

STATE OF INDIANA )  
 COUNTY OF RIPLEY )  
 IN RE: THE MATTER OF REQUESTING )  
 RELIEF UNDER A.R. 17 )

IN RIPLEY CIRCUIT AND SUPERIOR COURT  
 CAUSE NO. 69C01-2003-

**RIPLEY CIRCUIT AND SUPERIOR COURTS ADMINISTRATIVE RULE 17 PETITION**

Come now the Ripley Circuit and Superior Court, after convening *en banc*, and petition the Supreme Court under Admin. Rule 17. In support of this petition the Ripley County trial courts inform the Supreme Court as follows:

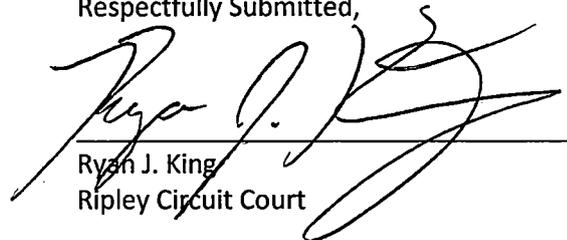
- 1) The COVID-19 virus is spreading across the world, nation, states, and including counties in Indiana.
- 2) President Donald J. Trump has declared a national state of emergency and has invoked power similar to executive powers in a time of war.
- 3) Eric Holcomb, Governor of Indiana, has declared a state of emergency in the State of Indiana.
- 4) Governor Mike DeWine, Governor of Ohio, has declared a state of emergency in the State of Ohio. Ripley County is one county away from the State of Ohio and close to Cincinnati.
- 5) Other states have issued "stay home" orders and "shelter in place" orders. These actions are well known to the Ripley County community as said information is frequently on the news.
- 6) This honorable court, the Indiana Supreme Court, previously issued an order on March 16, 2020, recognizing the emergent circumstances and dangerous times now befalling the justice system and community as a result of this virus.
- 7) All Ripley County public schools are closed and will remain closed for the foreseeable future (at least until May 1, 2020).
- 8) Most employers have deviated work schedules and parameters to best comply with the recommendations from the Center for Disease Control ("CDC"), Trump Administration, and Governor Holcomb's issued guidance and recommendations. Many employers are permitting employees to work remotely when possible.
- 9) The CDC and Trump Administration recommend that people not congregate in groups of more than 10 people. This recommendation is to be effective for 8 weeks.
- 10) The Ripley County Courthouse has one single point of public entry. The Courthouse includes the Circuit and Superior Courts, Probation, the Ripley County Clerk of Courts, and the Ripley County Prosecuting Attorney's Office.
- 11) Mitigation of the spread of contagions is of the utmost important to protect the citizens of Ripley County.
- 12) The trial court judges request that the Supreme Court declare that an emergency exists in Ripley County under Ind. Admin. R.17 and make appropriate emergency orders altering, modifying, and suspending necessary ordinary procedures as provided in the Emergency Plan.
- 13) The Ripley County Courts Emergency Plan, which would take effect upon approval and run through **May 11<sup>th</sup> 2020**, is as follows:
  - a. The trial courts request tolling until at least **May 11, 2020**, of all laws, rules, and procedures setting time limits for speedy trial in criminal and juvenile proceedings, public health, mental health, and appellate matters; all judgements, support, and other orders; and in all civil and criminal matters before the Ripley Circuit and Superior Courts;
  - b. The trial courts also specifically request that Criminal Rule 4 ("CR 4") be tolled during this emergency – a jury trial simply cannot responsibly be held during this emergency. This time should not count toward CR 4;
  - c. The trial courts requests that criminal jury trials be suspended, subject to a Defendant's Constitutional Rights;

- d. The trial courts request permission to suspend all non-essential hearings (excepting emergency hearings, emergency CHINS detention hearings, domestic violence hearings, and essential hearings in criminal cases);
- e. The trial courts request that attorneys be permitted to appear remotely when possible;
- f. The trial courts request that spectators be limited to parties and their attorneys as both the Circuit and Superior Court are limited in space and is necessary to effectuate appropriate social distancing;
- g. The trial courts request permission to deny entrance to the Courthouse if:
  - i. Said person has been out of country in the last 14 days.
  - ii. Said person has been in contact with anyone that has been out of country in the last 14 days;
  - iii. Said person has visited or been present in a domestic "hotspot";
  - iv. Said person has been asked to self-quarantine by a medical professional;
  - v. Said person has or has had contact with anyone diagnosed with COVID-19; or
  - vi. Said person has or recently has had a fever, cough, shortness of breath, or otherwise appears ill or has recently been ill;

in which case Courthouse Security and/or the Bailiff shall have authority to remove persons falling within the above-mentioned sub-paragraphs.

So petitioned at Versailles, Ripley County, Indiana, this 20<sup>th</sup> day of March, 2020.

Respectfully Submitted,



Ryan J. King  
Ripley Circuit Court



Jeffrey L. Sharp  
Ripley Superior Court