

# In the Indiana Supreme Court

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

Supreme Court Case No.  
20S-CB-198



## 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 26, 2020.**

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

Loretta H. Rush  
Chief Justice of Indiana

20S-CB-198

**PORTER COUNTY COURTS'  
TRANSITION PLAN**

**Attachment 1**

## Porter County Courts' Transition Plan

### 1. Administrative Rule 17 Components

- a. Request the Indiana Supreme Court extend the tolling of all laws, rules, and procedures setting time limits for speedy trial in criminal and juvenile proceedings, public health, mental health, and appellate matters; and in all other civil and criminal matters before the Porter Circuit and Superior Courts until August 14, 2020. Tolling under Criminal Rule 4 to begin again on said date in each case that was pending at the time this Plan was filed to allow the courthouse and courtroom facilities to be fitted with proper plexiglass and PPE to allow the safe resumption jury trials.
- b. Request the Indiana Supreme Court extend the suspension of in-person new juror orientations, and/or postponement of jury service to a later date for jurors who are vulnerable or post high risk to others, for as long as the public health emergency for coronavirus (COVID-19) declared by Executive Order 20-02 (the "Public Health Emergency"), remains in effect, so as to require social distancing.
- c. Request the Indiana Supreme Court extend the authorization of the Court, in its discretion and subject to constitutional limitations, to limit spectators in its courtroom. This shall be to the extent necessary to provide adequate social distancing. This is contingent upon the public having access to hearings for as long as the Public Health Emergency remains in effect. Social distancing will be required.
- d. Request that the Indiana Supreme Court find that this Court may continue to consider
  - a) the existence of flu or flu-like symptoms in any attorney, self-represented litigant, or witness expected to testify; or
  - b) exposure of such individuals to anyone who has or may have the virus; to constitute "good cause" to either appear remotely or continue a court setting, to the extent possible without violating statutory or constitutional rights, for as long as the Public Health Emergency remains in effect.
- e. Request that the Indiana Supreme Court continue to authorize signage to be posted at all public entry points to judicial facilities advising individuals not to enter the building if they have:
  - i. Visited any high-risk countries identified by the Centers for Disease Control and Prevention ("CDC") in the previous 14 days;
  - ii. Resided with or been in close contact with someone who has been in any of these countries within the previous 14 days;
  - iii. Been asked to self-quarantine by any doctor, hospital or health agency;
  - iv. Been diagnosed with or had contact with anyone who has been diagnosed with COVID-19 in the past 14 days; or
  - v. Has COVID-like symptoms, as identified by the CDC, in the past 14 days.

## 2. Planning

- a. This plan was developed after the Porter County judiciary conducted meetings and collaborated with the following justice stakeholders in the creation of the Plan: Sheriff, Prosecutor, Public Defender, Porter County Adult and Juvenile Probation, Porter County Bar Association, Porter County Commissioner, Health Department, Porter County Facilities, Porter County EMA and Department of Child Services.
- b. The Plan was also based upon printed materials from the Indiana State Department of Health, CDC and other state and local offices.
- c. The Courts have reviewed and will continue to review County health data using the *Indiana COVID-19 Dashboard*, published by the Indiana State Department of Health at [www.coronavirus.in.gov](http://www.coronavirus.in.gov) for this county and in conjunction with information from the local health department and its *Porter County COVID Dashboard*.
- d. We will share this information with the public, local bar association, community and elected officials to gain voluntary compliance.

## 3. Employment Procedures

Court Employees shall take the same steps as visitors, plus these additional steps to minimize the spread of viruses in areas and on surfaces around the Court Offices. This shall be adopted as a Court Procedure following throughout this Public Health Emergency:

- a. Clean and sanitize our courtrooms and court offices often.
- b. Provide hand sanitizer at or near counsel tables, when supplies are available, and encourage visitors to wipe down or wash their hands.
- c. Provide wipes or napkins in break areas, for use when handling microwaves, refrigerators or cabinet doors, and for cleaning the handles on coffee makers or drink dispensers; and promote washing hands immediately after handling these surfaces.
- d. Avoid closing doors, when possible, to increase air circulation and reduce the need to handle door knobs or latches; consider the virus film for elevator and handicap buttons; and open windows when weather permits to increase circulation.
- e. To the extent possible, employees shall not share work equipment, including phones, microphones, writing utensils or other office equipment that come in contact with the face, mouth or hands. If sharing work equipment is unavoidable, then employees shall clean and sanitize the equipment between uses.
- f. Employees shall wear face coverings when working if they are unable to maintain social distancing of six feet.
- g. Notify supervisor if experiencing COVID-19 symptoms; have tested positive for COVID-19; or have been instructed to quarantine by medical professionals or health officers. Employees shall check their temperatures at the beginning of their work day in their respective courts or offices and logged in the temperature log provided to each court and office by the Porter County Commissioners. This log will be turned in

- to the Porter County Human Resource Department every Friday until we move into Phase 3 of this plan. Employees experiencing symptoms, while in the workplace, shall leave the workplace immediately and phone their supervisor after leaving the building to report concerns. Employees shall get tested if they are experiencing COVID-like symptoms. Employees may be required to self-isolate, even with a negative result, depending on the severity of symptoms and exposure.
- h. If an employee has a fever that registers a temperature above that recommended by the CDC or the Porter County Health Department, with no other symptoms or reason for the fever, the employee may be required to obtain a COVID-19 test to determine if the fever is related to COVID-19 or not and to determine whether the employee can return to work.
  - i. Employees shall report if someone they live with or have been with in the last 14 days tests positive for COVID-19. Employees who knowingly disregard our safety policies and enter the workplace while ill expose other employees to the illness and may face discipline by his/her judge or the Chief Probation Officer for their non-compliance.
  - j. We shall draft and prominently post our Employee Safety Policies inside each office which will include:
    - a. Listing the symptoms of COVID-19,
    - b. Requiring employees to notify us if they have experienced any of the listed symptoms within the preceding three days,
    - c. Requiring employees to report if they live with or have been with someone who has tested positive for COVID-19 within the past fourteen days,
    - d. Requiring employees to notify their supervisors of their intention to travel and be advised by the Porter County Health Department of locations or activities that are high-risk and should be avoided. Advising employees that if they choose to travel to a high-risk location, they may be required to self-quarantine or be tested for COVID-19 before being allowed to return to work.
    - e. Listing good hygiene practices which each employee must follow,
    - f. Limiting computers, copiers and other office equipment to one person to the extent possible or requiring sanitization of the shared equipment between uses,
    - g. Requiring each employee to wear masks in common areas or in areas where social distancing measures are not possible.
  - k. Using CDC and ISDH guidelines, we will assess which employees are considered the most vulnerable. Vulnerable employees are those whose own medical condition puts them in a high-risk category or who live with vulnerable individuals.
  - l. In determining which employees are vulnerable or at risk, we shall do so in a manner that is respectful of their confidentiality in questioning our employees and in storing the information each employee gives us.

