

20S-CB-139

STATE OF INDIANA	)	IN THE BOONE CIRCUIT COURT
	)	
COUNTY OF BOONE	)	CAUSE NO. 06C01-2003-CB-375

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

PETITION FOR RELIEF UNDER INDIANA ADMINSTRATIVE RULE 17

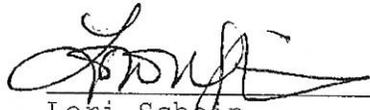
Come now, the Boone County Courts and petition the Supreme Court for relief under Ind. Administrative Rule 17. In support of this Petition, the Boone County Courts inform the Supreme Court as follows: The Boone County Courts have convened *en banc* and have determined:

- 1) That on March 6, 2020 Governor Eric Holcomb signed an Executive Order declaring an emergency related to the COVID-19 or corona virus;
- 2) On March 13, 2020, President Donald Trump declared a national emergency relating to the virus;
- 3) The Boone County Commissioners are holding a meeting on March 17, 2020 at 1:00 p.m. and may declare a county-wide emergency;
- 4) The United States Center for Disease Control is recommending that events with large groups of people be canceled or postponed, if possible, for the next eight (8) weeks;

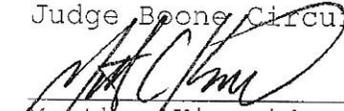
- 5) In addition, the United States Center for Disease Control is encouraging "Social Distancing" as a means of limiting the spread of COVID-19 and other potentially fatal viruses;
- 6) All Boone County schools are closed as of Friday, March 12, 2020 until further notice;
- 7) The Boone County Circuit and Superior Courts hold hearings and proceedings wherein numerous people enter the county courthouse through a central entrance point and congregate in the public areas of the courthouse.
- 8) Mitigation of the spread of contagions is of utmost importance to protect the citizens of Boone County;
- 9) The Judges of Boone County request the Supreme Court authorize and approve the following emergency plans and measures under Indiana Administrative Rule 17 that shall apply through May 8, 2020, unless and if modified by subsequent order:
  - a. All civil jury trials, scheduled between March 16, 2020 and May 8, 2020 shall be continued effective immediately;
  - b. All criminal jury trials set to begin between March 16, 2020 and May 8, 2020 shall be continued effective immediately, unless and if under extraordinary circumstances a particular trial judge enters a specific order on a case keeping a trial date as scheduled;

- c. Speedy trial time computation is tolled from March 17, 2020 through May 8, 2020 and days during that time shall not count towards Criminal Rule 4;
- d. Effective March 16, 2020 and extending through May 8, 2020, any attorney wishing to appear remotely for any status conference or non-evidentiary hearing is hereby given permission to do so;
- e. No motion to appear telephonically shall be required, however, attorneys wishing to appear telephonically must file a Notice of Remote Appearance 24 hours prior to hearing to provide court staff notice of the same and may be called upon to coordinate the call to the court if more than one attorney are appearing remotely on a matter;
- f. The existence of flu or flu-like symptoms in counsel, unrepresented litigants, or any witness expected to testify, or exposure of such individuals to anyone who has or may have COVID-19, shall be considered good cause for any motion to continue an evidentiary hearing;
- g. Persons appearing in Boone County Courts who are either experiencing flu or flu-like symptoms, or persons who have had exposure to COVID-19 may be directed, by a sign or otherwise, to report the same to court staff;
- h. All juvenile hearings will be continued; however emergency juvenile detention hearings, emergency CHINS proceedings and fact-finding hearings for CHINS that are time sensitive will proceed as currently scheduled, unless specifically changed by a court order in that cause;
- i. Family Recovery Court will be suspended effective immediately until May 8, 2020 or further order of the Family Recovery Court.

SO PETITIONED AT LEBANON, BOONE COUNTY, INDIANA this 16<sup>th</sup> day of  
March 2020.



\_\_\_\_\_  
Lori Schein  
Judge Boone Circuit Court



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Matthew Kincaid  
Judge Boone Superior Court I



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Bruce Petit  
Judge Boone Superior Court II