have nine (9) court locations with nine (9) judges and more than sixty (60) staff members that also interact with numerous members of the public daily and potentially could be exposed to COVID-19.
 - H. That the local courts have appointed Judge Garland E. Graves as the presiding Judge for this emergency.

The Marion County Small Claims Court Presiding Judge requests that the Supreme Court declare that an emergency exists in Marion County under the authority of Indiana Administrative Rule 17, and to issue appropriate emergency orders for Marion County Small Claims Courts directing and allowing the courts and clerk of the Marion County Small Claims Court under the supervision of the elected Judges to alter, modify, and suspend necessary procedures as provided in the emergency plan submitted herewith, so as to appropriately address this emergency.

DONE at Indianapolis, Indiana, this 16th day of March 2020.

/s/ Garland E. Graves
Garland E. Graves, Judge