- m. If a vulnerable employee's duties require his/her presence at the facility, we shall consider other reasonable accommodations, including PPE, social distancing and scheduling, to reduce the risk to the employee.
- n. We shall also determine which employees can work remotely and which are needed at the facility to conduct their duties. Those who are the most vulnerable shall be given priority to continue to work remotely, ideally, until conditions support our transition into Phase 2.
- o. To the extent we are able, we shall provide employees working remotely with laptop computers to enable them to perform their job duties.
- p. Employees of Porter County Government are allowed to use the Employee Assistance Program with an approved agency having offices in Portage and Valparaiso. This program offers free assessment, counseling, and referral services to help employees resolve problems that may be interfering with their work performance, health, relationships, and well-being. The Court will also share information with employees on resources such as Be Well Indiana, where employees may speak with someone directly about COVID-19, at the ISDH COVID-19 Call Center (open daily from 8 a.m. to midnight EST: (877) 826-0011 or by visiting [www.bewellindiana.com](http://www.bewellindiana.com).
- q. We have considered each facility, office and courtroom and have provided some visual mechanism to effectuate social distancing such as taping or other markings, as necessary.
- r. We have installed plexiglass in each office and courtroom in areas that will minimize the risk of spreading COVID-19 yet not inhibit our ability to get work done in the space.
- s. The Court will compel non-household members to social distance in the Court offices.
- t. Work meetings shall be conducted by remote appearance; in-person training and continuing education shall be suspended until further notice.
- u. Probation and Problem-Solving Court appointments, home visits, and searches when necessary, will occur using social distancing practices and be approved medical grade PPE. Written, video or telephonic reporting shall be used in all cases, except where in person is necessary to protect the community.
- v. The Court will resume normal staffing operations when advised by the Porter County Health Department that it is safe to do so.

#### **4. Courthouse Facility Plan**

The Porter County Courts plan to adopt the Porter County Government COVID-19 Safety and Action Plan which is attached hereto and incorporated herein as "Exhibit A."

## 5. Screening Procedures for the Public

- a. The Porter County Courts plan to adopt the Porter County Government COVID-19 Safety and Action Plan which is attached hereto and incorporated herein as “Exhibit A.”
- b. As the public enters the courthouses, the Porter County Sheriff’s Department security officers shall be responsible for the following:
  - a. Taking temperatures: Any member of the public who has a temperature of 100.4 degrees or higher shall be denied entry to the courthouse.
  - b. Further screening: Asking whether the person had any close contact with a COVID-19 positive person within the past 14 days and whether the person has traveled outside Indiana or internationally within the last 14 days. Any person who answers “yes” to either screening question may be excluded from the courthouse.
  - c. Masks shall be required of all members of the public entering the courthouse. If a person does not bring a mask, the Porter County Sheriff’s Department security will provide a mask for him or her.
  - d. Managing a sign-in sheet for any member of the public that is denied entry into the facility. Said sign-in sheet shall contain the date, the public person’s name, a contact number, and the office or department that was to have been visited.
  - e. Temperatures or other private medical information obtained through screening shall not be publicly shared and individuals’ names may not be used—other than to the proper health authorities for the purpose of notifying and tracing the COVID-19 virus.

## 6. Resuming Non-Emergency Hearings

- a. All vulnerable individuals should continue to avoid the Court Offices or seek reasonable accommodations if avoidance is not feasible. Members of households with vulnerable residents should be aware that when coming to Court Offices, where distancing is not practical, they could carry the virus back home. Vulnerable members of the public should continue to self-isolate, including appear remotely for hearings or seeking continuances. Parties seeking continuances should include in motions if they are vulnerable or high-risk members of the community. This may be considered “good cause” for granting a continuance in most matters.
- b. The Court will prioritize cases to be heard, with incarcerated defendants, CHINS/TPR Initial and Detention Hearings, Protective Order, and emergency provisional family law matters continuing to have priority. Low priority cases, such as final hearings on divorces without children, proceedings supplemental, civil jury trials, and estate matters may not be heard until Phase 4 or until the emergency order is lifted. Within similar priority cases, the Court will address a

first in-first out basis (“FIFO”), hearing those cases which were first to be stayed/continued at the start of the pandemic, being the first to come out of the stay and set for proceedings.

- c. Problem Solving Court treatment teams will continue to meet virtually throughout all phases, unless the venue in which Problem Solving Court hearings can occur can accommodate social distancing requirements.
- d. The Court will incentivize priority settings to those attorneys and litigants who agree to appear remotely, by setting hearings dedicated to matters that can be resolved remotely.
- e. Senior judges will be used more liberally to address remote hearings, when the presiding judge is unavailable.
- f. The Court will maximize remote hearings for DOC and jail inmates, exercising great care to minimize the movement of incarcerated individuals to the Court Offices and strive to minimize movement of inmates between jailing facilities by video and/or Zoom, whichever is available.
- g. Judges shall determine and advise which members of the public, such as attorneys, parties, witnesses, general public and media, are allowed in the courtroom for each type of hearing as well as when they shall be allowed to enter and in what numbers.
- h. During any hearing, throughout this Plan, where the public is excluded from the Courtroom, the Court will: 1) Publish the Zoom hearing information in the order setting the hearing or by docket entry, which will be available on [mycase.IN.gov](http://mycase.IN.gov); and/or 2) live stream the court proceedings to YouTube or another similar platform made available to the public; or 3) set aside sufficient seating in the courtroom under the guideline enunciated above; or 4) utilize the closed circuit televisions provided in each courtroom to broadcast proceedings to another available courtroom.
- i. When advised it is safe to do so from the Porter County Health Department, court dockets will resume with in-person hearings being staggered, avoiding any “cattle call” type hearings that would violate social distancing considerations and the ISHD or Porter County Health Department’s recommended maximum capacities.
- j. Criminal bench trials will begin when proper plexiglass shields are installed and PPE is available, with witnesses staggered to avoid capacity limits. Civil bench trials may resume, if scheduling permits, with priority given to remote hearings.
- k. To improve case resolutions, the Court may relax restrictions on Courtroom lawyering, allowing attorney-client conferencing to occur, so long as social distancing and capacity limits are observed, but avoiding pre-pandemic practices. Courtroom negotiations and conferences should be kept to a minimum until Phase 4.

