In the
Indiana Supreme Court

In the Matter of the Petition of the Courts of Perry County for Administrative Rule 17 Emergency Relief	Supreme Court Case No. 20S-CB-181

FILED
Jun 15 2020, 3:50 pm
CLERK
Indiana Supreme Court
Court of Appeals
and Tax Court

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 ("Plan") on June 12, 2020.

The Court finds that the 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 Plan makes reasonable provisions for resuming normal staffing, providing public access to non-confidential proceedings, and resuming jury trials. A copy of the 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 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 11, 2020.**

Loretta H. Rush
Chief Justice of Indiana

PERRY CIRCUIT COURT

IN RE: THE MATTER OF Petition of the Perry)
Circuit Court for Administrative Rule 17)
Emergency Relief.)

Supreme Court
Case No. 20S-CB-181

PERRY CIRCUIT COURT SECOND AMENDED TRANSITION PLAN FOR EXPANDED OPERATIONS

WHEREAS the Indiana Supreme Court has ordered this court to develop a plan for expanded operations relating to the 2019 Novel Coronavirus (COVID-19) the Perry Circuit Court respectfully submits the following:

1. In accordance with Administrative Rule 17 components:
    a. Tolling: Extension of all laws, rules, and procedures setting time limits for speedy trials in criminal and juvenile proceedings; public health and mental health matters; all judgments, support and other orders; and in all other civil and criminal matters through August 14, 2020. Further, no interest shall be due or charged during the tolled period.
    b. Authority for Continuing Jury Trials: Calculation from April 3, 2020 through August 14, 2020 for early-trial demands filed under CR4(B) before April 3, 2020; CR4(A) and (C); and shall further be subject to congestion of the court calendar or locally existing emergency conditions for good cause shown. Early-trial motions filed after April 2, 2020 and before August 15, 2020, the motion shall be deemed to have been made on August 14, 2020 and shall be further subject to congestion of the court calendar or locally existing emergency conditions for good cause shown.
    c. Authority for Reviewing County-Jail and Direct Placement Community Correction Sentences of non-violent inmates and juveniles extended until August 14, 2020.
    d. Prohibition on Issuing or serving new writs of attachment, civil bench warrants, or body attachments pursuant to TR64 shall be extended until August 14, 2020.

2. To develop this plan this Court met/conversed with the following community partners. This plan was developed by their recommendations:
   A. Perry County Emergency Management Director Steve Hauser, April 22, 2020.
   B. Perry County Sheriff Alan Malone on April 22, 2020.
   C. Tell City Mayor, Chris Cail, April 22, 2020.
   D. Perry County Prosecutor, Jason Hoch, April 23, 2020.
   E. Perry County Commissioner, Tom Hauser, April 23, 2020.
   F. Perry County Sheriff, Alan Malone, April 23, 2020.
   G. Court Administrator, Kimberly Myers, April 23, 2020.
   H. Perry County Emergency Management Director, Steve Hauser, April 23, 2020.
   I. Local members of the Perry County Bar Association, April 23, 2020.
   J. Perry County Commissioner, Tom Hauser, April 24, 2020.
   K. Perry County Circuit Court Clerk, Rachel East, April 28, 2020.
   L. Perry County Chief Probation Officer, Brandi Glenn, April 24, 2020 and May 4, 2020.
   M. Perry County Health Officer, Dr. William Marcum, May 1, 2020.
   N. Director of Community Corrections, Traci Fisher, May 4,2020.
   O. Attorney for the local office of the Department of Child Services, Samuel Stark, May 4, 2020.
   P. Director of the local office of the Department of Child, Nancy Rennie, May 4, 2020.
   Q. Tell City Mayor, Chris Cail, May 4, 2020.
   R. Perry County Commissioner, Tom Hauser May, 2020.
   S. Perry County Convention and Visitor Bureau Director, Betty Cash, May 4, 2020.
   T. Perry County Economic Development, Erin Emerson, May 4, 2020.
   U. Perry County Chamber of Commerce, Wendi Rich, May 4, 2020.
   V. Perry County Health Department, Tara Lucas, May 4, 2020.
   W. Perry County Health Department, Sara Gehlhausen, May 4, 2020.
   X. Perry County Commissioner virtual meeting, May 4, 2020.

