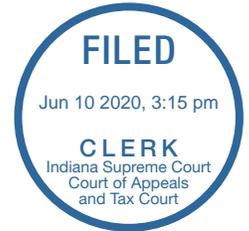


In the Indiana Supreme Court

In the Matter of the Petition of the Clark
Circuit Courts for Administrative Rule 17
Emergency Relief.

Supreme Court Case No.
20S-CB-111



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 June 5, 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 petitioning court(s) are directed to the Court’s order issued May 29, 2020 in Case No. 20S-CB-123 for any tolling related issues. 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 6/10/2020 , **effective June 5, 2020.**

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

Loretta H. Rush
Chief Justice of Indiana

**In the
Indiana Supreme Court**

**In the Matter of the Petition of the
Clark Circuit Courts
for Administrative Rule 17 Emergency Relief.**

Cause No. 20S-CB-00111

Clark Circuit Courts Transition Plan

Come now the Clark Circuit Courts and respectfully provide the Indiana Supreme Court, pursuant to this Court's Order of May 13, 2020, Cause No. 20S-CB-123; May 19, 2020, Cause No. 20S-CB-123, -231; and May 29, 2020, Cause No. 20S-CB-123; with the Transition Plan for the Clark Circuit Courts. To that end, the Clark Circuit Courts inform the Court as follows:

Introductory Remarks:

This Transition Plan balances both the need to safeguard the health of all those who come into contact with the Courts, in any capacity, and the integrity of the judicial branch of government. The Clark Circuit Courts have taken seriously the recommendations of civil authorities, scientific experts, and health professionals. They take into account applicable law from all pertinent sources and the Board of Judges' responsibility as head of the judicial branch of government in Clark County.

Administrative Rule 17 Components.

- Respectfully request the Supreme Court extend 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 Clark Circuit Courts until August 14, 2020, with all tolling under Criminal Rule 4 to begin anew on said date in each case that was pending at the time this Plan was filed.
- 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 pose a 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 effectuate and implement social distancing.

- Request the Supreme Court extend the authorization of this Court, in its discretion and subject to applicable Constitutional limitations, to limit spectators in its courtrooms to the extent necessary to provide adequate social distancing, so long as public access is otherwise provided in proceedings that are otherwise public, for as long as the Public Health Emergency, remains in effect.
- 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.
- 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:
 - Visited China, Iran, South Korea, any European countries, or any other high-risk countries identified by the Centers for Disease Control and Prevention (“CDC”) in the previous 14 days;
 - Resided with or been in close contact with someone who has been in any of those countries within the previous 14 days;
 - Traveled domestically within the United States where the virus has sustained widespread community transmission;
 - Been asked to self-quarantine by any doctor, hospital, or health agency;
 - Been diagnosed with or had contact with anyone who has been diagnosed with the COVID-19 in the past 14 days, or
 - Has covid-like symptoms, as identified by the Centers for Disease Control, in the past 14 days; and
- The Clark Circuit Courts have ordered all individuals in the Clark County Government Center over the age of 2 to wear a face covering in all public areas of the building. Accommodations, pursuant to the Americans with Disabilities Act, will be provided for those who cannot wear masks, and the Court Administrator will coordinate those accommodations. Moreover, a non-contact, non-invasive thermal body temperature camera, purchased from Security Pros in Memphis, Indiana, has been installed by the main doors to the Courthouse, and all visitors and employees have their temperature taken upon entry. Anyone with a temperature of 100.4° F or above is denied access to the building. The Clark Circuit Courts respectfully request that this Court authorize bailiffs or court security officers to deny entrance to individuals attempting to enter the Clark County Government Center and Courthouse in violation of these protocols, for as long as the Public Health Emergency, remains in effect.

- Request that this Court continue to authorize that all judges of the Clark Circuit Courts be authorized to exercise general jurisdiction over any and all cases in the any of the Clark Circuit Courts, for as long as the Public Health Emergency, remains in effect.

Planning.

The Clark Circuit Courts Board of Judges were ably assisted by and thank the following individuals for their service to the Courts and the County:

- Jill Acklin, Court Administrator;
- Jack Coffman, President, County Commissioners;
- Brad Fortner, Department of Child Services (DCS) Local Director;
- Karen Goodwell, County Human Resources Attorney;
- Scott Lewis, County Attorney;
- Scott Maples, Chief Deputy, Clark County Sherriff's Office;
- Jeremy Mull, Prosecutor;
- Abe Navarro, Chief Public Defender;
- Susan Popp, Clark County Clerk;
- Karen Renfro and Andrew Kitchell, DCS Attorneys;
- Connie Sellers, County Commissioner;
- Mark VanGilder, Building Operations Director; and
- Dr. Eric Yazell, Health Department Director.

