

BEFORE THE INDIANA SUPREME COURT

INDIANAPOLIS, INDIANA

CASE NO. 20S-CB-169

EMERGENCY PETITION FOR ADMINISTRATIVE ORDERS

Comes now the Starke Circuit Court and petitions the Indiana Supreme Court under Ind. Administrative Rule 17. In support of this petition, the court informs the Supreme Court as follows:

1. The novel Coronavirus Disease 2019 (“COVID-19”) is a severe respiratory illness. It is a rapidly spreading virus that is transmitted from human-to-human and results in symptoms ranging from fever, cough, acute respiratory distress, pneumonia, and even death. A vaccine or drug is currently not available for COVID-19.
2. The World Health Organization (“WHO”) declared the COVID-19 outbreak a “Public Health Emergency of International Concern” and a worldwide pandemic.
3. The Center for Disease Control and Prevention (CDC) determined that COVID-19 presents a serious health threat and currently recommends community preparedness and everyday prevention measures be taken.
4. The CDC has further determined that drastic steps are immediately required to halt the spread of the virus and to protect public health care systems from being inundated.
5. The Governor of Indiana has declared a Public Health Emergency.

6. In the State of Indiana, the two largest public universities, Indiana University and Purdue University, have cancelled all in person classes for the remainder of the 2019-20 school year.
7. The Starke Circuit Court submits the following plan for the period beginning March 17, 2020.
 - a. The immediate suspension of all jury trials, to be reviewed again on April 17, 2020. If it is determined by the court that the COVID-19 crisis has subsided, jury trials may begin no earlier than May 4, 2020, thus allowing for adequate notification of the jury pool.
 - b. Ever cognizant of the transparency of the Court, the Court may take steps to limit spectators in the courtroom to provide adequate physical distancing, if necessary.
 - c. Juvenile Court will be clearing dockets and only hearing JD and IC detention hearings and other essential hearing beginning Tuesday March 17, 2020.
 - d. Effective March 17, 2020 and extending through April 17, 2020, any attorney wishing to appear remotely for any status conference or non-evidentiary hearing is hereby given permission to do so, via telephone or videoconferencing.
 - e. During this time period and for these types of court dates, no motion to appear telephonically is necessary. However, an attorney choosing to appear remotely as a result of this order shall file a simple "Notice of Remote Appearance" so that the court staff and court are informed.
 - f. Remote appearances may be coordinated by calling the Court directly.

- g. With respect to evidentiary hearings and trials, the court now hereby finds that (a) the existence of flu or flu-like symptoms in any attorney, self—represented litigant, or witness expected to testify; or (b) exposure of such individuals to anyone who has or may have COVID-19, shall be considered “good cause” for any motion made to either appear remotely or continue a court setting. To the extent possible without violating statutory or constitutional rights, the court will endeavor to accommodate requests made pursuant to this order.

Therefore, The Judge of Starke Circuit Court requests that the Supreme Court declare that an emergency exists in Starke County under the authority of Ind Admin. R. 17, and to make appropriate emergency orders for Starke Circuit Court directing and allowing the Court and Clerk of Starke County to alter, modify, and suspend necessary procedures so as to appropriately address this emergency.

Respectfully Submitted, March 17, 2020

A handwritten signature in black ink, appearing to read 'Kim Hall', is written over a horizontal line. The signature is stylized and cursive.

KIM HALL, JUDGE
STARKE CIRCUIT COURT