

In the Indiana Supreme Court

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

Supreme Court Case No.
20S-CB-220



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 filed an expansion of operations plan (“Plan”) on June 5, 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 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 shall comply with its terms through its stated duration, subject to further order of this Court.

Done at Indianapolis, Indiana, on 6/9/2020, **effective June 5, 2020.**

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

Steve David
Acting Chief Justice of Indiana

STATE OF INDIANA)	IN THE ZIONSVILLE TOWN COURT
)	
COUNTY OF BOONE)	CAUSE NO: 20S-CB-220

IN RE: THE MATTER OF REQUESTING
RELIEF UNDER INDIANA ADMINISTRATIVE
RULE 17

ZIONSVILLE TOWN COURT’S TRANSITION PLAN FOR EXPANDED OPERATIONS

**Amended Petition for Administrative Rule 17
Emergency Relief and Consultation with Local Stakeholders**

Zionsville Town Court’s Order on Petition for Administrative Rule 17 Emergency Relief filed under 20S-CB-220 dated March 20, 2020 SHALL be amended to reflect the Zionsville Town Court’s Administrative Rule 17 Transition Plan for Expanded Operations (“Transition Plan”) set forth below and filed herein.

The Zionsville Town Court is located in the Zionsville Town Hall and is staffed by employees of the Town of Zionsville. As such, the Zionsville Town Court has adopted the policies and procedures established in the Town of Zionsville Facility Opening Plan. The local stakeholders involved in the development of the Town of Zionsville Facility Opening Plan are as follows: Mayor Emily Styron, Attorney Amy Nooning, Attorney Sara Blevins, Deputy Mayor Julie Johns-Cole, Police Chief Mike Spears, Fire Chief James VanGorder, Director of Finance & Records Amy Lacy, Director of Communications Amanda Vela, Director of Planning and Economic Development Wayne Delong, Superintendent of Streets and Storm Water Department Lance Lantz, Former Director of Zionsville Parks Department Matt Dickie, Wastewater Department Superintendent Barry Cook, and IT Director Pat Taylor.

Additionally, the Zionsville Town Court Judge has consulted the Prosecutor for the State of Indiana and the Prosecutor for the Town of Zionsville to obtain input regarding the Transition Plan. The Zionsville Town Court Judge has also reviewed the Boone County Courts’ Transition Plan for Expanded Operations and has modeled its Transition Plan on the same.

**Transition Plan – Employee Safety, Visitor Safety, Cleanliness, Public Access to Courts,
and Resuming Non-Emergency Hearings**

The Indiana Supreme Court has instructed that the Zionsville Town Court’s Transition Plan should address protections for ensuring Court employee health and safety; protections for public health and safety; plans for continued sanitized Court facilities; procedures for maintaining a record and allowing public access; plans for resuming non-emergency hearings; policies for selecting jurors and procedures for protecting the health and safety of potential jurors¹; and plans

¹ The Zionsville Town Court does not conduct jury trials. Accordingly, the Transition Plan does not address policies relating to selecting jurors or procedures for protecting the health and safety of potential jurors.

to resume court-supervised services.² The foregoing policies remain and are effective immediately and SHALL be in effect, unless modified, until August 14, 2020. Not later than August 7, 2020 (and earlier and from time to time as deemed necessary) the Court SHALL, with input from local justice partners, health authorities, and emergency response professionals, review the foregoing policies to consider whether changes and/or new effective dates are necessary.

It is the policy of the Zionsville Town Court as follows:

A. Court Employee Safety, Visitor Safety, and Cleanliness:

1. All persons SHALL maintain social distancing in the Zionsville Town Hall which is generally greater than six feet apart from other employees and persons.
2. All persons SHALL wear a face covering which covers the nose and mouth when in common areas of the Zionsville Town Hall. Employees do not need to wear a facial covering when alone in an office space that is a closed office space (four walls with a closed door) when maintaining social distancing.
3. Employees SHALL wash hands frequently and use hand sanitizer when hand washing is not readily accessible.
4. All persons SHALL immediately leave the Zionsville Town Hall if experiencing any of the COVID-19 symptoms.
5. Visitors SHALL restrict visits to the location of the intended destination.
6. All persons SHALL be subject to the Zionsville Town Hall entrance protocol, so long as the same remains in place in the discretion of the Zionsville Town officials, and must truthfully answer questions to health officials screening entrants.
7. If any employees or their family members experience any of the COVID-19 symptoms within 24 hours of their visit to the Zionsville Town Hall, the employee SHALL not report to work. The employee SHALL follow the normal procedures for reporting his or her absence.
8. Employees SHALL be fever free without the use of fever reducing medications for 72 hours and seven (7) days must have passed since his or her symptoms first appeared. The employee SHALL contact his or her department head for approval before returning to work.
9. Employees SHALL have access to PPE while at work.
10. Masks, provided a supply can be procured as they currently have been, SHALL be offered without charge to persons appearing who do not bring their own.
11. Persons in the courtroom SHALL, unless in the discretion of the Court it is intermittently necessary that some person speaking to the Court lower his or her mask to be heard by the Court, parties, or lawyers, be permitted to wear masks. (In many cases, persons speaking in the courtroom can do so while wearing a mask.)
12. Hand sanitizer stations SHALL be placed throughout Zionsville Town Hall.
13. Electrostatic Cleaning SHALL occur at Zionsville Town Hall on a monthly basis.

² Similarly, the Zionsville Town Court does not conduct court supervised services. The Transition Plan reflects the same.

14. Employees SHALL use cleaners and wipes to clean their workstations before and after use.
15. Department Heads shall employ enhanced cleaning procedures for high traffic surfaces (door handles, counters), cleaning them several times per day for additional employee and visitor safety.
16. Areas of the courtroom where persons occupy space SHALL be cleaned after each user has occupied the space. These include the witness stand after each witness, the Counsel table after the litigants and lawyers leave (every hearing), and other locations in the courtroom.
17. Signage SHALL be placed throughout Zionsville Town Hall reminding of social distance spacing and general hygiene practices and encouraging the use of hand sanitizer.

B. Maintenance of a Record and Allowance of Public Access to Court Hearings Remote and Live:

1. Subject to space limitations of the courtroom and social distancing guidelines discussed herein, members of the public SHALL be allowed to attend Court hearings, including those which are generally open to the public.
2. Members of the public SHALL maintain a distance of six feet apart, and Court staff SHALL inform the Judge if members of the public are not following these social distancing guidelines.
3. The Court MAY, but is not required to do so, livestream a hearing as permitted by the Indiana Supreme Court.
4. Some hearings MAY occur remotely pursuant to Administrative Rule 14 and as permitted by Indiana Supreme Court.

C. Resuming Non-Emergency Hearings:

1. The Zionsville Town Court handles only local ordinance violations and infractions. All in-person initial hearings have been cancelled. Instead, defendants have sixty (60) days from the date of his or her ticket to admit and pay or deny the violation and request a bench trial.
2. Bench trials are scheduled to resume on July 23, 2020. No other hearings are scheduled prior to July 23, 2020.