Employment Procedures.

Employees have been returning to work in the courts, court programs, probation, and community corrections departments in phases. When the public health emergency was declared in March, all employees worked in the office one day per week and from home the other four days per week. On May 4, 2020, employees began working two days per week in the office; and on May 18, 2020, employees began working three days per week in the office. On June 1, 2020, all employees returned to work in the office five days per week.

- The Court Administrator is the point of contact for any employee who needs to exercise his/her rights under the Families First Coronavirus Relief Act (FFCRA). Employees should contact the Court Administrator directly with questions or concerns.
- 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:

- Clean and sanitize work areas often.
- Provide hand sanitizer and surface wipes throughout the courtrooms and court offices, including at counsel tables, contingent upon availability of such materials in the supply chain.
- Instruct employees to use hand sanitizer before and after touching common, shared surfaces, such as scanners, copy machines, refrigerators, coffee pots, etc. Instruct employees to devise a schedule amongst themselves for wiping down commonly touched surfaces.
- Avoid sharing phones, computers, 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. Each court office and courtroom will have a container of pens marked “clean” and a container marked “dirty,” so that pens are used one time by one person before they are sanitized. Counsel and parties shall be instructed on this procedure.
- Plexiglass barriers have been placed in court offices and in courtrooms.
- Employees shall wear face coverings when working or coming within six (6) feet of others.
- Notify supervisor and the Court Administrator, if experiencing COVID-19 like symptoms; have tested positive for COVID-19; or have been instructed to quarantine by medical professionals or health officers. Ideally, employees shall check their temperatures before coming to work, but in any event, all employees will be subject to non-invasive, non-contact temperature screen by use of a thermal camera upon entering the building. Employees should be diligent about monitoring their health during non-work hours for signs such as a fever above 100.4°F, and covid-like symptoms or exposure to their supervisor and the Court Administrator immediately and shall not report to work. Likewise, employees must not take fever-reducing medications in order to pass a temperature screen. Knowingly or intentionally reporting to work with a fever or COVID-like symptoms shall be grounds for disciplinary action. Employees experiencing symptoms, while in the workplace, shall leave the work place immediately and phone their supervisor and the Court Administrator 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 shall take steps to separate desks, work stations, and seating areas, from other employees and visitors to maintain social distancing, whenever possible. The Court provided all employees with surgical masks or cloth face coverings and hand sanitizer. Gloves, disposable body suits, and hard surface wipes are also available.
- The Courts 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.
- 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, or calling 2-1-1 from a mobile phone, or texting the employee's zip code to 898-211. Moreover, Clark County has a robust employee assistance program that is available 24/7 and is issued through OneAmerica. All employees have been given this information.
- Building operations will sanitize public areas, such as doorknobs, elevators, handrails, etc., frequently throughout the day. Each courtroom will be sanitized each morning and deep-cleaned twice per week.
- Phase I
- The Courts plan to make reasonable accommodations to isolate vulnerable workers, by heightened social distancing and eliminating access to public, which may including telework, where feasible.
- 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.
- Employees will be encouraged to re-space of workstations to meet CDC guidelines; meetings will be conducted by remote appearance if at all possible; in person trainings and continuing education will be suspended; and employees shall be encouraged to explore innovative methods to improve social distancing in all aspects of court and probation services.
- Probation and Problem-Solving Court appointments, home visits, and searches when necessary, will occur using social distancing practices and approved medical grade PPE.
- Phase II
- Telework will be limited, but permitted on a case-by-case basis, so long as court operations and business needs permit, if feasible, to assist with reasonable accommodations.
- Non-Essential travel for business will be permitted.

