

# In the Indiana Supreme Court

In the Matter of the Petition of the LaPorte  
Circuit and Superior Courts for  
Administrative Rule 17 Emergency Relief.

Supreme Court Case No.  
20S-CB-128



## 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 May 29, 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 6/3/2020 , **effective May 28, 2020.**

A handwritten signature in black ink that reads "Steve David".

Steve David  
Acting Chief Justice of Indiana

# LAPORTE COUNTY COURTS TRANSITION PLAN

**ATTACHMENT NO. 1**

# LAPORTE COUNTY COURTS TRANSITION PLAN

## 1. Administrative Rule 17 Components

- a. Request the Supreme Court extending the tolling of all laws, rules, and procedures setting time limits for speedy trials in criminal and juvenile proceedings, public health, mental health, and appellate matters; and in all other civil and criminal matters before the LaPorte Circuit and Superior Courts until August 1, 2020, with all 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 of Jury trials.
- b. Request the 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 Supreme Court extend the authorization of the Court, in its discretion and subject to applicable Constitutional limitations, to limit spectators in its courtroom to the extent necessary to provide adequate social distancing, so long as public access is otherwise provided, for as long as the Public Health Emergency, remains in effect, so as to require social distancing.
- d. Request that the Supreme 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 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:
  - a. Visited any high-risk countries identified by the Centers for Disease Control and Prevention ("CDC") in the previous 14 days;
  - b. Resided with or been in close contact with someone who has been in any of those countries within the previous 14 days;
  - c. Traveled domestically within the United States where the virus has sustained widespread community transmission;
  - d. Been asked to self-quarantine by any doctor, hospital, or health agency;
  - e. Been diagnosed with or had contact with anyone who has been diagnosed with the COVID-19 in the past 14 days, or
  - f. Has covid-like symptoms, as identified by the Centers for Disease Control, in the past 14 days;

## 2. Planning

- a. This Plan was developed after consultation by the Courts with local community stake holders in LaPorte County, including but not limited to: County Health Officer, Emergency Management Director, Public Defenders, Prosecutor, Clerk of the Court; Chief Probation Officer, Commissioners, Council, County Attorney, and others, and based upon printed materials from the Indiana State Department of Health, County Health Department, CDC, and other state and local offices.
- b. 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.
- c. On May 27, 2020, The New York Times Upshot section projected Michigan City and LaPorte, the two largest cities in LaPorte County, as developing COVID-19 hotspots, with Michigan City and LaPorte listed in the top ten cities in the United States with the highest average daily growth rate of deaths.
- 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, which shall be adopted as a Court Procedure the following throughout this Public Health Emergency:

- a. Clean and sanitize work areas often.
- b. Provide hand sanitizer and/or wipes and trash cans at counsel tables, when supplies are available and encourage visitors to wipe down or wash their hands.
- c. Provide wipes or napkins in break area, for use when handling microwaves, refrigerator and cabinet doors, and cleaning of handles on coffee makers or drink dispensers; and promote washing hands immediately after handling those surfaces.
- d. Avoid closing doors, when possible, to increase air circulation and reduce the need to handle door knobs or latches; consider virus film for elevator and handicap buttons; and open windows when weather permits to increase air circulation.
- e. Avoid sharing phones, microphones, writing utensils or other office equipment that come in contact with the face, mouth or hands, and when necessary keep those surfaces sanitized after use.
- f. Employees shall wear face coverings when working or coming within six (6) feet of others.
- g. Notify supervisor, if experiencing COVID-19 like symptoms; have tested positive for COVID-19; or have been instructed to quarantine by medical professionals or health officers. Employees shall check their temperatures before coming to work and in the evening to monitor for fever above 100.4°F, reporting elevated temperature, covid-like symptoms or exposure to their supervisor immediately and without returning to work. Employees

experiencing symptoms, while in the workplace, shall leave the work place 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 upon the severity of symptoms and exposure. Employees shall report if someone they live with or have been with in the last fourteen days tests positive for COVID-19. Disciplinary action may result of a violation of these paragraph or directives in this Plan. Employees should: consult the *Self-Checker: A Guide To Help You Make Decisions And Seek Appropriate Medical Care* on the CDC website, which provides a short quiz to help employees decide whether to seek treatment; call a physician; and/or contact the local health department to inquire about testing.