- l. In later stages of Phase 3, the Court will begin to examine any cases that have been delayed since the start of the pandemic to consider docket priority in the early stage of Phase 4.
- m. Court, staff and the local bar will adhere to best practices and use of technology.
- n. As in-person hearings begin to be held again, work areas shall be properly sanitized between court hearings.

## **7. Jury Trials**

- a. Jury trials remain stayed until August 14, 2020.
- b. Final Pretrial Hearings should be held on those cases anticipated for trial in August. If jurors have not already been summoned, they should be summoned. The Court will discuss with State and Defense counsel any new practices to be used for jury selection and trials, to seek input and prepare them for trial.
- c. The Court has revised its current juror questionnaire to include appropriate COVID-19 questions which the Court will send to potential jurors with their juror summons, to be returned prior to the date of their jury service.
- d. Juror deferrals will be granted liberally to: vulnerable jurors; high-risk jurors; front line and essential workers; previously furloughed workers just returning to work; employees of long-term care facilities; those without childcare due to COVID-19; and others most impacted by COVID-19.
- e. Potential jurors who are not automatically deferred due to COVID-19 shall receive a letter from the Court Administrator with their jury summons informing them of the measures the courts are taking to ensure juror safety as well as whether they are required to bring their own masks or masks will be provided.
- f. If the court is unable to exercise social distancing for the jury pool, then the court will work with the Court Administrator or the Porter County Commissioners to secure a safe location in which to conduct jury selection and/or the jury trial.
- g. The Court will work with the Porter County Commissioners to secure space at the Memorial Opera House or the Porter County Expo Center to conduct matters such as jury selection and/or jury trials for those courts that do not have sufficient space to safely complete a jury trial utilizing proper social distancing. Those courts with adequate space will conduct their jury selection and jury trials using proper social distancing and staggering of prospective juror appearances.
- h. Criminal trials will resume first and will be given priority over civil trial settings.

## **8. Court Supervised Services**

- a. The Porter County Probation Department will follow their Plan of Operations attached hereto and incorporated herein as "Exhibit B."

- b. Pretrial Services will resume with all but the highest risk and seriously non-compliant clients posing a risk to the community, while others continue to be monitored by remote means (call-in, write-in, kiosks, web portals, or virtual application). It will be a reasonable rule of supervision during the pandemic to require compliance with remote reporting and monitoring.
- c. Pretrial services will continue with some expanded face-to-face visits occurring with moderate to high risk, non-compliant offenders, while still promoting remote check-in for all compliant and low risk offenders. Pretrial Services should continue to be considerate of vulnerable clients and weigh heavily the need for face to face reporting. If a vulnerable client must come to the office, the employees shall wear face coverings, in addition to social distancing.
- d. When it is determined to be safe by the Porter County Health Department, Pretrial Services may resume with more liberal face-to-face visits of moderate to high risk offenders for compliance. Such visits will be less frequent than pre-pandemic levels, using remote access as a substitute if needed.
- e. The Court and Pretrial Service Administrator will adhere to best practices and use of technology.

### **9.CASA as Officer of the Court**

- a. The Porter County Casa Program, under the operation and supervision of the Family and Youth Services Bureau, agrees to establish protocol and timelines for visits, meetings, and court attendance according to the CDC and state government guidelines and recommendations from The State and National CASA programs and the Family and Youth Services Bureau.
- b. To the extent that CASA volunteers and program staff are participating at court venues, CASA shall abide by protocols established under the Employment Procedures of this Transition Plan.
- c. The Court will provide CASAs and pretrial services with PPE.
- d. CASA may continue to use remote appearances for testimony during hearings, family team meetings, and the like, using free Zoom licenses or other platforms.
- e. The Court and the CASA Director will adhere to best practices and use of technology.

**PORTER COUNTY ADULT  
PROBATION COVID PRACTICES  
FOR EMPLOYEES' RETURN**

**Attachment 2**

**Porter County Adult Probation  
COVID Practices for Employee Return June 1, 2020**

Employee health:

1. Any employee whose health circumstance is deemed to be vulnerable will be assessed for their ability to work within the office and, if necessary, specific accommodations for working safely will be put into place.
2. Anyone who falls into the categories listed below should report immediately to the Chief or Assistant Chief:
  - a. Has experienced COVID-19 symptoms within the proceeding three days
  - b. Lives with, has been with, or has been exposed to someone who has tested positive for COVID-19 within the past fourteen days
  - c. Intends to travel (travel may require self-quarantine and/or testing for COVID-19 before being allowed to return to work)
3. Employees who knowingly disregard safety policies and enter the workplace while ill may face discipline.
4. Employee temperatures and assessments will be taken at the start of each work day.
  - a. Be prepared to answer the following questions daily:
    - i. In the past 24 hours, have you experienced any of the following: fever, cough, shortness of breath, sore throat vomiting/diarrhea?
    - ii. Have you had close contact in the last 14 days with an individual diagnosed with COVID-19?
    - iii. Have you been directed or told by the local health department or your healthcare provider to self-isolate or self-quarantine?
5. If at any point an employee's health or behavior is such that they may be ill or exposed to illness, the employee may be required to self-quarantine and/or pass a COVID-19 test prior to returning to work.

