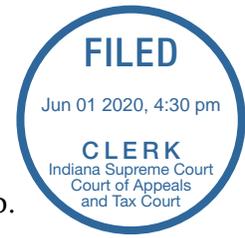


In the
Indiana Supreme Court



In the Matter of the Courts of White
County.

Supreme Court Case No.
20S-CB-173

Order Approving Expansion of Operations Plan

By orders issued April 24 and May 13, 2020, this Court ordered trial courts statewide to submit plans for gradually resuming normal operations under limitations appropriate to the 2019 novel coronavirus (COVID-19) public health emergency. Pursuant to that order, the petitioning court(s) filed an expansion of operations plan (“Plan”) on May 30, 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 6/1/2020 , **effective May 30, 2020.**

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

Steve David
Acting Chief Justice of Indiana

In the Indiana Supreme Court
Indianapolis, Indiana

Case No.: 20S-CB-173

PETITION FOR APPROVAL OF WHITE COUNTY COURTS TRANSITION PLAN

Comes now the Courts of White County and petition the Supreme Court for relief under Ind. Administrative Rule 17. In support of this petition, the courts inform the Supreme Court as follows:

The courts of White County have convened en banc and have determined:

- 1) That on March 17, 2020, the Courts of White County petitioned the Supreme Court for relief under Ind. Administrative Rule 17.
- 2) That on March 19, 2020 this Court granted same.
- 3) That White County Court's Emergency Plan took place upon approval and are in need of moving forward to a transition plan.
- 4) That White County Court's Transition Plan is as follows:

A. Administrative Rule 17 components;

i. Extension of tolling of all laws, rules, and procedure setting time limits for speedy trials in criminal and juvenile proceedings; public health and mental health matters; all judgments, support, and other orders; and in all other civil and criminal matters through August 14, 2020.

ii. Furthermore, no interest shall be due or charged during this tolled period.

iii. Calculation from April 3, 2020 through August 14, 2020 for early-trial demands filed under Indiana Criminal Rule 4(B) before April 3, 2020; Indiana Criminal Rule 4(A) and 4(C); and shall further be subject to congestion of the court calendar or locally existing emergency conditions for good cause shown.

iv. For purposes of Indiana Criminal Rule 4(B) early-trial motions filed after April 2, 2020 and before August 15, 2020, the motion shall be deemed to have been made on August 14, 2020 and shall be further subject to congestion of the court calendar or locally existing emergency conditions for good cause shown.

v. Prohibition on issuing or serving writs of attachment, civil bench warrants, or body attachments pursuant to Trial Rule 64 shall expire at 12:01 a.m. on August 15, 2020.

B. Planning

i. On May 5th the White County Courts convened a Collaboration Approach to Expanding Court Operations by way of Zoom. This Collaboration was attended by

Judge Jason A. Thompson, White Circuit Court; Robert B. Mrzlack, White Superior Court; Stacey Diener, Chief Deputy Prosecutor of White County; Laura Cosgray, White County Clerk of Courts; Bill Brooks, Sheriff of White County; Ambyr Wade, Director of White County Department of Child Services; Matthew Hagenbush, Attorney for Department of Child Services; Mark Delgado, Defense Attorney; Christopher Phillips, Local Bar Association Attorney; George Loy, Attorney for White County Commissioners; Sydney Jordan, Bailiff for White County Circuit Court.

C. Employment Procedures

i. In accordance with the White County COVID-19 screening checklist, all employees will be assessed before each work day as to a fever, symptoms, and close contact with a suspected or known COVID-19 patient.

ii. White County Court employees will exercise social distancing guidelines; Avoid close contact with others (six (6) feet distance); No non-essential physical contact.

D. Courthouse Facility Plan

i. In addition to exercising social distancing, Court employees will refrain from using other employee's phones, desks, offices, or other work tools or equipment, when possible;

ii. Courtroom counsel tables and chairs at a minimum six (6) feet apart to adhere to social distancing guidelines;

iii. Providing clients and their attorneys the opportunity to practice social distancing guidelines while in court proceedings;

iv. Cleaning frequently touched surfaces and objects often (office doors including lobby and stair doors will remain open to prevent using the handles; no clients will be permitted to the building without prior approval from Security and Court staff at this time; thus, this is not a security concern);

v. Court staff will clean and sanitize frequently touched surfaces and objects often;

vi. Staff will utilize sanitizers, wipes, spray, and hand sanitizers in the courtroom and clean up their space upon conclusion of hearings;

vii. Office doors including lobby and stair doors will remain open to prevent using the handles; no clients will be permitted to the building without prior approval from Security and Court staff at this time; thus, this is not a security concern;

E. Screening Procedures for the Public

i. Policies for protecting public health and safety in accordance with county health department guidelines as court facilities reopen;

ii. That being cognizant of the transparency of the Courts and the Judicial System, the Court may take steps to limit spectators in the courtroom to provide adequate

social distancing, if necessary, for the safety of County employees and the public in general, taking into consideration the constitutional rights of all parties. This shall not include the Parties and/or their attorneys;

iii. Utilizing the same COVID-19 checklist for members of public as used for employees before entering the courthouse.

F. Resuming Non-Emergency Hearings

i. Court proceedings will take place Monday through Friday as scheduled by Court staff;

ii. White County Courts will continue to utilize video conferencing for incarcerated individuals when appropriate (when needed, jail staff will bring inmates from the jail when needed in small groups of less than five (5));

iii. All non-emergency hearings will be given the opportunity to petition the court to have their hearing held via Zoom or telephone;

iv. Litigants will exercise social distancing practices on the stairway, on the landing, and in the courtrooms (those who don't will be asked to leave the building and wait outdoors until their hearing is called);

v. Public access to the courts will remain open, with social distancing being used in the gallery; for video conferences a live feed will be shown in the Courtroom and or on a live feed via YouTube.

G. Jury Trials

i. Jury Trials will resume in the White County Courts August 14, 2020 with the first scheduled jury trial in September 2020.

ii. Both Circuit and Superior Court will be utilized during a single jury trial;

iii. Prospective Jurors will be brought in groups of 10-15, to utilize full social distancing in the gallery area for venire, instead of the jury box;

iv. Superior Court will be utilized for secure deliberations instead of typical jury room for social distancing;

v. Prospective jurors will be evaluated as to their high-risk status, exposure to COVID-19, and any symptoms, prior to being brought in for venire.

H. Court Supervised Services

i. Community Corrections will wear appropriate PPE upon approaching in-home visits. Officers will not enter the residence and will maintain social distancing with probationers.

ii. In-office visits to White County Probation will be scheduled in intervals to eliminate any person sitting in a waiting area. Probationers will be met at the main

doors of White County Courthouse and escorted to Probation using social distancing procedures.

iii. Telephone and video conferencing will be utilized for other probationer check ins, as well as for juvenile check-ins.

iv. White-Carroll CASA will continue to telephonic and video means for team meetings, check-ins, and any other necessary items. CASA members will wear appropriate PPE as necessary.

DONE at Monticello, Indiana, and this 30th day of May, 2020.

/s/ Jason A. Thompson
Jason A. Thompson, Judge
White Circuit Court