*Self-Checker: A Guide to Help You Make Decisions and Seek Appropriate Medical Care:* <https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

- h. Employees shall take steps to separate desks, work stations, and seating areas, from other employees and visitors to maintain social distancing, whenever possible.
- i. The Court will inquire of employees as to those, who consider themselves vulnerable and offer reasonable accommodations to protect against COVID-19, as set forth through this Plan and welcome other suggestions.
- j. The Court will share information with employees on resources for mental health support, including *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 ET: 877-826-0011) or by visiting [www.bewellindiana.com](http://www.bewellindiana.com), or calling 2-1-1 from a mobile phone, or texting the employee's zip code to 898-211.
- k. The Court plan to make reasonable accommodations to isolate vulnerable workers, by heightened social distancing and eliminating access to public, which may including telework, where feasible.
  - l. To maximize social distancing, employees and visitors should maximize physical distance from others, with a goal of maintaining six (6) feet social distancing. The Court will post signage and physical barriers, including taping off areas, remove/rearranging seats, floor decals, and other increased messaging to promote awareness with employees and visitors of social distancing requirements. The Court will compel non-household members to social distance in the Court offices.
- m. Employees will be prohibited from congregating in violation of social distancing guidelines; encouraging re-spacing of workstations to meeting CDC guidelines; meetings will be conducted by remote appearance; suspend in person trainings and continuing education; and encourage employees to explore innovative methods to improve social distancing in all aspects of court and probation services.
- n. Probation and Problem-Solving Court appointments, home visits, and searches when necessary, will occur using social distancing practices and

approved medical grade PPE. Written, video, or telephonic reporting and will be used in all cases, except where in person is necessary due to protect the community. Details of the operation of the probation department are attached hereto under Section 8 below.

- o. The Court will resume normal staffing operations when advised by the Local Health Department that it is safe to do so.

#### 4. Courthouse Facility Plan

The LaPorte County Courts plan to adopt the LaPorte County Building Plan which are attached hereto and incorporated herein as “Exhibit A”.

#### 5. Screening Procedures for the Public

The LaPorte County Courts plan to adopt the LaPorte County Building Plan which are attached hereto and incorporated herein as “Exhibit A”.

#### 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, which may be considered good cause in all most the most critical matters.
- b. The Court will prioritize cases to be heard, with incarcerated defendants, CHINS/TPR Initial and Detention Hearings, Protective Orders, 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 IV. 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 team will continue to meet virtually throughout all Phases.
- d. The Court will incentivize priority settings to those attorneys and litigants who agree to appear remotely, by setting hearings dedicated to remote sessions.

- e. Senior judges will be used more liberally to address remote hearings, when the presiding judge is unavailable.
- f. The Court will maximize remote hearing for DOC and jail inmate, exercising great care to minimize the movement of incarcerated individuals to the Court Offices and strive to minimize movement of inmates between jailing facilities via court-call video and/or zoom whichever available.
- g. 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.
- h. All vulnerable individuals should continue to avoid the Court Offices, unless reasonable accommodations can be made. 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 or high-risk members of the public should continue to self-isolate, by appearing remotely for hearings or seeking continuances. Parties seeking continuances should include in motions if they are vulnerable or high-risk members of the community, which will generally be considered good cause in most matters.
- i. When advised that it is safe to do so from the Local 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 ISDH or local health department’s recommended maximum capacities.
- j. The Court will incentivize priority settings to those attorneys and litigants who agree to appear remotely, by setting hearings sessions dedicated to matters that can be resolved remotely.
- k. 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.
- l. The Court will continue to strongly encourage remote hearings, when constitutionally appropriate, but more traditional hearings in person may resume to improve court access and case resolutions.
- m. 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 IV.
- n. In later stages of Phase III, 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 stages of Phase IV.
- o. Court, staff, and local bar will address those best practices and technology from pandemic to continue.

## 7. Jury Trials

- a. Jury Trials remain stayed until (July 27, 2020).
- b. Final Pretrial Hearings should be held on those cases anticipated for trial in August and summons jurors, if not already under summons. Court will discuss with State and Defense counsel new practices to be used for jury selection and trials, to seek input and prepare them for trial, encouraging only the most serious to set firm trial dates, and strongly discourage setting trials where a resolution is expected.
- c. The Court will revise its current jury questionnaire to include appropriate COVID-19 questions and prepare literature for prospective jurors on the new selection process and the Court's practices. The Court will communicate information to prospective jurors who may develop symptoms of COVID-19 in the 14 days prior to reporting for jury duty, of the best practices for high risk individuals and manner in which to notify the Court Bailiffs.
- d. A separate larger room located in the LaPorte County Complex has been procured for jury selection and/or jury trials for those courts who don't 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 utilizing proper social distancing and staggering of prospective juror appearances.
- e. 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.
- f. Criminal Jury trials will resume first and will be given priority over civil trial settings.