Facilities:

1. Practice social distancing at all times.
  - a. Refrain from congregating in private offices, shared, or public spaces. Communication, when possible, should be conducted using technology (phone, IM, email, etc.)
2. Everyone entering the building is required to wear a mask and will have their temperature taken before being granted entrance.
  - a. Please share this information with your clients.
  - b. Persons who are denied admittance will not be punished but will need to make arrangements with their supervision officer for a safe return.
3. Masks must be worn by all staff members in all common areas of the building (courts, hallways, bathrooms, etc.).
4. Main office door will be kept propped open to minimize touch.
5. Common office areas will be cleaned by Facilities staff but individual offices should be sanitized daily by employees.
  - a. Solid surfaces should be cleaned using sanitizing spray after every appointment.
  - b. Keyboards, phones, and other porous surfaces should be cleaned daily with a sanitizing wipe.
6. When possible, limit use of shared equipment (copiers, fax machine, printers) and sanitize between uses (use hand sanitizer before use).
  - a. Fax directly from your email.

- b. Ask outside agencies to email rather than fax documents.
  - c. Print multiple documents at the same time.
7. Office late nights are suspended until further notice.
  8. Fee payments must be made by money order, online, or by phone only. No cash will be accepted until further notice. Money orders can be brought in during appointments or mailed in. No walk in payments.

Staff:

1. Cannot arrive at the office before 8:15 am.
2. Courthouse staff will report to the main office for check-in before entering individual offices. Admin Building staff will report to the front desk of the Admin building and Portage staff will report to court security for check-in.
3. Shared food/drink is prohibited until further notice.
4. Lunches may be eaten in private offices but not in common areas.
5. Masks must be worn in all common areas and within private offices during client office visits. Masks are not required when alone in private offices.
6. No staff meetings until further notice.

Appointments:

1. Office visits will be conducted by appointment only – walk-ins will be turned away.
2. PSI interviews will be conducted using Zoom meetings or by phone when Zoom is not available.
3. Courthouse employees should provide a list of scheduled appointments for the following day to the receptionist by 4 pm. Admin building employees should provide a list of scheduled appointments for the following day to the PSI supervisor.
4. Appointments can be scheduled no earlier than 9:00 am and no later than 4:00 pm until further notice.
  - a. Clients may arrive no earlier than 15 minutes before their appointment time and should not arrive late for their appointments. If a client wants to come in for their appointment early, they must have permission from their supervision office and this information should be shared with the receptionist. Please share this information with clients.
  - b. Clients will be initially screened by court security prior to entering the building and then further screened by the receptionist upon entering the office.
5. Clients must wear a mask covering their mouth and nose before entering offices and remain wearing the mask for the duration of their appointment.
  - a. Request clients to use hand sanitizer prior to entering the office.
  - b. Limit clients touching anything within the office (move client chair back from desk, remove obstructions from office walk-ways, minimize personal belongings within office and especially on desk tops).
  - c. Use client pens sparingly and sanitize after use.
6. Desks must remain clear of folders, papers, etc. At the conclusion of each appointment, notes should be entered, work completed, and cases filed away.
7. Drug testing, when required, should be done using oral testing until further notice (unless the court specifically requires a urine test).
8. Paper exchange between clients and employees should be kept to a minimum.
  - a. Use of monthly paper reports remain suspended until further notice.

- b. Homework and journals can be required and discussed during appointments but refrain from collecting the actual paper.
- c. Ask clients to take and email pictures of documents they need to submit.

Courts:

Each court is establishing a practice for holding court calls. D02 is the test court and will begin increased operations on June 1. The others will follow. Court calls will be broken down into hourly segments with specific cases being called within the hour. Schedules are being shared with the Probation Department and will be shared with all employees via email. (likely the day before the court call). Court security will not allow persons coming to court into the building until just prior to the scheduled court call. While in the courtroom, Probation staff should wear masks and sit in the jury box.

**PORTER COUNTY  
JUVENILE JUSTICE CENTER  
TRANSITION PLAN**

**Attachment 4**

**Porter County Juvenile Justice Center Transition Plan**  
**June 12, 2020**

**Introduction and Application of Reopening Plan**

The proposed re-integration plan for Porter County Juvenile Services consists of four distinct phases with a proposed start date for each phase. The length of each phase shall be determined by consulting the Porter County Health Department about the status of COVID-19 activity in Porter County. This phase system gradually increases the amount of staffing and court, probation and detention operations while minimizing risk to personnel, attorneys, clients and the public. We will emphasize the importance of all employees using good judgment regarding their activities within the community and their travel plans as the State begins lifting various quarantines and loosening restrictions. Employees will be encouraged to continue practicing self-protective measures and appropriate social distancing through Phase 3 of this Plan. As has been indicated with all established protocols surrounding the COVID-19 pandemic, it is pertinent to recognize that the situation is very fluid and may be subject to tightening if virus conditions worsen.

These protocols are to be considered in addition to the ones contained in the Porter County Courts' Transition Plan.

## **PHASE 1: Preparing to Reopen Courts Current Phase**

### **Employee Care in Juvenile Probation, Juvenile Court and Juvenile Detention**

1. All employees' temperatures shall be taken at the beginning of their work day in their respective courts or offices and logged in the temperature log provided to each court and office by the Porter County Commissioners. The Executive Director shall be responsible for ensuring the temperature log/health screens are provided to the Porter County Human Resource Department every Friday through Phase 1.
2. Employees shall notify the Executive Director or their Department Head of their intention to travel and shall consult the Porter County Health Department to be advised of locations or activities that are high-risk and should be avoided. If an employee chooses to travel to a high-risk location, he or she may be required to self-quarantine or be tested for COVID-19 before being allowed to return to work.

### **Juvenile Probation**

#### **Employees**

1. Probation Officers shall continue to make contact and conduct meetings with probationers and their families telephonically, to the extent they are able given the circumstances of the case.
2. The front Probation Office will continue to be staffed by Administration using the existing in-place rotation of staff to ensure phone calls are being answered and emergent tasks, including conducting drug screens, are coordinated.
3. The Office Manager will continue to report to work as necessary to process new referrals, process mail, and pay bills.
4. Administration and the office manager shall wear masks while in the office and practice social distancing. They will also have their temperatures recorded and complete the health screening questions daily.