3. Courthouse Facility Plan/Employment and Screening Proceddures:
   a. The staff of the Perry Circuit Court will continue work from home and a limited number of employees will go into the office to oversee court operations.

b. The staff of the Perry Circuit Court take their body temperature prior to entry into the Court offices. Any staff member who has a body temperature of 100.5 or more shall immediately return home.
c. Any staff member who is experiencing shortness of breath, coughing, or who has been in contact with an individual infected with the COVID-19 virus shall remain home.
d. All courthouse staff shall wear facial coverings when they are in the common areas of the courthouse or in confined areas where they cannot social distance. Courthouse staff may unmask in their offices if they can maintain 6 foot social distancing inside their offices.
e. All employees of the Perry Circuit Court will be encouraged to discuss any anxiety/depression/anger/frustration, or any other mental health issues, with Life Springs Mental Health Services or from their choice of mental health providers.
f. Mail will sit for three days before being handled.
g. An information tent will be located outside of the Perry County Courthouse. General public will be directed to the tent prior to entry to the courthouse.
h. For individuals who are appearing at the courthouse for a court hearing their names will be called by a loud speaker and they will approach the tent and answer three questions before they will be allowed to enter the court.
i. Any individual seeking entry into the Perry County Courthouse will be asked if they are experiencing shortness of breath, if they have been experiencing coughing and if they have been in contact with anyone with the COVID-19 virus. Anyone answering in the affirmative to any of these questions will be given a new court date and asked to return to their homes.
j. Anyone allowed into the courthouse, after answering the three questions, will be required to wear a facial covering.
k. A limited number of individuals will be allowed to enter the Perry County Courthouse. Upon entry into the courthouse the individual will submit to a “non touch” body temperature reading. Any individual that has a temperature of 100.5 or more will be given a new court date and sent home.
l. After submitting to a body temperature reading the individual will be allowed into the Perry Circuit Courthouse.
m. Each office will limit the number of people from the general public who will be allowed to enter their respective offices to ensure social distancing.

n. Plexiglass partitions have been constructed in each county office.
o. Department heads have been authorized to stagger their staffing.
p. All individuals will adhere to social distancing guidelines.
q. Hand sanitizer will be placed throughout the courthouse and in each county office for county employees and members of the public.
r. The Perry County Courthouse will be cleaned and sanitized each evening, after business hours, by a cleaning agency.
s. Courthouse employees will be given time throughout the day to sanitize their office space.

4. Resuming Non-Emergeny Hearings:

a. The Perry Circuit Court will limit the number of individuals allowed in the courtroom to adhere to social distancing guidelines.
b. All court proceedings that are open to the public will be live streamed on YouTube.
c. Only parties and their counsel shall be allowed in the courtroom.
d. For individuals who are appearing at the courthouse for a court hearing their names will be called by a loud speaker and they will approach the tent and answer three questions before they will be allowed to enter the court.
e. Any individual seeking entry into the Perry County Courthouse will be asked if they are experiencing shortness of breath, if they have been experiencing coughing and if they have been in contact with anyone with the COVID-19 virus. Anyone answering in the affirmative to any of these questions will be given a new court date and asked to return to their homes.
f. Anyone allowed into the courthouse, after answering the three questions, will be required to wear a facial covering.
g. All attorney conference rooms will be closed and locked to the public. The rooms will be open upon request and only if the parties can adhere to social distancing guidelines.
h. A plexiglass windows shall separate the general public and staff of the Perry County Courthouse.
i. Any attorney wishing to appear remotely is encouraged to do so.
j. Any incarcerated individual at the Perry County Detention Center, the Indiana Department of Corrections or any other

correctional facility shall appear by video or telephonic conferencing in accordance with Administrative Rule 14.

k. Perry Circuit Court staff will be given time throughout the day to sanitize work spaces.
l. Should an alternative venue be required the Perry Circuit Court shall resume operations at the City of Tell City City Hall.
m. All witnesses to a case shall be placed strategically in the courtroom to maintain social distancing.
n. All parties shall maintain social distancing and wear face coverings.
o. The court will continue to conduct hearing by video conferencing and telephonic conferencing when able to do so.
p. The courtrooms will be sanitized after each court hearing.
q. Hand sanitizer shall be placed on each attorney table and made available for all parties.