## 8. Court Supervised Services

- a. The LaPorte County Probation Department will follow their Plan of Operations attached hereto and incorporated herein as "Exhibit B."
- b. Court Appointed Special Advocates ("CASAs") may resume home visits in the critical cases needed to assure the safety of children, including in-home CHINS, but are encouraged to continue to conduct most visits virtually. CASA shall: call first (exigent circumstance excepted) to conduct high risk and vulnerable occupant screening questions; maintain social distancing; and wear appropriate PPE during any on-site visits. CASAs who are vulnerable themselves, should not be used for home visits, and the Court authorizes continued remote visits or substitute CASAs in lieu thereof. Homes where vulnerable individuals may be found, should be avoided during this Phase, as much as possible, and high-risk homes avoided completely by CASAs. CASAs shall comply with the same self-screening practices as court employees (Section 3), concerning self-assessments to determine risk of covid-like symptoms, reporting the same to the CASA Director.

- c. The Court will provide CASAs and pretrial services with PPE. Both should use remote appearances for testimony during hearings, family team meetings, and the like, using free Zoom licenses or other platforms.
- d. 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 applications). It will be a reasonable rule of supervision during the pandemic to require compliance with remote reporting and monitoring.
- e. CASA may resume more liberal home visits. Homes with vulnerable individuals, should be visited only in higher risk cases and with advance notice, so that those individuals may practice greater social distancing from the CASA, including going to another location in the home. Social distancing must be maintained with occupants of these homes, including all children, who may not appreciate social distancing guidelines.
- f. 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.
- g. When it is determined safe by the Local Health Department, CASAs may resume home visits as needed, adhering to social distancing and masking recommendations. Vulnerable CASAs should still avoid performing home visits. Visits may be alternated between virtual and face-to-face, with non-vulnerable CASAs. Remote appearances in court will continue to be strongly encouraged.
- h. When it is determined to be safe by the Local Health Department, Pretrial services resume with more liberal face to face visit of moderate to high risk offenders for compliance, but less frequent than pre-pandemic levels, using remote access as a substitute.
- i. Court, CASA Director, and pretrial services administrator will address those best practices and technology from pandemic to continue.

LAPORTE COUNTY  
ADULT PROBATION  
DEPARTMENT  
COVID-19 RESPONSE  
PROTOCOLS

**ATTACHMENT NO. 2**



## LAPORTE COUNTY ADULT PROBATION DEPARTMENT COVID-19 RESPONSE PROTOCOLS

Governor Holcomb will eventually remove his Stay-At-Home Order in Indiana. As we transition from our current operations to a new normal, we will implement an operational plan through a phasing process. Probation serves at the pleasure of the Court and because of this, this process will follow the Indiana Supreme Court Administrative Rule 17. This rule continues restrictions through May 17, 2020. This date potentially could be changed, which would affect the implementation of our operations. The following is an outline of that process:

### PHASE 1 – PREPARATION FOR RESUMPTION OF OFFICE APPOINTMENTS

1. LaPorte:
  - a. All file cabinets and the copier will be moved into the back hall of the office space
  - b. Layne will move to the back area of the support staff area
  - c. Jessica will move her hutch to face the windows
  - d. Officers will use the window to conduct office visits, one offender at a time
2. Michigan City:
  - a. Move Kris Baske into a different office on the same floor
  - b. Have maintenance open a window in her office to face the hallway
  - c. Kris' office will then be the location for appointments through the window, one offender at a time

### PHASE 2 – RETURN OF STAFF TO OFFICES

1. Beginning on May 18, 2020 for support staff and May 26, 2020 for Probation Officers, LaPorte County Adult Probation Department will allow staff to return to the office on a rotating basis. The rotation will be determined by the leadership team and changes to the schedule will only be permitted with approval from their respective direct supervisor.
2. During Phase 2, ALL client contact will continue to be done remotely. Officers are allowed to make those contacts telephonically, via text, email, Zoom/Skype or similar platform. Officers are encouraged to complete those contacts when they are working remotely and reserve office hours for tasks that cannot be completed remotely