#### **Facilities**

1. The office shall remain closed to the public.
2. The Porter County Facilities Department shall sanitize probation offices before re-opening for non-emergent operations in Phase 2.

3. The Executive Director shall prominently post our Employee Safety Policies (hereinafter, Employee Safety Policies) inside each office which will include:
  - Listing the symptoms of COVID-19.
  - Requiring employees to notify the Chief Juvenile Probation Officer or Executive Director if they have experienced any of the listed symptoms within the preceding three days.
  - Requiring employees to report if they live with or have been with someone who has tested positive for COVID-19 within the past fourteen days.
  - Requiring employees to notify the Chief Juvenile Probation Officer or Executive Director of their intention to travel and to consult with the Porter County Health Department about locations or activities that are high-risk and should be avoided.
  - Advising employees that if they choose to travel to high-risk locations, they may be required to self-quarantine or be tested for COVID-19 before being allowed to return to work.
  - Listing good hygiene practices for each employee to follow.
  - Limiting computers, copiers and other office equipment to one person, to the extent possible, or requiring sanitization of the shared equipment between uses.
  - Requiring each employee to wear masks in common areas or in areas where social distancing measures are not possible.
4. The Executive Director and Chief Probation Officer has considered each office and the Teen Drug Court courtroom and have provided visual mechanisms to effectuate social distancing (such as taping or other markings), as practicable.
5. The Executive Director and Chief Probation Officer have met with Porter County Facilities to determine where plexiglass could be installed in each office areas to minimize the risk of spreading COVID-19, yet not inhibit the ability to get work done in the space.
6. As the public enters the Juvenile Services Center, the Porter County Sheriff's Department security officers shall be responsible for the following:
  - Taking temperatures: Any member of the public who has a temperature of 100.4 degrees or higher shall be denied entry to the Juvenile Services Center.
  - Further screening: Asking whether the person had any close contact with a COVID-19 positive person within the past 14 days and whether the person has traveled outside Indiana or internationally within the last 14 days. Any person who answers "yes" to either screening question may be excluded from the Juvenile Services Center.
  - Providing masks to those who enter the courthouse without their own, if the person is required to be there.

**Services**

1. Teen Drug Court shall continue to be held remotely through Zoom.

**Juvenile Court****Hearings**

1. In addition to the prioritizing of cases noted in the Porter County Courts' Transition Plan, Juvenile Court will also identify the non-emergent cases requiring hearings and develop a collaborative plan to reduce the backlog of cases. The Court will explore the use of Senior Judges or Temporary Judges for Phase 2 who can reduce the backlog by conducting hearings remotely or in another venue while the Magistrate is also holding court.
2. The Court will identify which paternity cases may be referred to mediation in an attempt to reduce the need for hearings.

**Juvenile Detention Center****Employees**

1. Employees shall continue to work either from home or shall be assigned to the Detention Center based on the existing staff-rotation plan.
2. Employees shall wear masks while in the building and practice social distancing guidelines as well as all safety protocol established.

**Facilities**

1. The Detention Director shall continue to work with the Porter County Facilities Department to ensure proper cleaning protocols are in place for sanitization of detention common areas, cells, classrooms, kitchen and other offices.
2. Juvenile detention meeting areas locations where the detained youth visit or eat shall be cleaned between uses and in a manner consistent with the Porter County Health Department or other per medical personnel.

**Services**

1. Intake admissions shall occur on a case-by-case basis with the authorization of the Detention Director, Assistant Director, Chief Probation Officer, or Executive Director.

2. Face-to-face visitation with detained youth shall remain inactive.
3. Telephonic visitation will remain in place per existing protocols.
4. Unless extenuating circumstances warrant it, and subject to the approval of Administration, the Home Detention Program shall remain inactive. If Administration determines that Home Detention is appropriate, then specific measures will be implemented in consideration of COVID-19.
5. The Day Reporting and Evening Reporting Programs shall remain inactive.
6. Non-Violent Offender Detention Reviews
  - a. The administration of the Juvenile Justice Services Center encourages all law enforcement agencies to not bring a juvenile to the Juvenile Detention Center for non-violent offenses for the duration of the COVID-19 pandemic. Administration reserves the right to only consider accepting a juvenile into the center for violent misdemeanor and/or any felony offense. If the law enforcement agency feels that the circumstances of the arrest warrants placement in the Juvenile Detention Center, the law enforcement agency is encouraged to contact the Juvenile Detention Center prior to bringing the juvenile for further instructions, if at all possible.
  - b. A juvenile brought to the Juvenile Detention Center for consideration of admission due to a felony or violent misdemeanor offense shall undergo the Reception Center intake protocols including mental health screening and the completion of the Detention Risk Assessment Instrument (DRAI). Results of screening tools shall be staffed with the Juvenile Detention Center Director who, in turn, will relay the information to the Juvenile Justice Services Executive Director in order to determine if the juvenile will remain in secure detention or released under a detention alternative (Home Detention I or II). A juvenile shall not be admitted into secure detention unless there is prior authorization by the Juvenile Justice Services Executive Director in consultation with the Juvenile Detention Director and/or the Chief Juvenile Probation Officer.
  - c. For the duration of the COVID-19 pandemic, a probation officer shall not request a detention order for a juvenile on the grounds of a violation of probation and/or violation of house arrest without prior authorization of the Juvenile Justice Services Executive Director in consultation with the Chief Juvenile Probation Officer and/or Juvenile Detention Director.