- Probation and Problem-Solving Court appointments and home visits will return to regular frequency, and shall be held in an event-style tent in the courtyard with 6-foot tables to encourage social distancing. Probation officers will be encouraged to keep start and end times for appointments strictly. Probationers may be asked to wait in their car if tent space is not available before their appointment. Phone and non-contact reporting shall be encouraged for low risk or compliant clients. Probation supervisors will be at the front entrance to the courthouse to help direct probationers to the tent in the courtyard.
- “Cattle call” hearings, such as are common in low-level felony and misdemeanor courts and child support, will have a waiting area in an event-style tent outside in the courtyard (separate from the tent where probation meets with clients). Court staff will call 3-5 defendants or parties at a time and escort them to the courtroom upstairs. When those individuals have completed their hearings, the next 3-5 will be escorted upstairs.
- Conventional UA drug testing may resume with greater regularity, while still following best practices above, with high risk on IRAS and Problem-Solving Court participants prioritized.
- Phase III
- The Court will resume normal staffing operations through Phase IV.
- Conventional UA drug testing may resume at pre-pandemic levels with both probationers and Problem-Solving Court participants. Clients shall be screened, by the use of medical grade PPE will be at the discretion of the Probation officer, with clients encouraged to wear face coverings.
- Monitoring of employee health issues will conclude, with employees directed to self-report if they become High Risk through Phase IV.
- Probation’s policies, in late-Phase III, will be:
- Two supervisors at a time will man a “Probation Check-In” station on the first floor by the secured main entrance.
- A Supervisor will call the probationer’s probation officer when they arrive.
- Each PO will go to the hallway on the 3rd floor and wait for the probationer to come up the elevator.
- Ask if the probationer is going to pay on their fees. If they are, wait for them to complete that and then take them to your office.
- If they are not paying fees, take them to your office.
- Conduct your meeting but keep it on point and do not go over. We do not want people waiting.
- Remember that both you and the probationer should be wearing masks at all times during your contact.
- Cleaning supplies should be out for your use to wipe down items in your office.

- Please keep your cell phones on you at all times in the office. We need to be able to let you know when your appointments are here. We need to keep the flow moving in order to not be a burden to the guards.
- If your appointments are backing up, you will be notified by a supervisor.
- Please arrange your office to keep a maximum amount of space between you and the probationer.
- If we have too many people reporting at one time, some probationers may be asked to wait in their cars. The PO will be notified and will call the probationer to come back up.
- Phase IV
- Operations resume to pre-pandemic practices.

Courthouse Security Plan

Employees and visitors to the Court Offices shall be advised to practice good hygiene, designed to minimize the spread of viruses, including these admonishments:

- Wash your hands with soap and water or use hand sanitizer, especially after touching frequently used items or surfaces.
- Avoid touching your face.
- Sneeze or cough into a tissue, or the inside of your elbow.
- Disinfect frequently used items and surfaces as much as possible.
- Wear face coverings while in the Court Offices.
- Avoid all physical contact, such as shaking hands.
- People who feel sick must stay home.
- The Court has posted floor markings to promote social distancing; and create visual awareness of 6' spacing. The Court has also modified seating capacity, and restricted certain areas, all to further ensure social distancing and capacity limitations are met. These will remain for as long as the Public Health Emergency requires social distancing.
- **Phase I**
 - Through Phase III, Building Operations staff will disinfect the courtrooms every morning and deep-clean them twice per week.
 - Building operations staff shall also disinfect points of ingress and egress (handrails, door handles, handicap and elevator buttons, and the like), and other high traffic areas, such as restrooms and elevators.
 - Court staff shall spot clean contact areas during recess and breaks, in the Courtrooms and access areas. Court staff will be responsible to clean their own work stations regularly.
- **Phase II**
 - As visitors increase to the Court, Courtroom Deputies will ensure strict compliance with social distancing and barriers displayed.

- **Phase III**

- Jury trials are expected to start up in July. The Court has identified a large, multi-purpose building at Jeffersonville High School for voir dire. The jurors selected will be instructed to report to the courthouse the following day for the start of trial.
- Circuit 1's courtroom can accommodate a 12-person jury (with alternates) by seating the jury in the gallery seats and re-arranging counsel tables and the witness stand.
- Circuit 2 and 3's courtroom can both accommodate a 6-person jury (with alternates) by seating the jury in the gallery seats and re-arranging counsel tables.
- The Court will ensure expanded access for live streaming and public notice, by making either by an audio stream or the new streaming service provided by the Office of Judicial Administration available to the public. Non-public hearings or portions of hearings that are not for public access will not be streamed, or the stream will be paused. Copious warnings about not recording or broadcasting streamed court hearings will be provided on the website, and the judges will make frequent admonitions.
- Jurors will not be sequestered absent extraordinary cause shown.
- The jurors shall use the courtrooms as their jury deliberation room with all audio, video, and any other means of hearing deliberations turned off while the jurors are in there. Any hearings that need to take place outside the presence of the jury will be held and recorded in the judge's chambers with counsel and parties present.
- Juror meals will be ordered from local restaurants, delivered to the courthouse, and pre-packaged and individually sealed to avoid concerns of contamination and to avoid the need to travel to a restaurant.

- **Phase IV**

- Operations will resume to pre-pandemic best practices, with some signage removed.