3. Officers who are experiencing symptoms, have been exposed or live with a family member who has been exposed, will continue to utilize remote work options or benefit time at the discretion of their direct supervisor
4. Staff will continue to conduct all Pre-Sentence Investigation Report interviews via telephone at the LaPorte County Jail or other correctional facility; Pretrial assessments will continue to be conducted via zoom
5. All staff will be screened upon reporting to work
  - a. Screening form
  - b. Temperature
6. During Phase 2, employees will exercise social distancing guidelines:
  - a. Avoid close contact with others (six (6) feet distance); no non-essential physical contact (i.e. handshakes)
  - b. All staff will be required to wear a face mask unless the staff member is alone in their own office (Support staff may remove masks when at their own desks)
  - c. Practice good Cough/Sneeze Etiquette. Cover any cough or sneeze with tissue preferably or elbow and wash hands for at least 20 seconds after
  - d. Clean frequently touched surfaces and objects often (office doors including the lobby and office door will remain open to prevent using the handles)
  - e. Wash hands often for at least 20 seconds or use hand sanitizer when hand washing is not available. Utilize hand washing after sneezing or coughing, handling materials, using the restroom, and before eating.
  - f. Avoid touching your face, eyes, and mouth without washing your hands prior
7. Staff will wear gloves when receipting any monies, credit cards or money orders and opening other external mail and will wash hands after handling both
8. Refrain from using other employees' phones, desks, offices, or other work tools and equipment, when possible. If necessary, clean and disinfect them before and after use.
9. Revocations may be filed, but will only request summons for those revocations addressing technical violations. Revocations for new felony offenses or absconded clients can automatically request a warrant. All other new arrests, consult with the direct supervisor.
10. Drug testing will be done through Community Corrections
  - g. Single drug test for cause or suspicion

- h. Random testing added to the call-in system for cases of concern

### **PHASE 3 – RESUMPTION OF LIMITED OFFICE VISITS**

1. Phase 3 to will begin on June 15, 2020 (Upon Courthouse Re-Opening)
2. Staff will continue work on a rotation schedule as determined by leadership team
3. Support Staff returns five (5) days a week
4. Offices will be open five (5) days a week
5. During Phase 3 officers may schedule in office visits for high-risk/high-need clients only. All other clients will continue to be contacted using remote technology
6. All staff will be screened upon reporting to work
  - a. Screening form
  - b. Temperature
7. Staff will continue to conduct all Pre-Sentence Investigation Report interviews via telephone at the LaPorte County Jail or other correctional facility; Pretrial assessments will continue to be conducted via zoom
8. Officers will continue to utilize remote work time for report writing and other paperwork, as well as, contacts for moderate to low risk/need clients
9. Officers who are experiencing symptoms, have been exposed or live with a family member who has been exposed, will continue to utilize remote work options or benefit time at the discretion of their direct supervisor
10. During Phase 3 employees will exercise social distancing guidelines:
  - a. Avoid close contact with others (six (6) feet distance); no non-essential physical contact (i.e. handshakes)
  - i. All staff will be required to wear a face mask unless the staff member is alone in their own office (Support staff may remove masks when at their own desks)
  - j. Practice good Cough/Sneeze Etiquette. Cover any cough or sneeze with tissue preferably or elbow and wash hands for at least 20 seconds
  - k. Clean frequently touched surfaces and objects often (office doors will remain open to prevent using the handles)

- l. Wash hands often for at least 20 seconds or use hand sanitizer when hand washing is not available. Utilize hand washing after sneezing or coughing, handling materials, using the restroom, and before eating.
  - m. Avoid touching your face, eyes, and mouth without washing your hands prior
11. Staff will wear gloves/PPE when receipting money, money orders or accepting credit cards. Additionally, staff will wear gloves/PPE when opening external mail, accepting paperwork from clients and will wash hands after handling any of the above
  12. Refrain from using other employees' phones, desks, offices, or other work tools and equipment, when possible. If necessary, clean and disinfect them before and after use.
  13. Intakes will resume in person for felons being sent to the office after Court
  14. Probationers being released from a Correctional Center will have intakes conducted via telephone
    - a. Released probationers will not be allowed to report in person for fourteen days after their release
    - b. Once the fourteen (14) days has elapsed, phone contact will be made with the probationer to ensure they have not experienced any COVID-19 symptoms before being allowed to report in person
  15. Revocations may be filed, but will only request summons for those revocations addressing technical violations. Revocations for new offenses or absconded individuals can automatically request a warrant.
  16. LaPorte:
    - a. Tape will be placed on the floor at the window and clients will be directed to remain behind the line unless asked to sign documents; if asked to sign at the window, staff will move away from the window and sanitize the area after use
    - b. Tape lines will be placed on the floor marking six-foot separation
    - c. Clients will be asked screening questions before their appointment begins
    - d. Hand sanitizer will be placed in the lobby for client use
    - e. Signage will be placed to encourage social distancing, hand washing, and use of hand sanitizers
    - f. No more than two employees permitted in the breakroom at one time