- d. In the event that a juvenile is brought to the center, it is important to ensure that any potential exposure is limited. The following will be observed:
    - The detention officer shall put on protective gloves and a mask prior to allowing the police officer and juvenile into the intake area.
    - The police officer and juvenile entering the building shall be issued a mask. Take the juvenile's and officer's temperature and complete the COVID-19 screening tool for both.
    - If the officer has flu like symptoms or a temperature of 100.4 or above, he/she is to be given a fact sheet and affidavit of probable cause to take to his/her vehicle to complete. He/she can leave the paperwork in the sally port.
    - If the juvenile has flu like symptoms and/or a temperature of 100.4 or above, the officer will be directed to take the juvenile out of the building. The Juvenile Detention Director shall be contacted for further directives.
  - e. Disinfect and sanitize the intake area after the officer leaves.
7. If the juvenile is being released:
- a. The juvenile is to be placed in the locked visitation room. Notify a parent to pick up the juvenile immediately.
  - b. When a parent arrives to pick up their child, they shall remain in the vestibule for this entire process. The staff member shall put on protective gloves and a mask. Take the parent's temperature upon arrival and complete the COVID-19 screening tool. If the parent's temperature is 100.4 or above, and/or he/she is showing flu-like symptoms, they will not be allowed in the center and be asked to leave the building. We will bring the juvenile and any necessary paperwork for signature out to the parent's car. The employee shall wear a mask and gloves for this process.
  - c. Disinfect and sanitize this area after the parent and juvenile leaves the building.
8. If the juvenile is remaining detained:
- a. After the intake process has been completed, the juvenile is to be placed in the Observation Wing (aka: East Wing) for symptom monitoring for 72 hours (minimum). The JDC Nurse shall be notified of the admission and any directives adhered to.
  - b. Only one staff member shall interact with the resident each shift. The designated staff member shall always wear a mask, gloves and other personal protection equipment (as directed) during his/her interaction with the resident. After any interaction with the resident, the staff member shall wash his/her hands with soap and water for at least 20 seconds.

- c. When resident has interaction with personnel, the resident will wear a face mask.
  - d. For the duration of the 72 hours (minimum), the staff shall follow steps for interaction with the resident including the use of PPE, showering, medication and meal distribution guidelines.
  - e. After 72 hours (minimum), if the juvenile does not show flu-like symptoms and does not have a temperature of 100.4 or above, he/she can be moved out of isolation and into general population. The JDC Nurse and the JDC Director are to be contacted to obtain authorization prior to moving the juvenile out of the isolation unit.
  - f. Disinfect and sanitize the unit once the juvenile is moved.
8. In the event the new intake resident is placed on High Suicide Alert or must be housed in an Observation Room due to extreme behavior:
- a. Place the resident in OB2.
  - b. Only one staff member shall interact with the resident each shift. The designated staff member shall always wear a mask, gloves and other personal protection equipment (as directed) during his/her interaction with the resident. After any interaction with the resident, the staff member shall wash his/her hands with soap and water for at least 20 seconds.
  - c. When resident has interaction with personnel, the resident will wear a face mask.
  - d. The resident is not to leave their room except for showers during the 72-hour (minimum) monitoring period.
  - e. All steps for interaction with resident, showering, medication and meals shall be followed for the 72-hour monitoring period.
  - f. Showering shall take place in the intake area with disinfecting taking place of the area after the resident returns to OB2.
- NOTE: If a resident becomes ill during the time a new intake requiring isolation is occupying the Observation Unit notify both the JDC Director and JDC Nurse for further instructions.
9. All residents will be monitored for any signs or complaints of illness. Temperatures do not need to be checked unless symptoms such as fever, cough, sneezing, body aches, and shortness of breath develop.

- a. Temperatures will be checked if the resident complains of feeling ill or it is suspected the resident has a fever. Any resident with a temperature above 100.4 will be isolated on the observation wing and the JDC Nurse will be notified. The JDC Nurse will give further instructions. The JDC Director and Medical Director will be notified. The JDC Director shall notify the Juvenile Justice Services Executive Director. Notification will be made to the resident's parent/guardian.
  - b. Resident will receive symptomatic care as per standing orders and under the direction of the Medical Director.
  - c. The resident is to remain in his/her room at all times.
  - d. When resident has interaction with personnel, the resident will wear a face mask.
  - e. Only one staff member shall interact with the resident each shift. The designated staff member shall always wear a mask, gloves and other personal protection equipment (as directed) during his/her interaction with the resident. After any interaction with the resident, the staff member shall wash his/her hands with soap and water for at least 20 seconds.
  - f. If the JDC Nurse determines that a resident's symptoms warrants COVID-19 testing, she will notify the Medical Director and JDC Director for approval. Upon approval, the JDC Nurse shall contact the Porter County Health Department and request testing for the resident. The Juvenile Justice Services Executive Director will be notified that a request is being sent to the Health Department that a resident requires testing.
10. If a resident tests positive for COVID-19.
- a. The JDC Director will be notified. The JDC Director will notify the Juvenile Justice Services Executive Director.
  - b. The resident's parent/guardian will be notified.
  - c. The resident will be treated as ordered by the medical director based on symptoms and physical status.
  - d. Staff members who directly interacted with the resident will be notified with instructions regarding work duties given to the employees by Administration using the COVID-19 Exposure Risk Assessment.
  - e. The resident's laundry shall be washed separately. The staff member handling the resident's clothing shall use gloves and protective mask.

11. Showering Residents on the Observation Wing:

- a. Only one resident shall be showered on this unit at a time.
- b. The resident is to go straight to and from their room to the shower. They are not to be allowed to sit in the common area to perform any other hygiene tasks. These tasks will be performed in their room with their door remaining open.
- c. Once one resident is finished with their shower and is back in their room, the staff member shall disinfect all areas where the resident was located.
- d. When completed, the next resident may be allowed to begin their shower process. However, the alternate shower shall be used. This will allow the shower first used a chance to have the disinfectant properly dry.
- e. Repeat these steps as needed.

12. Medication and Meals for Residents on the Observation Wing:

- a. The staff member distributing meals and/or medication shall always wear a mask, gloves and other personal protection equipment (as directed) during his/her interaction with the resident.
- b. All meals and medications shall be distributed one at a time.
- c. Paper products and disposable utensils shall be used for all meals on this wing.
- d. Only one room door is to be opened at a time in order to give meal/medication and/or retrieving a tray.

**PHASE 2: Resuming Non-Emergency Hearings and Operations**  
**Proposed Start Date: June 15, 2020**

**Employee Care in Juvenile Probation, Juvenile Court and Juvenile Detention**

1. The Executive Director shall determine which employees may continue to work remotely due to being in a vulnerable or high-risk class or we shall consider other reasonable accommodations, including PPE, social distancing and alternative scheduling, to reduce the risk to the employee.