Courthouse Facility Plan

All individuals entering the Clark County Government Building and Courthouse will have a no-touch, non-contact temperature check by a thermal camera. Anyone registering over 100.4° will be asked to leave and come back after their temperature is below 100.4°. All individuals entering will also be required to wear a face covering. If they do not have their own, one will be provided for them. We were able to purchase 40,000 face masks from Lionshead in Goshen, Indiana. Building Operations will deep clean the building twice per week; sanitize the courtrooms every morning and twice

more during the day. Court employees will sanitize their work area and sanitize the courtroom between hearings. The courts will utilize an off-site location provided through the Greater Clark County School Corporation for jury assembly and voir dire. The Clark County Sheriff will provide security and a portable thermal temperature camera will be used at the off-site location.

- Screening Procedures for the Public

Court proceedings will be done virtually, if possible, through CourtCall or Zoom. If in-person hearings are necessary, only the attorneys, litigants, and necessary witnesses will be allowed into the courthouse. No spectators will be allowed. If witnesses can testify via audio-visual means, that will be approved. All individuals entering the Clark County Government Building and Courthouse will have a no-touch, non-contact temperature check by a thermal camera. Anyone registering over 100.4° will be asked to leave and come back after their temperature is below 100.4°. All individuals entering will also be required to wear a face covering. If they do not have their own, one will be provided for them. We were able to purchase 40,000 face masks from Lionshead in Goshen, Indiana. Hand sanitizer stations will be made available throughout the Clark County Government Building and Courthouse.

- Resuming Non-Emergency Hearings

- **Phase I**

- 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 seek 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 or most critical matters.
- 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.

- Problem Solving Court treatment teams will be virtually through Phase III, followed by all participants meeting either remotely or in person (staggered times) during this Phase. The Court appreciates the unique benefit afforded to all participants and treatment team members when all parties are present during each participants court session, such that these matters may require accommodations throughout Phase III, to insure all participants are present, remotely or in person, for the entire duration of Court, without offending court capacity and social distancing limits.
- The Court will incentivize priority settings to those attorneys and litigants who agree to appear remotely, by setting hearings dedicated to remote sessions.
- Senior judges and *pro tems* will be used more liberally to address remote hearings, when the presiding judge is unavailable.
- Through Phase III, the Court will maximize remote hearing 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.
- During any hearing, throughout this Plan, where the public is excluded from the Courtroom, the Court will: (1) publish the mechanism by which the public can access the hearings in the order setting the hearing or by docket entry, which will be available on mycase.IN.gov; and/or (2) live stream the court proceedings to the court website or the platform set forth by the Office of Judicial Administration.
- **Phase II**
 - 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.
 - Court dockets will resume with in person hearings being staggered as much as possible, and an event-style tent set up in the courtyard for when cattle calls are necessary.
 - Through Phase III, Problem Solving Court participants will continue meeting remotely, but with an increasing number of staggered in person hearings occurring during the sessions on a rotating basis, or

as needed based upon each individual therapeutic participant's needs and team recommendations. Remote hearings may be offered as incentives and to assist with social distancing at the same time.

- The Court will continue closely prioritize cases to heard, with incarcerated defendants, CHINS/TPR's of all types, Protective Orders, and emergency provisional family law matters continuing to have priority. More moderate level cases will be scheduling, including contested custody matters, IV-D and family law matters, pretrial hearings on civil cases and infractions, and all remaining criminal cases. Within similar priority cases, the Court will address a FIFO basis, hearing those cases which were continued at the start of the pandemic.
- 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.
- Mediation, including a second round of mediation, will be strongly encouraged in an attempt to settle as many cases as possible.
- Criminal bench trials will begin, with witnesses staggered to avoid capacity limits. Remote civil bench trials may resume, if scheduling permits, with priority given to remote hearings.
- Most hearings occurring during this phase will be held remotely, including evidentiary hearings. Only those with the highest concerns for constitutional protections and timeliness, or those having complex issues, should be conducted in person during this Phase, unless scheduling permits otherwise.
- **Phase III**
 - Vulnerable individuals can resume regular visits to Court offices, but should practice social distancing, avoiding visits during congested times where distancing may not be practical, unless precautionary measures are observed, as greater groups may be expected during this phase. The Court may consider the need to have occasional settings reserved for vulnerable litigants. High risk individuals will still be required to appear remotely or seek continuances.
 - 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.
 - 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.
- **Phase IV**

- All cases will resume on a FIFO basis, as the backlog from the pandemic is addressed.
- Court, staff, and local bar will address those best practices and technology from pandemic to continue.