## 17. Michigan City:

- a. A plexiglass divider will be placed in the office adjacent to the hallway entrance
- b. Offenders will check in, be given a pager and told to wait in the second-floor hallway until called (as needed)
  - i. Pagers will be disinfected prior to reissuing them
  - ii. Staff will wear gloves when handling pagers
- c. Tape will be placed on the floor at the window and clients will be directed to remain behind the line unless asked to sign documents; if asked to sign at the window, staff will move away from the window and sanitize the area after use
- d. Clients will be asked screening questions before their appointment
- e. Hand sanitizer will be placed in the waiting area for client use
- f. Signage will be placed to encourage social distancing, hand washing, and use of hand sanitizers

## 18. Drug testing will be done through Community Corrections

- a. Single drug test for cause or suspicion
- b. Random testing added to the call-in system for cases of concern

**PHASE 4 – RESUMPTION OF OPERATIONS**

1. Phase 4 will begin on [date to be determined], and will remain in effect until such time it is determined to resume all normal protocols and schedules
2. All staff will return to work on a regular work schedule
3. During Phase 4 officers may schedule in office visits for high risk/high need and moderate risk/moderate need clients only. All low risk/low need clients will continue to be contacted using remote technology
4. All staff will be screened upon reporting to work
  - a. Screening form
  - b. Temperature
5. Staff will continue to conduct all Pre-Sentence Investigation Report interviews via telephone; Pretrial assessments will continue to be conducted via zoom

6. Officers who are experiencing symptoms, have been exposed or live with a family member who has been exposed, will continue to utilize remote work options or benefit time at the discretion of their direct supervisor
7. During Phase 4 employees will exercise social distancing guidelines:
  - a. Avoid close contact with others (six (6) feet distance); no non-essential physical contact (i.e. handshakes)
  - b. All staff will be required to wear a face mask unless the officer is alone in their own office
  - c. Practice good Cough/Sneeze Etiquette. Cover any cough or sneeze with tissue preferably or elbow and wash hands for at least 20 seconds
  - d. Clean frequently touched surfaces and objects often (office doors will remain open to prevent using the handles)
  - e. Wash hands often for at least 20 seconds or use hand sanitizer when hand washing is not available. Utilize hand washing after sneezing or coughing, handling materials, using the restroom, and before eating.
  - f. Avoid touching your face, eyes, and mouth without washing your hands prior
8. Staff will wear gloves when receipting money, money orders or accepting credit cards. Additionally, staff will wear gloves/PPE when opening external mail, accepting paperwork from clients and will wash hands after handling any of the above
9. Refrain from using other employees' phones, desks, offices, or other work tools and equipment, when possible. If necessary, clean and disinfect them before and after use.
10. Revocations may be filed but will only request summons for those revocations addressing technical violations. Revocations for new offenses or absconded individuals can automatically request a warrant.
11. Drug testing will be done through Community Corrections
  - a. Single drug test for cause or suspicion
  - b. Random testing added to the call-in system for cases of concern

***At any time, any employee having been exposed or showing symptoms will be afforded flexible work schedules including the ability to work remotely and utilize sick, personal, compensatory, and vacation time as needed.***

**LAPORTE COUNTY  
BUILDING RE-  
OPENING PLAN**

**ATTACHMENT NO. 3**

**COUNTY BUILDINGS  
RE-OPENING PLAN**  
LAPORTE COUNTY GOVERNMENT'S  
COVID-19 RESPONSE



LAPORTE COUNTY GOVERNMENT

May 20, 2020

**ORIGINAL**

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## BACKGROUND

On April 16, 2020, the White House issued "Opening up America Again," a federal guideline for reopening the United States economy after an extended closure due to the COVID-19 global pandemic. Similarly, the Governor of Indiana issued a "Back on Track Indiana Plan" outlining the state's approach to opening back up. This plan, therefore, is the "County Building Reopening Plans", which outlines our approach to opening County-owned facilities following the guidelines from both the federal and state plans. Basic functions and work have been performed – much of it remotely – during this crisis, the following is not a "Back to work" plan since work has been occurring and public services fully delivered throughout. Therefore, this is a phased guide to re-opening public buildings safely and with health considerations uppermost in mind.

This memorandum outlines actions that the County has taken in preparation for employees to return to in-person workplace operations where appropriate and a re-opening of the county's buildings. These directives are subject to immediate changes at the sole discretion of the La Porte County Commissioners as conditions change, including new guidance from federal, state or other local officials.