2. All employees' temperatures shall be taken at the beginning of their work day in their respective courts or offices and logged in the temperature log provided to each court and office by the Porter County Commissioners. The Executive Director shall be responsible for ensuring the temperature log/health screens are provided to the Porter County Human Resource Department every Friday throughout Phase 2.
3. Employees shall notify the Executive Director or their Department Head of their intention to travel and shall consult the Porter County Health Department to be advised of locations or activities that are high-risk and should be avoided. If an employee chooses to travel to a high-risk location, he or she may be required to self-quarantine or be tested for COVID-19 before being allowed to return to work.

## **Probation**

### **Employees**

1. Administrative staff and the Office Manager shall return to work as directed by the Chief Juvenile Probation Officer.
2. Probation Officers working from home shall continue to make contact with probationers telephonically.

### **Facilities**

1. The Juvenile Probation Department shall remain closed to the public unless the Court determines that in-person court hearings are to resume prior to the end of Phase 2.
2. As the public enters the Juvenile Services Center, the Porter County Sheriff's Department security officers shall be responsible for the following:
  - Taking temperatures: Any member of the public who has a temperature of 100.4 degrees or higher shall be denied entry to the Juvenile Services Center.
  - Further screening: Asking whether the person had any close contact with a COVID-19 positive person within the past 14 days and whether the person has traveled outside Indiana or internationally within the last 14 days. Any person who answers "yes" to either screening question may be excluded from the Juvenile Services Center.
  - Providing masks to those who enter the courthouse without their own, if the person is required to be there.

**Services**

1. The Home Detention Program shall resume with in-person contact for probationers designated as “High Risk” and only after approved by Administration. All home checks shall be conducted outside the home (i.e., on the porch or doorstep) and shall require employees to wear personal protective gear (gloves and masks) and exercise appropriate social distancing. Probation clients and family members who are meeting with probation officers shall be required to wear a mask or other facial covering.
2. Probation officers shall continue performing random drug screens as deemed necessary by Administration. Probationers being tested shall notify the probation officer via cell phone when they have arrived at the Juvenile Services Center at which time the drug tests will occur curbside with the probationers remaining in their cars. Employees will wear all necessary protective gear including gloves and masks.
3. All essential group contacts and meetings with outside agencies or service providers, including Team Meetings, School Meetings, Medications, Dual-Status Conferences, PRT’s, and the like, shall continue to be held using Zoom, or through a similar application.
4. Teen Drug Court shall continue to be held remotely through Zoom.

**Juvenile Court****Facilities**

1. If the juvenile or Teen Drug Court courtroom is too small to safely accommodate the people relevant to the hearings or trials, then the Court staff shall find an alternative courtroom that allows people to abide by social distancing restrictions. If an alternative courtroom is unavailable for the hearing, then Court staff will confer with the Porter County Commissioners to secure space at an alternative venue, such as the Memorial Opera House or the Porter County Expo Center.

**Hearings**

1. The Court shall continue to work with the prosecutor, public defenders, probation department, and DCS to identify and prioritize hearings.

2. In addition to the prioritizing of cases noted in the Porter County Courts' Transition Plan, Juvenile Court shall continue to identify paternity cases that may be referred to mediation in an attempt to reduce the need for hearings. Cases involving modifications of custody and parenting time and contempt hearings related to custody and parenting time shall be given priority in rescheduling, the extent it is possible.

## **Juvenile Detention Center**

### **Employees**

1. Employees shall either continue to work from home or shall be assigned to the Detention Center based on the existing staff-rotation schedule being used.

### **Facilities**

1. The Detention Director shall continue to work with the Porter County Facilities Department to ensure proper cleaning protocols are in place for sanitization of detention common areas, cells, classrooms, kitchen and other offices.
2. Juvenile detention meeting areas locations where the detained youth visit or eat shall continue to be cleaned between uses and in a manner consistent with the Porter County Health Department or other per medical personnel.

### **Services**

1. Intake admissions shall occur on a case-by-case basis and with the authorization of the Director of Detention, Assistant Director, Chief Probation Officer, or Executive Director.
2. Face-to-face visitation with detained youth shall remain inactive.
3. Telephonic visitation may be increased but shall be consistent with previously established protocols.
4. Video or remote visitation may occur, as appropriate, if Zoom is available for use.
5. The Home Detention Program shall resume with in-person contact for probationers designated as "High Risk" and only after approved by Administration. All home checks shall be conducted outside the home (i.e., on the porch or doorstep) and shall require employees to wear personal protective gear (gloves and masks) and exercise appropriate social distancing. Probation clients and family members who are meeting with probation officers shall be required to wear a mask or other facial covering.

6. The Day Reporting and Evening Reporting Programs shall remain inactive.

**PHASE 3: Further Expansion of Operations**  
**Proposed Start Date: July 6, 2020**

**Probation**

**Employees**

1. All probation employees shall return to work as determined by the Chief Juvenile Probation Officer.
2. Group staff meetings may resume but may be limited in the number of employees in attendance per the Porter County Health Department.
3. Probation Officers shall maintain telephonic contact with “Low risk” to “Medium risk” probationers.

**Services**

1. In office, face-to-face appointments with clients may resume, but may be limited to:
  - o Medium-High to High Risk clients and
  - o Intake cases identified as those requiring in-person contact to complete.
2. Appointments shall be coordinated through the Probation Officer Manager.
3. Probation appointments will be limited to immediate parents or guardians. Other family members such as non-guardian relatives and/or siblings will not be permitted to attend the appointment or to congregate in the lobby.
4. When families arrive at the Juvenile Services Center for their appointments, they shall contact the Probation Office but remain in their cars. When the Probation Officer is ready for their appointment, he or she will call the family on their cell phone to enter the building. Probation staff will observe and log their temperatures being recorded by security. This log will include the date, name, contact number, and department/employee they are visiting. The probation staff shall immediately escort the family or youth into the designated appointment space for the meeting.
5. Appointments will only occur in specially designated areas. After each appointment, staff will sanitize the meeting space.

