

# In the Indiana Supreme Court

In the Matter of the Petition of the  
Martinsville City Court for  
Administrative Rule 17 Emergency Relief.

Supreme Court Case No.  
20S-CB-225



## 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 25, 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 6/26/2020, effective **May 14, 2020**.

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

Loretta H. Rush  
Chief Justice of Indiana

20S-CB-225

IN THE INDIANA SUPREME COURT  
CASE NO. 20S-CD-123

IN THE MATTER OF THE  
ADMINISTRATIVE RULE 17

**AMENDED TRANSITION PLAN FOR EXPANDED OPERATIONS**

Comes now the Martinsville City Court, by its duly elected and presiding Judge, and submits this amended Transition Plan for Expanded Operations, pursuant to the June 3, 2020 notice and pursuant to the Order Extending Time for Trial Court Operations of May 13, 2020 and the Order Extending Trial Court Emergency Tolling Authority and Setting Expiration of Other Emergency Orders of May 29, 2020 and states as follows:

**ADMINISTRATION RULE 17 COMPONENTS**

1. The Martinsville City Court on or about March 20, 2020 petitioned this Court for an Order for relief pursuant to Administrative Rule 17 and this Court issued its Order March 24, 2020 approving in part said petition.
2. The transition plan for expanded operations was filed with this Court on or about May 14, 2020.
3. The Court is requesting that tolling of time limits for any motion for speedy trial in criminal proceedings, pursuant to Indiana Supreme Court ruling in the Case No. 20S-CD-123 through August 14, 2020.
4. Extending the suspension or rescheduling of criminal trials through August 14, 2020.
5. Extending the issuance of summons in lieu of bench warrants, writs of attachment, through August 14, 2020.
6. Approving to extend the provisions of the City Court's submission of May 14, 2020.
7. Extending the provisions of the City Court's submission of May 14, 2020.
8. Extending the provisions in the Transition Plan for Expanded Operations filed by City Court on or about May 14, 2020 to provide the following:
  - A. Stationing of a court officer outside the courtroom to limit access to 25 persons at any one time within the courtroom.
  - B. Provision of masks for those who appear in court and do not have their

own and require that masks be worn in the courtroom.

- C. No parties to be admitted to the courtroom other than defendants and parents with minor children.
- D. Sanitization of all surfaces.
- E. Social distancing required of all parties to be at least 6 feet apart.
- F. Any one with symptoms of COVID will not be admitted and will be assigned a rescheduled date.
- G. Persons addressing the bench shall do so from a podium more than 6 feet from the bench.
- H. No parties shall be admitted to the courtroom until the time of their own trial.

#### PLANNING

1. The entities consulted by the Court in developing this plan consist of the Morgan County Prosecutor and pauper defense counsel. These stakeholders are fully supportive of and have no objection to the measures taken.

#### EMPLOYMENT PROCEDURES

1. High risk employees will be identified as those employees 60 years of age or older and who have preexisting health conditions and they are encouraged to remain at home and work remotely if possible and have done so to this point.
2. Social distancing has been and will be required to be observed to keep the parties more than 6 feet apart and to wear masks while in the Court facility.
3. All Court employees will be required to monitor their health and to report any body temperature greater than 100 degrees and to remain at home and work remotely, if possible.
4. If any employee is at work and comes down with any symptom of illness of any kind shall depart the workplace and go home.
5. Employees shall utilize hand sanitization and washing hands several times each day.
6. Employees shall wear masks during work hours in City Court facilities.

### COURTHOUSE FACILITY

1. A court officer will be stationed outside the courtroom to limit access to 25 persons at any one time within the courtroom.
2. All surfaces will be sanitized regularly.
3. All persons shall maintain social distancing at least 6 feet or more apart.
4. Parties showing signs of COVID will not be admitted and will be given a rescheduled date to appear.
5. Plexiglass barriers have been installed in the courtroom to provide more separation of parties from court and prosecutor and other parties to prevent the transmission of virus.
6. Parties shall not approach the bench, but shall speak from the podium more than 6 feet away.
7. Parties appearing for trials at a specific hour shall not be admitted to the courtroom until the time of their trial.
8. Masks will be provided for anyone who does not have their own and all parties shall wear masks in the courtroom.
9. Hand sanitizers shall be provided to all parties using the Court.

### SCREENING PROCEDURES

1. Individuals may not be admitted to the courtroom until the time of their trial, including witnesses.
2. All parties entering the courtroom shall wear masks and if they do not have their own, one will be provided by the Court.
3. Anyone coughing or showing signs of viral infection will not be allowed to enter the courtroom and their hearing date will be rescheduled.

### RESUMING NON-EMERGENCY HEARINGS

1. Non-emergency hearings will be conducted in person commencing June 3, 2020 with initial hearings starting at 2:00 p.m. followed by bench trials at 3:00 p.m. The Court only hears criminal misdemeanors and traffic or ordinance infractions.

2. Any requests for continuances are to be filed on Friday, prior to the date of the bench trial.
3. Remote/virtual techniques are used for initial hearing for incarcerated defendants and those requesting bond.

#### JURY TRIALS

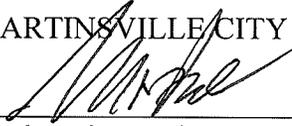
1. No jury trials have been scheduled. Those parties whose cases are assigned for jury trial will have their case transferred to Circuit or Superior Court.

#### COURT SUPERVISED SERVICES

1. The Martinsville City Court does not utilize formal referrals to the Morgan County Probation Office or Community Corrections.

WHEREFORE, this Petition for Amendment to the Transition Plan is hereby submitted to the Court this 24 day of JUNE, 2020.

MARTINSVILLE CITY COURT

  
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