Guidance developed in this document has been in consultation with the County Attorney, with the HR Department and with the county's "Re-Opening Working Group" and is based on guidance from the OSHA publication, "Guidance on Preparing Workplaces for COVID-19"

<https://www.osha.gov/Publications/OSHA3990.pdf>

In addition to this document, several departments have additional measures beyond these guidelines in place due to the high exposure risk associated with specific department operations; especially in the public health and safety arenas. These department directives will all be in addition to the measures described herein.

**Mandatory for All Employees Daily Prior to Coming to One of the County Buildings:**

1. All employees are required to monitor your own health conditions. It is mandatory for employee to perform a self-check of any illness. This includes but is not limited to symptoms such as fever, cough, shortness of breath, etc. **If you experience any signs of illness, stay home and immediately call your supervisor.**
2. If you have symptoms associated with COVID-19, you should call your doctor immediately and contact Human Resources.
3. If you have been in close contact with others while off from work (at home or in the community) and they have symptoms of COVID-19, immediately call your supervisor as you may be subject to self-quarantine.
4. **High Risk** employees will be encouraged to remain at home and work remotely, if possible. High Risk employees are employees 65 years of age or older and/or those with pre-existing health conditions.
5. All employees will be required to perform daily body temperature checks before coming to work. Once employees arrive to work, you will be required to acknowledge you took your temperature and it was less than 100.4°Fahrenheit. If you have a temperature more than 100.4°Fahrenheit, stay home and contact your supervisor.

**For All Employees While at Work:**

1. If you are at work and start to experience any symptoms of illness of any kind, you are required to immediately leave work and go home (provided you are not leaving unsafe conditions due to the nature of your work): you are also required to contact your supervisor as soon as possible. (If you feel as though you need immediate medical attention and/or cannot drive yourself, EMS can be called).
2. If you feel you have potentially been exposed to COVID-19 due to the nature of your work, contact your supervisor immediately. Any potential or known exposure will be reviewed for your safety and the safety of your co-workers. Human Resources will determine if you are subject to CDC quarantine guidelines that may include:
  - a. **Without symptoms**; depending on the exposure review, at the very least will be documented. It could also include a self-quarantine for at least seven (7) days with the final three (3) days with zero symptoms and/or in accordance with CDC guidelines.
  - b. **If you have symptoms** of COVID-19, you will be required to self-quarantine for at least fourteen (14) days and the last three (3) days with zero symptoms, unless you have a negative test result, then you might return after seven (7) days; with the final three (3) days with zero symptoms and/or in accordance with CDC guidelines.

- c. Any potential workplace exposure will be documented with Worker's Compensation Insurance, and internal contact tracing will be reviewed in accordance with CDC guidelines.

## INFECTION AND PREVENTION MEASURES, FOR ALL EMPLOYEES

OSHA has created an occupational risk pyramid for COVID-19. The level of risk depends on the work duties associated with each job. For example, "Very High Risk" exposure job duties would be associated with EMS personnel, Health Department personnel, LaPorte County Sheriff's deputies and jail staff, Community Corrections, and Juvenile Services Center. Most other roles in LaPorte County Government are either "Lower Risk" or a "Medium" risk due to regular interactions with other co-workers and/or the public.

The guidance risk pyramid assists employers as we assess workplace policies, practices and procedures. Generally, since many LaPorte County employees have contact with the general public on a regular basis, we have based our work place alternations on "Medium" exposure risk in order to exceed minimum guidance standards.

Public Safety and Public Health departments have high risk potential conditions and may have additional precautions in place. Controls have been implemented based on this risk assessment for infection and prevention measures. All employees are expected to implement the following:

### HAND HYGIENE

- Frequent and thorough hand washing of at least 20 seconds is required by all employees.
- All County facilities are equipped with hand soap and or hand sanitizer for employees.
- All employees are required to wash their hands immediately upon arriving at any County facility.
- The touching of surfaces, outside of individual work spaces will be limited and discouraged as much as possible. Please immediately use hand sanitizer or wash your hands after touching door handles, lights switches, time clocks, copy machines and any other high contact surfaces.
- Employees must limit the sharing of desks, phones, tools and/or work spaces wherever possible.

### RESPIRATORY ETIQUETTE (CLOTH MASKS)

- All County employees are required to wear a mask when you are in a County building, hallway, washroom or common area – No exceptions. If you are alone in an office, you do not have to wear a mask. When you leave your office and are in the hallway, your mask must be on. If you are outdoors, you do not have to wear a mask but social distancing still applies. If you are at an outdoor function, work activity or event for the County with multiple participants, you must still wear your mask. (Wash hands after removing your mask and put your mask in your daily laundry after use).

