

20S-CB-219

IN THE INDIANA SUPREME COURT

In the Matter of the Petition of	)	
The Montgomery Superior Court I,	)	
the Montgomery Superior Court II	)	Supreme Court Case No.
the Montgomery Circuit Court	)	_____
For Administrative Rule 17 Emergency Relief	)	

**PETITION FOR EMERGENCY RELIEF**

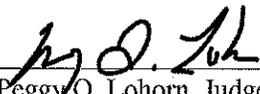
Come now the Montgomery Superior Courts and the Montgomery Circuit Court (hereinafter “courts of Montgomery County”) and petition the Indiana Supreme Court for relief under Ind. Administrative Rule 17. In support of this petition, the courts inform the Supreme Court as follows:

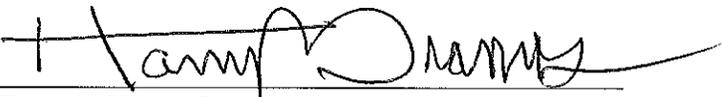
1. The courts of Montgomery County have convened and have determined:
  - (A) On March 6, 2020, Governor Holcomb declared a public health emergency in Indiana related to the 2019 novel coronavirus (COVID-19).
  - (B) On March 13, 2020, President Trump declared a national emergency relating to the virus.
  - (C) The Centers for Disease Control and Prevention (CDC) and the Montgomery County Health Department have determined that “social distancing” is necessary to minimize further spread of the virus.
  - (D) The CDC has recommended that events involving fifty (50) or more persons be postponed or cancelled *for the next eight weeks*.
  - (E) The MCHD has recommended that government entities limit close contact with others as much as possible (about six feet apart).

The Courts of Montgomery County request that the Supreme Court declare that an emergency exists in Montgomery County under the authority of Ind. Admin. Rule 17 and to make the appropriate order for Montgomery County directing and allowing the Courts of Montgomery County to alter, modify and suspend necessary procedures as provided in the plan submitted herewith so the Courts can appropriately address this emergency.

Respectfully submitted this 20<sup>th</sup> day of March, 2020.

  
\_\_\_\_\_  
Heather Barajas, Judge  
Montgomery Superior Court I

  
\_\_\_\_\_  
Peggy Q. Lohorn, Judge  
Montgomery Superior Court II

  
\_\_\_\_\_  
Harry A. Siamas, Judge  
Montgomery Circuit Court

## EMERGENCY PLAN FOR THE MONTGOMERY COUNTY COURTS

1. All jury trials are immediately suspended until further order of the court. This will be reviewed by April 17, 2020 with jury trials beginning no earlier than May 4, 2020 thus allowing for adequate notification of the jury pool.
2. Spectators will be barred from the courtroom until further order of the court. Only litigants, their attorneys, witnesses with subpoenas and properly credentialed media will be allowed in the courtroom.
3. All litigants are encouraged to check [www.mycase.in.gov](http://www.mycase.in.gov) for the status of their case on a continuing basis.
4. The tolling of all laws, rules, and procedures setting time limits for speedy trials in criminal and juvenile proceedings, public health, mental health, and appellate matters.
5. The Courts may allow, attorneys, parties and witnesses, to attend by telephone, video or other media without further order or compliance with trial or administrative rule.

## EXHIBIT A