

20S-CB-224

STATE OF INDIANA

IN THE GAS CITY COURT

COUNTY OF GRANT

CAUSE NO: 27H01

ORIGINAL MATTER

PETITION FOR RELIEF UNDER INDIANA ADMINISTRATIVE RULE 17

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

1. I am the Judge of Gas City Court and have determined:
 - A. The President of the United States and the Governor of the State of Indiana have declared a national emergency over the entire State;
 - B. The Grant County Health Department has recommended the closure of all county schools beginning March 16, 2020 and lasting through the Governor's order until May 1, 2020;
 - C. County governmental officials and the elected officials have implemented a Code Yellow in the county halting non-essential travel for municipal employees;
 - D. The United States Center for Disease Control is encouraging "social distancing" as a means of limiting the spread of COVOD-19, also known as novel coronavirus and other potentially fatal viruses, and has recommended gatherings of 10 or more persons be cancelled or postponed for the next five weeks;
 - E. Grant County health officials, on March 20, 2020 confirmed the first known case in Grant County testing positive for COVOD-19. Since then there a two more additional cases.
 - F. The Gas City Court holds hearings and proceedings which result in many people entering the Gas City Hall each week;
 - G. I have met with local stakeholders and government leaders regarding this situation and received their input on its proposed operational changes;
 - H. I am fully aware of the concerns of the Grant County Health Department and on the spread of COVOD-19 and the impact court operations may have on the spread of the disease in the community;
 - I. The mitigation of contagions is of utmost importance to protect the citizens of Grant County and the City of Gas City;
 - J. The administration of justice and access to the court must be balanced with the health, safety and security of the people of Grant County and the City of Gas City;
 - K. I propose the following measures to maintain continuity of the court operations during this emergency:
 - I. All rules and procedures setting time limits for speedy trials in criminal proceedings shall be tolled.
 - II. All cases deemed non-essential shall be continued.
 - III. In criminal proceedings, bond hearings and arraignments of inmates shall be deemed essential.
 - IV. Initial hearings, for individuals that have been issued a summons to appear, and are not in custody, shall be rescheduled for a date, 90 days in the future.
 - V. Judge may, in his discretion, schedule and hold a hearing in case not listed above which he deems to be essential.

- VI. Traffic Court (infractions and local ordinances) proceeding shall be suspended and rescheduled at least 90 days in the future.
- VII. The court shall have authority to limit spectators or other persons gathering in the courtroom and adjacent hallway.
- VIII. The court shall communicate with the Grant County Bar and the general public to inform them of these rules and procedures and to make provisions to deal with emergency matters.
- IX. Communicate to the Indiana Supreme Court with a status update not later than April 15, 2020.

The judge of Gas City Court requests the Indiana Supreme Court declare an emergency exists in Gas City Court, Grant County under the authority of Ind. Admin. R 17, and to make appropriate emergency orders for the City of Gas City directing and allowing the court and clerk of Gas City Court to alter, modify and suspend necessary procedures as provided in the emergency plan submitted herewith, so as to appropriately address this emergency.

DONE at Gas City, Indiana on this 23rd day of Marcy, 2020



Steven J. Barker

Judge, Gas City Court

GAS CITY COURT
HONORABLE JUDGE STEVEN BARKER
211 EAST MAIN STREET
GAS CITY, INDIANA
46933

FAX COVER SHEET

TO: *INDIANA Supreme Court Clerk*

FROM: GAS CITY COURT

NUMBER OF PAGES (including cover sheet): 3

COMMENTS:

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