- Cloth masks will be provided to employees as a result of efforts by our PPE committee to obtain masks; however, employees may wear their own face masks.
- All employees are required to practice social distancing of at least six feet between yourself and any other person for all workplace interactions.

#### WORKPLACE HOUSEKEEPING PRACTICES

- Surfaces that have high contact potential should be immediately disinfected after each use. (i.e. time clocks, copy machines, etc.)
- Employees will be required to routinely disinfect workplace surfaces you have come in contact with including cleaning desks, chairs, computer keyboards and other work tools daily before leaving at the end of the day. (This is in addition to the regular schedule of daily cleaning).
- Staff will wear gloves and masks when opening external mail, receipting any monies, credit cards or money orders and will wash hands after handling.

#### INFECTION AND PREVENTION MEASURES, PHYSICAL CONTROLS

Several infection and prevention control measures have been implemented that have changed some of the physical conditions for the workplace.

1. Employee workspaces – at the time of re-opening, where possible, alterations will have been made to separate workstations by a minimum of six feet. Required workplace signage will have been posted for additional guidance. In some cases, where workspaces cannot be separated, masks will be required for those employees in addition to the requirement in common areas.
2. Fortunately, in several locations, security measures are already in place that includes glass or plastic barriers to limit contact. In workspaces where it has been deemed necessary, physical barriers are being installed prior to the public opening date including clear plastic/glass temporary walls and /or sneeze guards for added protection.
3. Public walking traffic patterns are being developed in the various buildings to separate traffic flow in hallways as much as possible. Furthermore, floor designations with masking tape are being applied at six-foot increments where possible to separate any potential line queuing as appropriate at customer service counters. Signage is being applied before public re-opening in all county buildings to encourage social distancing and to maintain six foot social distancing.
4. Room capacity limitations will be implemented. Offices, breakrooms, restrooms or other rooms should have limited numbers in the room at the same time depending on the square footage of the space. This also includes limiting elevator use to two people at a time. (Overall capacity considerations have also been reviewed to limit the total number of people in any space at one time based on the square footage of the space). Employees are encouraged to take meal breaks at their work station.

5. Where possible, motion detected light switches may be installed and interior doors (non-security doors) are propped open to limit touching of similar surfaces as much as possible.
6. Where possible, we will limit contacts during customer transactions (i.e. encourage use of credit cards with terminals that limit contact, accept deliveries in one place at one drop off location that limits touching etc.).

#### INFECTION AND PREVENTION MEASURES. ADMINISTRATIVE CONTROLS

1. Even after the re-opening date, some employees may still be encouraged by their department head to work remotely when such conditions provide for job duties to be completed effectively.
2. In accordance with the Family's First Coronavirus Response Act, employee sick leave policies have been reviewed to allow for maximum flexibility for COVID-19 related requested leave.
3. For job duties that require on-site presence, employee schedules may be staggered or altered for weekday or weekend schedules where appropriate, to minimize the number of people on site at one time and to limit overall contact.
4. Even after re-opening, in-person meetings should only be held when absolutely necessary. Virtual meets are still preferred. No more than five (5) people are allowed to be present for an in-person meeting (all must be wearing masks) and meetings can only take place in designated locations to limit visitors in workspaces. The limitation on five (5) in attendance does not apply to scheduled public meetings in the County complex meeting room which has been set up to accommodate up to twenty-five (25) persons in attendance with chairs fully spaced to accomplish social distancing.
5. County employees are not permitted to travel to work-related events outside of LaPorte County unless specifically approved by County Commissioners.

## WORKING FROM HOME TIPS

- **Stick to a Schedule** – Create a morning routine. Consider beginning and ending work at the same time each day, the way you would if you were at the office. You can even log your day and daily tasks. Employees should track their hours worked, log-in and log-out process.
- **Give Yourself Space** – A dedicated workspace (ideally one you can close the door) is a solid way to keep work and life separate. Be sure to schedule breaks. Try to limit distractions.
- **Look the Part** – Get dressed for the day as you would if coming into the office.
- **Build Boundaries** – Limit your work to business hours only.
- **Become Proficient with Email** – Keep all emails documented, and make sure that you take the time to read and answer all of your business emails.
- **Socialize with Colleagues** – Send managers or supervisors your end of week report. Set up a video call with colleagues or manager once a week to check in.
- **Take Sick Days** – When you're not well, take the sick time you need. Keep in mind that sometimes it's best to rest and get better so that you can be your most productive self in the long term.
- **Get Fresh Air** – Open windows to let in as much natural daylight and fresh air as possible, and take walks if possible.
- **Look for Training Opportunities** – Check out online webinars being provided to further your knowledge in your department. Even list future goals for your department, ideas you may have and present to manager.
- **Don't Hesitate to Ask for What You Need** – Be sure to ask for what you need within reason.

