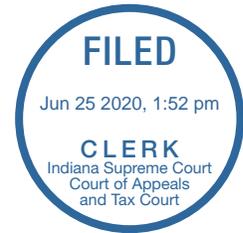


In the Indiana Supreme Court

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

Supreme Court Case No.
20S-CB-195



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 expansion of operations plan (“Plan”) on May 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 6/25/2020 , **effective May 25, 2020.**

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

Loretta H. Rush
Chief Justice of Indiana

IN THE
INDIANA SUPREME COURT

In the Matter of the Petition of the)
East Chicago City Court) Supreme Court Case No. 20S-CB-195
Administrative Rule 17 Emergency Relief)

EAST CHICAGO CITY COURT'S TRANSITION PLAN

May 22, 2020

1. East Chicago City Court and Lake County Courts approved Administrative Rule 17 Plans:
 - a. The Lake County Courts submitted its Petition for emergency relief pursuant to Administrative Rule 17 which was approved by the Indiana Supreme Court on March 13, 2020, as amended by subsequent Supreme Court Orders.
 - b. The East Chicago City Court submitted its Petition for emergency relief pursuant to Administrative Rule 17 which was approved by the Indiana Supreme Court on March 16, 2020, as amended by subsequent Supreme Court Orders.

The East Chicago City Court Administrative Rule 17 Petition will be modified as follows:

- a. Tolling of time limits – extend tolling of limits consistent with transition plan approved for Lake County Superior Courts, to avoid confusion.
- b. Continuing Jury Trials – extend consistent with transition plan approved for the Lake County Superior Courts, as applicable to jury trials in the County Division. Consistency is required in that the County Court Administrator pulls jurors and issues summons for city court jury trials.
- c. Extend review of county jail and direct placement sentences consistent with the transition plan for Lake County. The City and Town Courts in Lake County have agreed to allow Lake Superior Court Staff to perform risk assessments on defendants arrested and taken to the county jail, and to release defendants on their own recognizance when appropriate, as part of their effort to comply with the requirements of Criminal Rule 26. The City and Town Court Judges also receive a weekly report from the jail identifying individuals held from each court, to permit review of the

necessity of incarceration or to arrange transport to court or scheduling of a remote hearing.

- d. Extend ban on issuance of writs of attachment, warrants or body attachments on civil cases consistent with the transition plan approved for Lake County Superior Courts, to avoid confusion among the public, the bar, law enforcement, or county jail staff.

Note: It is the consensus of most of the city and town court judges in Lake County that the advantages of consistency with the county transition plan with regard to the above, in minimizing confusion and promoting the confidence of the public outweigh any advantages to be gained by individual courts in not being consistent.

2. Planning & Consultations:

- a. City and Town Court Judges have been provided a draft of the Lake County Superior Court County Division transition plan, and have discussed via Zoom meeting a proposed remote check-in procedure of parties using Google Voice and texting to control and limit the number of parties appearing in court at one time.
- b. Two representatives selected by the city and town court judges in Lake County, as a group, serve as voting members of the Lake County Criminal Justice Coordinating Committee created by the County Council.
- c. The Lake County Jail staff has had conversations with and scheduled remote hearings for several of the city and town court judges in Lake County. Weekly jail reports are provided to each judge regarding the population of the jail.
- d. In addition, consultations have been ongoing with local Police Departments, the Prosecutor's Office, Lake County Government officials, Judges, Health Department, local Health Directors, local attorneys, Lake County Bar Association, Kimbrough Bar Association, EMS officials, and city administration officials.

3. Employment Procedures:

- a. The East Chicago City Court staff has remained in operation since the beginning of this pandemic, along with the Clerks' Office. The Public Safety Facility, which houses both the Court and the Clerk's Offices, has been open to the public and the attorney on a limited basis. No more than ten (10) parties have been allowed into the Court. Clerks and Court remain behind plexi-glass windows and payments and mail have been

accepted through slots in the windows and all items are handled by gloved-staff. The Court and Clerk's staff while working have utilized masks, hand sanitizers, sanitized wipes, disinfectant spray, temperature screening and observed social distancing as required or recommended by federal, state and local authorities. Anyone reporting exposure to COVID-19 or exhibiting COVID-19 symptoms or a high temperature will be allowed to stay home and, if necessary, be quarantined. Upon reopening court to the public on June 1, 2020 (see Sec. 6 below), the Court staff will continue all of the above procedures as well as incorporating use of the glass barrier to service the public during and after court.