5. Jury Trials:
   a. All jury trials shall take place at a remote location to ensure social distancing.
   b. All jury trials will be lived streamed via You Tube.
   c. During jury selection, potential jurors will be called at specific times, in limited numbers of twelve, to ensure social distancing measures can be accomplished.
   d. Facial coverings will be offered to potential jurors.
   e. The court will make time between juror selection to clean and sanitize all areas potentials jurors will be or have been.
   f. All potential exhibits, plea agreements and/or stipulations of facts, shall be emailed to the Court Administrator prior to court hearings. Any confidential material shall be brought to the hearing that day. All material submitted to the court shall be disinfected prior to submitting the evidence or materials.
   g. Criminal jury trials will be prioritized based on the oldest cases with individuals who have been incarcerated for the longest time on the most serious charges. Speedy trial requests will also be given priority.
   h. The Court will send potential jurors a letter to describe the jury selection process and the steps that will be taken to assure their safety as potential jurors.
   i. The Court will allow deferrals for those in high-risk categories if requested.

j. Meals will be provided to those selected to serve as jurors to avoid additional contact with the public.
k. Potential jurors will undergo the same initial screening that all individuals who enter the courtroom undergo and that screening will continue daily throughout the trial process.
l. All jurors will be provided with gloves, hand sanitizer, and facial coverings during their service.
m. Deep sanitizing of the location where the jury trial is being held will occur nightly and light sanitizing will occur between witnesses and at breaks for public health purposes.

6. The plan is intended to enable the Perry Circuit Court to hear all cases while continuing to build the ability to do things differently in a safe and effective manner.

7. This plan is subject to change at the direction of the Indiana Supreme Court and guidance from the State of Indiana.

8. Perry County Community Corrections Plan, See Attachment A

9. Perry County Probation Plan, See Attachment B

10. Perry County CASA Plan, See Attachment C

Respectfully submitted this 11th day of June, 2020.

/s/ Lucy Goffinet
Lucy Goffinet, Judge
Perry Circuit Court

Perry County Community Corrections

COVID-19 plans to resume operations of the office

Currently, all Perry County Community Corrections staff are working from home. The office is closed to the public. Drug testing has stopped. Clients are being seen by phone and virtually via Zoom. Home visits also ceased at this time.

Beginning May 18, 2020, Perry County Community Corrections will begin to resume partial operations in the office.

STAFF:

One staff member will be in the office a week at a time, Monday – Friday 8am-4pm. The four full time staff will rotate a week on/off at a time. The office will be closed for lunch daily. The staff member assigned to work, must take her temperature before coming to work. If any staff member has a fever, they will not be able to work. If any staff member has any COVID-19 symptoms, she will not be permitted to work and another staff member will take her place in the office. Staff must wear a mask and practice social distancing when in contact with others. Staff will wash their hands frequently when in the office and sanitize the office before leaving for the day.

If the Director would contact COVID-19 or be required to be quarantined; Donna Bryant, Case Manager will assume the duties of the Director.

OFFICE:

Plexi glass is to be installed at the administrative assistance's front desk. Tape will be put down on the floor to indicate social distancing requirements of those entering the office. Hand sanitizer will be provided for staff and clients in the Detention Center Lobby and in the Community Corrections Office. The office will be sanitized daily. Once clients begin to enter the office, the office will be sanitized between each client as well as at least once daily.

CLIENTS:

Staff will continue to have contact with clients via phone and/or virtual appointments. Virtual appointments are being done on Zoom. This process will continue until at least June 1. This could be extended depending on COVID-19 cases. When one-on-one appointments resume with clients, staff and clients will be required to wear masks and practice social distancing. The client will be required to stay in their vehicle and call the office to check in. Once the case manager is ready to see the client, the case

manager will call the client to give them further instructions. When appropriate, staff will meet the client outside at a 6 foot distance for their appointment. If outside conditions are not suitable for this, the case manager will sit behind the glass in the Administration area of the Perry County Detention Center and the client will remain in the lobby. Once clients are allowed access into the office, the client will remain in the seating area of the office at the 6 foot distance marked location and the case manager will stay behind the plexi glass to be installed at the administrative assistance's desk. Zoom meetings will continue for ill and/or at risk clients. Masks or facial covering must be worn by all individuals. If a client does not have a mask/facial covering, the appointment will be rescheduled. Clients will be required to notify staff of any COVID-19 symptoms prior to their appointment. If a client has any COVID-19 symptoms, his/her appointment will be rescheduled.