## TIMETABLE for REOPENING OF COUNTY BUILDINGS

### **PHASE 1 - From May 15, 2020 to June 1, 2020**

Continue operations as during previous Operations Orders with department heads determining which employees should be working remotely and which are in the county buildings to keep individual departments operational.

### **PHASE 2 - From June 1, 2020 to June 15, 2020 Return of Employees with Modified Schedules**

Continue process of gradually rotating employees back into county buildings even as the doors remain closed to the general public. In the Courthouses, security continues to monitor flow into the buildings and question whether members of the public are presenting at the door for "essential" business including any court hearings.

### **PHASE 3 - From Monday June 15, 2020 forward**

Most county buildings will re-open to the public with checkpoints/tents installed outside of the Courthouse/Complex (on walkway between the buildings), outside the Hiler Building, the Michigan City Courthouse, and 8<sup>th</sup> Street Offices in Michigan City with screening questions and temperatures taken of any and all members of the public by Health Department staff. Such checkpoints will also have a Sheriff's deputy stationed there to assist with processing members of the public into the buildings. Masks will be available at the checkpoints for any members of the public who do not have one.

1. Members of the public will be limited and monitored by Security and will be allowed in the building by appointment only. Only those persons with scheduled hearings or appointments will be permitted in the building.
2. Each department will prepare a list daily of scheduled appointments, hearings, etc. and provide the list to Courthouse Security.
3. Every person arriving at a County Building will be screened through the following procedure:
  - a. Every person entering the building must be presumed positive for COVID-19
  - b. Verify the individual is on the daily list
  - c. Each individual will be screened using the County's COVID-19 Questionnaire
  - d. Individuals will have their temperature taken
    - i. If temperature is less than 100.4 degrees Fahrenheit, the person will be allowed in the building

- ii. If temperature is over 100.4 degrees Fahrenheit, the person will be told to leave the building and contact the department or court by phone
  - iii. Members of the public MUST have face masks on to be admitted into the building
  - e. Individuals will proceed to security screening
4. No family members, assistants, etc. will be allowed into the building unless they are on the approved list
  5. Individuals who have unscheduled business in a County building may request the screener to contact the department to approve the individual on a case by case basis
  6. Employees, contractors, vendors, suppliers and visitors must wear a face mask upon entry to any County Building.
  7. Face masks are required outdoors if safe social distancing and gathering practices are not possible.
  8. Once patrons have completed their business in the building, they will be expected to leave immediately. If they are loitering or not practicing social distance guidelines, they will be asked to leave the building immediately.

While most employees will have rotated back into the public offices, some will continue to work rotating and staggered shifts and some employees will continue to work remotely as determined necessary and prudent by their supervisor. High Risk employees will remain on COVID-19 leave. As during all prior periods, county department heads and elected officials continue to have discretion on how best to assign employees in order to see that work continues and there are no service disruptions to the general public.

**Separate policies and procedures are being developed by the Courts in accordance with Supreme Court Orders to address how Court hearings and business is to be handled.**

ADDITIONAL RESOURCES

**LA PORTE COUNTY COVID-19 RESOURCES**

<https://laporteco.in.gov/covid-19/>

**CDC**

<https://www.cdc.gov/coronavirus/2019-ncov/faq.html>

**INDIANA RESOURCES**

<https://www.coronavirus.in.gov/>

**PLEASE DIRECT ALL QUESTIONS TO YOUR DEPARTMENT HEAD  
FIRST AND HUMAN RESOURCES FOR ADDITIONAL INFORMATION.**

This County Buildings Re-Opening plan is subject to change.

# EMPLOYEE RIGHTS

## PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The Families First Coronavirus Response Act (FFCRA or Act) requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

### ► PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- ⅔ for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at ⅓ for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

### ► ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.*

### ► QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework, because the employee:

- |  |  |
|--|--|
| <ol style="list-style-type: none"> <li>1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;</li> <li>2. has been advised by a health care provider to self-quarantine related to COVID-19;</li> <li>3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;</li> <li>4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);</li> </ol> | <ol style="list-style-type: none"> <li>5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or</li> <li>6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.</li> </ol> |
|--|--|

### ► ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

For additional information  
or to file a complaint:

**1-866-487-9243**

TTY: 1-877-889-5627

[dol.gov/agencies/whd](https://www.dol.gov/agencies/whd)



WH1422 REV

Employee Rights - 03/20

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