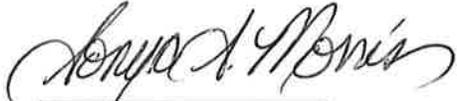
4. Courthouse Facility Plan:

- a. The East Chicago City Court is in the Public Safety Facility located at 2301 East Columbus Drive, East Chicago. It has been cleaned by the building maintenance Staff and is being thoroughly cleaned by the Court Staff. Upon resuming non-emergency hearings, Court traffic on Mondays Wednesday & Friday at 9:00 and Thursdays at 5:00p.m. will be limited as follows: 1) The Court call has been reduced to 50 participants. The Court benches have been marked with crime scene tape with attached "Do Not Sit pictures". Five of the spaces are reserved for observers. In the future observers will contact the court on the date they wish to appear. The first five (5) will be admitted. Others will be allowed in the atrium with the appropriate social distancing up to five (5). 2) Tuesday 1:00p.m. Civil hearings, including collections and evictions, will be limited to five (5) cases (avg. 3 cases per Tuesday) with parties for no more than fifteen to twenty appearing per Tuesday. Further limitations will include: 1) Remote check-in using Google Voice and texting is being developed to control and limit the number of parties appearing in the Courtroom and waiting in the atrium to conform to ISDH recommendations, any Executive Orders in effect, and strict adherence to social distancing requirements; 2) Ingress to and Egress from Court will be controlled by the East Chicago Police Department and the Bailiffs; 3) Lines at a social distance of 6 feet will be placed on the entry hallway floor and sidewalk outside the courtroom for those waiting to be screened by Police Officers and the Bailiffs.

- b. Hearings with attorneys and their clients conducted remotely will be encouraged and utilized whenever feasible instead of in-person hearings.
5. Screening Procedures for the Public:
 - a. Hearing conducted remotely will be encourage whenever feasible.
 - b. Telephone continuances of litigants who are high risk or exhibiting symptoms of illness will continue to be permitted, and the court may provide scheduling of cases for high risk litigants at time which minimize exposure to others, if their matter cannot be heard remotely.
 - c. Masks, hand sanitizers, and screening for symptoms of illness will continue to be permitted, and the court may provide scheduling of cases for high risk litigants at time which minimize exposure to others, if their matter cannot be heard remotely.
 - d. Social Distancing shall be strictly enforced so long as recommended by the ISDH or required by Executive Orders as specified in the above Courthouse Facility Plan. Remote check-in using Google Voice and texting to control and limit the number of parties appearing in court at one time will be implemented to permit persons appearing for court to wait in their vehicle until their case is called.
6. Resuming Non-Emergency Hearings:
 - a. The East Chicago City Court plans to resume non-emergency hearings on June 1, 2020. Hearings conducted remotely will be encouraged whenever feasible as scheduled with the Court, Prosecutor, defense counsel and parties. Spectators and witnesses will be allowed in the Courtroom subject to ISDH recommendations, any Executive Orders in effect, and strict adherence to social distancing requirements being met, and may be allowed to view remotely for Zoom hearings.
7. Jury Trials:
 - a. Jury trials are not frequent, but scheduling will be continued consistent with the scheduling of jury trials in Lake Superior Court County Division, to provide consistency for the County Court Administrator in prioritizing his responsibilities with regard to selecting and summoning jurors, and in public perception.

- b. Remote hearing technology may be used, with agreement of the parties, for any and all stages of the trial.
8. Court Supervised Services:
- a. Services not already provided telephonically or by video conferencing will resume when non-essential hearings resume, using remote technology whenever possible.
 - b. All Court staff including probation officers will utilize masks, hand sanitizers, temperature screening and observe social distancing as required or recommended by federal, state, and local authorities. Anyone reporting exposure to COVID-19 or exhibiting symptoms or a high temperature will be allowed to stay home and if necessary be quarantined. Probation Officers who meet with probationers in person shall meet with them in the court room utilizing the eight (8) feet long courtroom tables also in office will have a plexiglass barrier placed separating them from parties.

Respectfully Submitted



Sonya A. Morris, Judge
East Chicago City Court