6. The Home Detention Program shall resume with designated probationers only and as determined by Administration. All home checks shall be conducted outside the home (i.e., on the porch or doorstep) and shall require employees to wear personal protective gear (gloves and masks) and exercise appropriate social distancing. Probation clients and family members who are meeting with probation officers shall be required to wear a mask or other facial covering.
7. Teen Drug Court may resume in-person for critical cases. Families shall remain in their cars until they are notified to enter the building for their hearing. Families will be met at the security station and immediately escorted into the building. If held, Drug Court hearings shall occur in a space adequate for all parties and staff to implement social distancing practices.

## **Juvenile Court**

### **Facilities**

1. The office shall reopen to the public with social distancing restrictions and other safety protocols in place.
2. The courtroom and any meeting spaces used shall be sanitized between hearings or meetings.

### **Hearings**

1. The Court will continue to confer with the prosecutor, public defenders, probation department, and DCS to identify and prioritize hearings.
2. In addition to the prioritizing of cases noted in the Porter County Courts' Transition Plan, Juvenile Court, the Court will continue to identify paternity cases that may be referred to mediation in an attempt to reduce the need for future hearings.
3. The Court shall continue conducting remote hearings as much as practicable.
4. The Court will explore the use of Senior and Temporary Judges in multiple courtrooms to work through any backlog.
5. The Court may resume some in-person hearings, as such are deemed necessary.
6. Parties shall notify the court staff of their arrival and shall remain in their vehicles until they are notified that it is time for their hearing. The parties will be met at the security station and escorted directly into the courtroom or to a meeting room with their public defender or attorney.

## **Juvenile Detention Center**

### **Employees**

1. Employees shall report to work based on the schedule established by the Director of Detention.

### **Facilities**

1. The Detention Director shall continue to work with the Porter County Facilities Department to ensure proper cleaning protocols are in place for sanitization of detention common areas, cells, classrooms, kitchen and other offices.
2. Juvenile detention meeting areas locations where the detained youth visit or eat shall continue to be cleaned between uses and in a manner consistent with the Porter County Health Department or other per medical personnel.

### **Services**

1. Face-to-face visitation for professional visits and parent/guardian visitation may resume by appointment only and shall be limited to one time per week. The families shall wait in their cars until they are called in by the detention staff. Visitors must have their temperatures taken and recorded on a log which shall include the date, names, contact numbers, and purpose of visit.
2. Intake admissions shall occur on a case-by-case basis and as authorized by the Director of Detention, Assistant Director, Chief Probation Officer, or Executive Director.
3. The Home Detention Program shall resume with in-person contact for all appropriate probationers, as determined by Administration. All home checks shall be conducted outside the home (i.e., on the porch or doorstep) and shall require employees to wear personal protective gear (gloves and masks) and exercise appropriate social distancing. Probation clients and family members who are meeting with probation officers shall be required to wear a mask or other facial covering.
4. The Day Reporting and Evening Reporting Programs shall gradually resume for a small number of select "High risk" probationers. Administration shall identify appropriate participants.

**PHASE 4: New Normal**  
**Proposed Start Date: August 15, 2020**

**Juvenile Probation, Juvenile Court and Juvenile Detention Center**

1. Employees may resume traveling and other social activities without restrictions.
2. Additional precautions besides hand sanitizer and proper hand washing hygiene shall not be required.
3. On-site visits, including appointments, hearings, and meetings, shall fully resume.
4. Detentions and admissions shall resume pursuant to normal protocols.
5. Home detention checks and drug screens shall resume without restrictions.
6. The Day Reporting and Evening Reporting Programs shall fully resume without restrictions.
7. In-person visitation for detention residents shall resume.
8. Project ATTEND shall resume.
9. Teen Court shall resume.

**So approved this 12<sup>th</sup> day of June, 2020.**

          /s/ Mary A. DeBoer            
**Mary A. DeBoer, Judge**  
**Porter Circuit Court**

**PORTER COUNTY GOVERNMENT  
COVID-19 SAFETY AND ACTION  
PLAN**

**Attachment 4**

## PORTER COUNTY GOVERNMENT

### COVID-19 SAFETY AND ACTION PLAN

Pursuant to Governor Holcomb's Executive order 20-26, Porter County Government shall develop a plan to implement measures and institute safeguards to ensure a safe environment for their employees, customers, and clients. This safety and action plan shall be provided to each employee and posted throughout the County buildings.

- a. County employees shall be tested for Covid-19 before returning to normal work schedules.
- b. County employees shall be required to wear masks in any public/common space within any County building.
- c. The County highly recommends wearing face masks at all times while at work.
- d. Each department or building (depending on size and nature) will be given a digital thermometer. Each employee's temperature shall be taken and recorded in the public/common space before entering the office or private workspace. Employees shall be asked if they have any symptoms, been exposed to a known or suspected infected person, or have recently traveled out of the area.
- e. If the employee's temperature is at or over the current CDC recommendation the employee shall be sent home. If the person has had contact with a known or suspected case, they shall immediately contact HR. The paperwork recording the temperatures, symptoms, potential contact and travel, shall be scanned and emailed to Human Resources every Friday by close of business.
- f. Any County building that is allowing public access shall take temperatures and refuse admission if the citizen's temperature is at or over the current CDC recommendation.
- g. Citizens entering a County building shall be required to wear a mask while in the building.
- h. Employees and Citizens shall abide by the CDC's current recommendations for social distancing.
- i. The facilities department shall continue the enhanced cleaning of the public/common areas with disinfectant and antiviral.
- j. The facilities department shall continue to provide the routine custodian cleaning for office space. However, the facilities department shall also continue to provide to each department anti-viral cleaning products, as available. Each department shall be responsible for additional cleaning of commonly used spaces and surfaces with the private workspaces.
- k. Hand sanitizer, hand sanitizer stations, and disinfecting wipes shall be provided throughout the public/common areas of the County buildings and to each department, as available.
- l. Sneeze guards will be provided to each department with a customer service counter. County employees shall be either behind a sneeze guard or wear a mask when dealing with a citizen.
- m. Employees are encouraged to stay home if feeling sick.
- n. Shared food or drink is not allowed at this time by employees.