

# In the Indiana Supreme Court

In the Matter of the Petition of the  
Plainfield Town Court for Administrative  
Rule 17 Emergency Relief

Supreme Court Case No.  
20S-CB-245



## Order Approving Expansion of Operations Plan In Part

By orders issued April 24 and May 13, 2020, this Court ordered trial courts statewide to submit plans for gradually resuming normal operations under limitations appropriate to the 2019 novel coronavirus (COVID-19) public health emergency. Pursuant to that order, the petitioning court(s) filed an expansion of operations plan (“Plan”) on May 29, 2020.

The Court finds that the Plan was made in coordination with appropriate local officials 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 **in part**, with the exception that the public is permitted to observe courtroom proceedings, either in person or virtually, subject to public health recommendations and applicable Constitutional limitations. The petitioning court(s) shall comply with the terms of the Plan **as modified above** through its stated duration, subject to further order of this Court.

Done at Indianapolis, Indiana, on 6/3/2020 , **effective May 29, 2020.**

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

Steve David  
Acting Chief Justice of Indiana

### **PLANNING**

This Court has consulted the following stakeholders to develop this Plan; the Town of Plainfield Administrative Staff, including the Town administrators responsible for the health, safety and welfare of Town employees; the Hendricks County Prosecutor's Office; and the Court's appointed Pauper Counsel.

### **EMPLOYMENT PROCEDURES - PLAN FOR RETURNING EMPLOYEES**

1. High risk employees, pursuant to the Town of Plainfield's Return –To-Work Plan, will be identified as those employees that are 60 years of age or older and/or those employees with pre-existing health conditions. These employees will be encouraged to remain at home and work remotely, if possible.
2. All Court employees will be required to monitor their own health and perform daily body temperature checks before coming to work to determine if their temperature is less than 100 degrees Fahrenheit. If their temperature is more than 100 degrees Fahrenheit, the employees will be required to contact their supervisor, their medical provider and to remain at home and work remotely, if possible.
3. If the employee is at work and starts to experience any symptoms of illness of any kind, they are required to immediately leave work and go home. If they have symptoms of COVID-19, they will be required to self-quarantine for at least 14 days and the last 3 days with zero symptoms, unless they have a negative test result, then they might return

- after 7 days; with the final 3 days with zero symptoms and/or in accordance with CDC guidelines.
4. All employees are required to conduct frequent and thorough hand hygiene and washing upon arriving to work and throughout the day.
  5. All employees are required to wear a mask while in Town facilities.
  6. All employees are required to practice social distancing of at least six feet.
  7. All employees are required to keep their workspace clean and clear of all papers in order to be disinfected after each workday.
  8. For job duties that require on-site presence, employee schedules may be staggered or altered to minimize the number of people on site at one time and to limit overall contact.

### **COURTROOM FACILITY PLAN**

1. Courtroom surfaces will be disinfected prior to starting court proceedings.
2. A sign will be posted of the order of the Court docket in which defendants will be called.
3. Social distancing signs have been posted throughout the building.
4. Plexiglas barriers have been installed at the security metal detector entrance and in the courtroom to provide for the distancing of not only the court employees, but also the deputy prosecutor, the court appointed pauper counsel, and the defendant and his or her attorney.
5. Only ten people, including the Court Staff, bench trial witnesses, deputy prosecutor, court appointed pauper counsel, or the defendant's counsel will be allowed in the courtroom at one time. Only the defendant and his or her attorney will be allowed in the Courtroom – no family members and/or children.
6. All individuals including defendants and their attorneys appearing in Court are required to wear a mask and the court will provide the masks if an adequate supply can be procured.
7. Hand sanitizer will be provided in courtroom.

**SCREENING PROCEDURES FOR THE PUBLIC**

1. All individuals wanting to enter courtroom must have a scheduled court date on the date of entry.
2. Masks are required to enter courtroom and will be provided if an adequate supply can be procured.
3. If equipment can be procured, non-contact temperatures will be taken of everyone prior to entry into courtroom, and if a person has a temperature higher than 100 degrees Fahrenheit or if a person is coughing or noticeably ill, they will not be allowed to enter the Courtroom and their hearing date will be rescheduled.

**RESUMING NON-EMERGENCY HEARINGS**

1. Non-emergency hearings will be conducted in-person commencing June 2, 2020. Initial hearings will start at 12:30 pm, following initial hearings will be bench trials, and then plea hearings with any appearances for infractions or ordinance violations scheduled following the plea hearings.
2. Parties are required to file, if possible, appropriate paperwork five days prior to the scheduled court date if their case will not proceed to be heard on the scheduled court date as a bench trial, plea hearing or status hearing.
3. Courtroom access for individuals other than the defendant and his or her attorney and any witnesses for bench trials will not be allowed. Due to budget restrictions, the equipment and the necessary software is not currently available to provide public access for hearings and trials. The Court would respectfully request that equipment, software, and training be provided by the Indiana Office of Court Services, to provide public video and audio access for the courtroom hearings and trials. Until such time as the equipment, software and

training are provided, the Court will audio record all courtroom proceedings and transcripts of those recordings will be made available, if requested.

4. Incarcerated persons scheduled for hearings in the court will be checked at the jail prior to transport for any symptoms of the virus or any other illnesses. If the incarcerated person is found to be infected or ill, that individual will not be transported to the Court for the hearing and will either remain at the jail, be transported to the hospital for diagnosis and treatment or the hearing for the incarcerated person will be conducted remotely..

#### **PROBATION SERVICES**

1. The Court's probation services will resume on or after June 2, 2020 and the probation officer and all probationers will adhere to and comply with the above listed processes and procedures for the Court's Plan.