

20S-CB-205

IN RE: The Petition for Emergency Relief  
Pursuant to Administrative Rule 17  
By the Hobart City Court

PETITION FOR EMERGENCY RELIEF  
PURSUANT TO ADMINISTRATIVE RULE 17

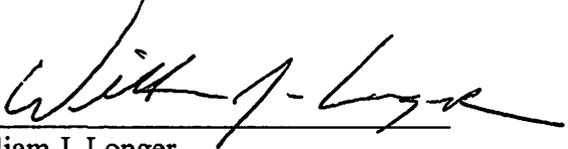
Comes now the Hobart City Court, and petitions the Supreme Court for relief under Indiana Administrative Rule 17. In support of this Petition, the court, informs the Indiana Supreme Court as follows:

1. The court has reviewed the CDC recommendations, the order for emergency relief issued March 13, 2020 applicable to the trial courts of Lake County, the recommendations contained in the order of the Indiana Supreme Court of March 16, 2020, and Executive Order 20-04 issued by the Governor on March 16, 2020.
2. The court has also conferred with other Lake County judges, representatives of the Lake County Sheriff and Hobart Police Department, and other city officials.
3. The City of Hobart has school closings in effect, and confirmed cases of COVID-19 in individuals living or working within the city.
4. The Hobart City Court occupies a building which also houses a community senior center and other city offices.
5. The court has reviewed its practices, and concluded that the scheduling of large numbers of cases for the same time must immediately cease, in order to achieve compliance with CDC and ISDH recommendations regarding group size and social distancing.

The Judge of the Hobart City Court, having been advised it is not covered by the order of March 13, 2020 applicable to the trial courts of Lake County, requests that the declaration of emergency contained in said order be extended to Hobart City Court, and that the court be allowed to alter modify or suspend necessary procedures as provided in the emergency plan submitted herewith, so as to appropriately address this emergency.

The petitioning court proposes that this plan remain in effect until April 30, 2020 or as may be extended from time to time, upon Motion of the petitioning court.

Respectfully Submitted,

  
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William J. Longer  
Judge, Hobart City Court

## EMERGENCY PLAN

The Hobart City Court submits the following as its proposed Emergency Plan and requests authorization to utilize any combination of these measures as the court deems appropriate:

1. Continuance of non-essential hearings on all cases scheduled between March 18, 2020 and April 30, 2020 to a date after June 1, 2020, with scheduling to be done so as to limit court attendance to no more than 50 people at a time.
2. Office hours of 8:30 a.m. to 4:30 p.m. Monday through Friday to be maintained, with staff available by telephone, fax or e-mail. Public access to the clerk's office shall be limited to hours the building is open as determined by the City of Hobart (currently 9:00 a.m. to 1:00 p.m.).
3. Defendants or attorneys having matters of an urgent nature that they believe need to be addressed prior to June 1, 2020 may contact the court to request more immediate action on a case by case basis. Non-evidentiary hearings may be addressed by remote appearance.
4. Tolling for a limited time all laws, rules, and procedures setting time limits for speedy trials in criminal proceedings, all judgments and other orders; and in all other civil and criminal matters before the court.
5. Using telephonic or video technology in lieu of in-person appearances, unless a litigant's due process rights would be violated.
6. Issuing summonses in lieu of bench warrants, writs of attachment, notices of failure to appear, or notices of failure to pay.
7. Considering the existence of flu or flu-like symptoms in any attorney, litigant, or witness expected to testify; exposure of such individuals to anyone who has or may have COVID-19; or status of such individuals in a high-risk category; to constitute "good cause" to appear remotely or continue a court setting, to the extent possible without violating statutory or constitutional rights.
8. Allowing any attorney to appear remotely for any status conference or non-evidentiary hearing upon the filing of a notice of remote appearance without further leave of court.
9. Limiting spectators in court to achieve social distancing to the extent possible within Constitutional limitations.
10. Making drop boxes available for conventionally filed documents and receipt of payments.
11. Permitting telephonic continuances for persons who are ill, caring for someone who is ill, or

in a high risk category.

12. Posting signage at public entry points advising individuals not to enter who have:

a. Visited China, Iran, South Korea, any European countries, or any other high risk countries identified by the CDC in the previous 14 days;

b. Resided with or been in close contact with someone who has been in any of those countries in the previous 14 days;

c. traveled domestically in the United States to an area where COVID-19 has sustained widespread community transmission;

d. been asked to self-quarantine by any doctor, hospital or health agency;

e. been diagnosed with or had contact with anyone who has been diagnosed with COVID-19; or

f. a fever, cough or shortness of breath;

and directing court security officers to deny entrance to individuals attempting to enter in violation of these protocols.