DRUG TESTING:

Drug testing will begin to be done virtually as early as May 11, 2020. Supplies will be sent to clients' homes where the test will be observed virtually by the drug screen collector via Zoom. For clients that don't have access to Zoom, beginning May 18, the client will be required to report to the office and stay in his/her vehicle. The client will call from their vehicle to check in and wait for further direction from the drug screen collector. The drug screen collector will be observing the testing at a 6 foot distance. All drug screens will be oral until further notice. All staff and clients are required to wear a mask/facial covering.

HOME VISITS:

Home visits do not have a date to resume at this time. Once home visits resume, the field officer will not be making entry in the home. The client will be asked to step outside on the porch or in the yard and maintain 6 foot social distancing to meet with the field officer. The field officer will not be conducting home searches or administering breath tests or drug screens until further notice.

ATTACHMENT A

Brandi Glenn
Chief Probation Officer

Perry Circuit Court
70th Judicial Circuit
Courthouse Square
2219 Payne Street
Tell City, IN 47586
Telephone: (812) 547-7048
Facsimile: (812) 547-5424
Probation: (812) 547-8456

Amanda Young
Probation Officer

Perry County Probation

COVID-19 Conditions and Preventions Plan

Currently, the probation staff has limited staff in office, drug testing has stopped, and the courthouse is closed to the public. Clients are being seen by phone and virtually via Zoom. Home visits also ceased at this time.

On May 18th, 2020, The Perry County Probation Department will still refrain from face to face visitation unless it is deemed appropriate, the client has no symptoms, and the PO feels it is an emergency. We plan to keep limited staff, as there are only two PO's in our county and one of us has to be here.

- May will be by phone unless an emergency.
- June will be high risk clients face to face.
- July back to normal.
- Drug screening is being done by orals through zoom starting 5/11/20. This will continue until June or we see fit. Once it resumes in full we will still be following what is recommended by the courts, CDC, and state.
- Limited staff through May and the first part of June. Each staff member will take turns, there is a schedule in place.

Rules in the office:

1. Wear a mask when coming in contact with individuals. Whether it be screens, individual appointments, etc.
2. Please make sure if you are having any symptoms you call Brandi immediately, you will have to leave work if you have any symptoms or have been exposed.

3. Ensure you wear gloves and sanitize when new people sign up for probation. Try to limit their time in probation. If you can put their info in the system without them filling out any paperwork, GREAT!
4. Sanitize after each individual leaves your office or leaves after a screen.
5. Appointments need to be at least 45 minutes apart.
6. Drug screens one person in the building at a time. Then limit to only 5-10 per day. Once the oral video screens stop.
7. Check-ins after court will call in instead of reporting after.
8. A letter was sent to all clients with stipulations and precautions regarding the virus and recommendations.
9. All PSI Interviews will be over phone or video until further notice.
10. All random home visits will be suspended until further notice. Unless it is deemed an emergency by CPO.
11. Take steps to minimize shared use of materials i.e. pens, paper, phones, etc.
12. The Probation door will be closed to the public and will have to be checked in through the courts and asked a series of questions before being cleared to enter.

If the Chief Probation Officer would contact COVID-19 or be required to be quarantined; Amanda Young, Probation Officer will assume the duties of the Chief at this time. The Chief should remain available via phone unless they are incapable.

ATTACHMENT B

PERRY COUNTY CASA PROTOCOL FOR COVID-19

- All in person/contact visits will be discontinued until further notice and guidance from the State of Indiana.
- In order to continue advocacy, CASA's are encouraged to check-in with their children regularly using whatever technology is available to them such as, but not limited to, Facetime, Zoom, Skype, telephone, text, email, etc.
- All meetings will take place remotely. Visitors to the courthouse are restricted at this time. Meeting with the Department of Child Services will also occur remotely or via telephonic conference.
- When hearings are held, CASA will be represented by the CASA Director only.
- All CASA's are encouraged to contact the CASA Director with any and all questions and concerns they may have by text, telephone or email.

ATTACHMENT C