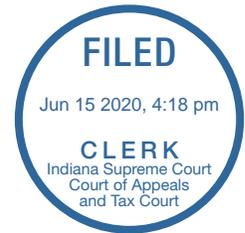


In the Indiana Supreme Court

In the Matter of Matter of the Petition of
the Jennings County Courts for
Administrative Rule 17 Emergency Relief.

Supreme Court Case No.
20S-CB-186



Amended Order Approving Expansion of Operations Plan

By orders issued April 24 and May 13, 2020, this Court ordered trial courts statewide to submit plans for gradually resuming normal operations under limitations appropriate to the 2019 novel coronavirus (COVID-19) public health emergency. Pursuant to that order, the petitioning court(s) filed an amended expansion of operations plan (“Amended Plan”) on June 9, 2020.

The Court finds that the Amended Plan was made in coordination with appropriate local authorities and local justice system partners to account for local health conditions, facility readiness, and litigants’ needs; and that the Amended Plan makes reasonable provisions for resuming normal staffing, providing public access to non-confidential proceedings, and resuming jury trials. A copy of the Amended Plan is attached to this order and incorporated by reference.

Being duly advised, and pursuant to Indiana Administrative Rule 17 and this Court’s inherent authority to supervise the administration of all courts of this State, the Court ORDERS as follows:

1. All emergency relief previously granted to the petitioning court(s) under Administrative Rule 17 is deemed to expire as of the effective date of this order, except as provided by this Court’s “Order Extending Trial Courts’ Emergency Tolling Authority and Setting Expiration of Other Emergency Orders” issued May 29, 2020 in Case No. 20S-CB-123. However, this Court’s May 13, 2020 “Emergency Order Permitting Expanded Remote Hearings” and paragraph 3 of its May 13 “Order Extending Time for Expanding Trial Court Operations” in Case No. 20S-CB-123 (prohibiting jury trials before July 1 without prior approval of this Court) remain in full force and effect.
2. The Amended Plan is approved, and the petitioning court(s) shall comply with its terms through its stated duration, subject to further order of this Court.

Done at Indianapolis, Indiana, on 6/15/2020 , **effective May 8, 2020.**

A handwritten signature in black ink that reads "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

STATE OF INDIANA) IN THE JENNINGS CIRCUIT COURT
) AND
) IN THE JENNINGS SUPERIOR COURT
) SS:
 COUNTY OF JENNINGS) CAUSE NO. 40C01-2005-CB-32

IN THE MATTER OF THE
 COVID 19 TRANSITION PLAN

FILED

JUN 09 2020

Ann D. Thomas
 CLERK OF JENNINGS COURTS

AMENDED¹ COVID 19 TRANSITION PLAN

This Amended Plan is submitted as required by the Indiana Supreme Court. The original plan, submitted May 8, 2020, is incorporated herein by reference:

1. **Operations**

Insofar as possible, normal court operations will resume on May 18, 2020 at 12:01 a.m. subject to the following:

A. **Door Security Officer**

The existing Jennings County Sheriff's Department security officer shall be at the only public entry to the Jennings County Courthouse (the front door) from 8:00 a.m. to 4:00 p.m., Monday through Friday, to vet all persons entering the Jennings County Courthouse. If, in the officer's opinion, a person asking to enter is a threat to public health or safety, the Officer shall refuse entry and contact either judge at once for further guidance.

B. **Masks**

¹ The reason for the amendment is to amend the current plan per the Indiana Supreme Court's request of May 27, 2020.

All persons entering the Jennings County Courthouse beginning May 18, 2020, must wear a mask at all times unless testifying or when doing so may impede confidentiality or disrupt close, personal conference with counsel or clear voice recording. This provision is by directive of the Jennings County Commissioners

C. Hygiene

Hand sanitizer shall be available at the front door for public use and in the courtrooms for public use. The building custodian shall thoroughly clean the building each evening, including insuring an ample supply of hand sanitizer, soap, and disposable towels.

D. Social Distancing

All persons, whether seated in the courtroom, or in the adjacent hallway, shall practice "social distancing" of six (6) feet or more.

E. Judicial Discretion

It shall be the sole discretion of the Judge of each Court whether to admit or deny entry to the Jennings County Courthouse or ask someone to leave, if the Judge decides, the person is refusing to follow these rules or a threat to public health or safety.

2. Planning

The judges of the Jennings Circuit Court and the Jennings Superior Court met with the Prosecuting Attorney of Jennings County, a representative of the County Public Defender Board, the County health department, and a representative from the Sheriff's Department of Jennings County in developing this plan. These meetings were held telephonically.

3. Employment Procedures

The employees of both courts were never off work due to Covid 19. Insofar as possible with the physical layout of court offices, social distancing is to be maintained. All staff have been directed to report any Covid 19 symptoms to the presiding judge.

Employees have been instructed to report if they have been in close contact with someone with Covid 19, and that the court will follow the guidance of the Jennings County Health Department for any employee in quarantine.

4. Courthouse Facility Plan

Both courts have been using social distancing by the use of tape or removal of seating. The entire courthouse is cleaned each evening and throughout the day as required. Hand sanitizer dispensers have been installed at the entrance to the courtrooms.

5. Resuming Non-Emergency Hearings

All hearings are now taking place with the above procedures in place. Anyone in the courthouse must wear a mask.

6. Jury Trials

Jury trials have not yet resumed and probably will not be until July, 2020. Implementation of specific plans for jury trials are still being developed.

All jury trials will commence July 1, 2020 with criminal jury trials being prioritized. Speedy trial requests, as always, will receive first priority. Safety will be addressed in a letter sent with their jury summons.

Potential jurors who have had or have been exposed to Covid 19 will be deferred for nine (9) months.

Jury selection will be held in either the Jennings County Community Building or the Jennings County Middle School Auditorium. Once selection is complete, the case will be tried in the appropriate courtroom.

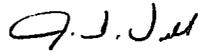
Juror breaks, recesses and deliberations will occur in the third courtroom instead of the jury room with privacy safeguards in place, e.g. signage, covered doors and windows, etc. If necessary in July, carryout meals will be provided to jurors.

Instead of selected jurors seated side-by-side, they will be spaced six (6) feet apart.

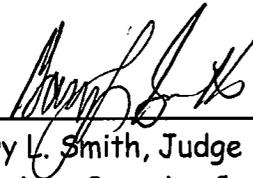
7. Court Supervised Services

All court services have resumed with masks, glove, and social distancing. Each probation officer must conduct their own screening, whether the visit occurs in or outside their office. CASA representatives are being permitted to appear for hearing via phone or Skype.

So Ordered June 9, 2020



Jon W. Webster, Judge
Jennings Circuit Court



Gary L. Smith, Judge
Jennings Superior Court