Jury Trials

- **Phases I-II**
 - No jury trials will be held without express permission of the Indiana Supreme Court.
- **Phase III**
 - Jury trials will resume on/about July 1.
 - Final Pretrial Hearings should be held on those cases anticipated for Phase III settings, and jurors shall be issued summons, 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.
 - The Court will review Jury Trials set for Phase III and IV, to identify whether additional panel members should be summonsed. 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 Jury Administrator.
 - The Board of Judges will make a video highlighting safety, the jury assembly and voir dire area at Jeffersonville High School, and other tips and will require prospective jurors to view that video, along with the Indiana Supreme Court's jury service video before reporting to jury assembly.
 - The Court is exploring web-based jury questionnaire submission, to minimizing document handling and allow for more rapid and increase responses, as a supplement to traditional mail-in processes.
 - Revised jury questionnaires will be reviewed to determine best estimates for jury appearance rates, to make final adjustments to panel size.
 - 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.

- Final review of Administrative Rule 17 concerns should occur to confirm all local data and best practices supports the safe and practical commencement of Jury Trials on July 1, 2020, as expected without further extensions or Criminal Rule 4 concerns.
- Criminal Jury trials will resume first, to include those with pending Early Trial motions under Criminal Rule 4, on a FIFO basis. Other criminal jury trials with incarcerated defendants will follow, with priority given to Level 6 felony and misdemeanor jury trials, requiring fewer jurors and smaller panels. The Court may consider the use of remote jury selection where appropriate and by agreement. Jurors will be provided with meals from local restaurants who agree to comply with health department procedures that limits contact with the food. Court staff picking up the food will handle only the exterior baggage, wearing gloves and wear PPE. Masking will be encouraged with all jurors and PPE provided, while social distancing is also mandated.
- The Court will primarily use block/staggered panels for jury selection, with parties arriving at staggered times in groups at an off-site location to maintain social distancing. Accommodations have been made to courtroom and jury seating to comply with social distancing guidelines, with court staff monitoring group size. Jurors will be mailed the advanced information concerning social distancing, which will include the jury videos and an admonishment to view the same.
- The jury seating area (the gallery of the courtroom), has been marked with signs to adjust for new seating capacity. The Courtroom will be used for deliberations and jury breaks.
- **Phase IV**
 - All jury trials will resume without social distancing and under pre-pandemic practices.
 - The Court, Jury Administrator, staff, and local bar will address those best practices and technology from pandemic to continue.

Court Supervised Services

Probation: Clark County Probation and Community Corrections will resume normal operations on Monday, June 1, 2020 with one exception. Most all in-office appointments will be held in tents either in the courthouse courtyard and a tent set up outside our community corrections office. Our offices will be fully staffed in accordance to our board of judges wishes for the court's operations.

Family Recovery Court: Family Recovery Court (FRC) has had each case manager call in participants individually for drug screens. We are only doing oral screens at this time and either going to them in the parking lot, or having them come into the “common” area of the office one at a time. Case managers are wearing gloves and masks when interacting with participants, and disinfecting all surfaces after they leave if they enter the office at all. Case managers are coming into the office regularly, (some on a daily basis and others come in a couple of days a week) and we are also in contact with participants via phone daily. At this time, court is being held via Zoom and so is staffing, and this will continue for the foreseeable future or until we get the green light from the courts to come back in. Our staff will be back in the office full time on a daily basis on June 1, 2020. Of course, we will still be using gloves and masks and disinfecting, but at that time we are hoping to be able to call in multiple people at a time instead of one at a time for drug screens.

CASA: Starting June 1, 2020 CASA Volunteers and Staff will resume monthly face-to-face visits with children if it can be done safely. Volunteers and Staff shall wear masks during these visits. This excludes face-to-face contact with children in residential facilities, which shall continue to be done remotely. Also, starting June 1, 2020 all court employees are expected to report to work full-time. All Staff must report if they identify as high-risk. Please see “Resuming Visits to CASA Volunteers and Staff” to see if you are at increased risk. All high-risk employees should work with supervisors to continue remote work. Employees who live with or provide care for vulnerable individuals should do the same to the greatest extent possible to reduce chances that they could carry the virus to these vulnerable individuals. Employees who have special concerns should discuss reasonable accommodation options with the Program Director.

Employees are not to share computers or other office equipment. Equipment that must be shared shall be sanitized with each use. Employees are to wear face masks when in common areas, including the bathroom, or when speaking to each other. The mask may be removed when working at your desk. It is the right of the employer to decide if employees must be tested for COVID-19 before returning to the workplace after working remotely or after reporting symptoms of COVID-19.

The Program Director will handle all mail. In the event the PD cannot handle the mail all mail will be placed in a box and allowed to sit for 36 hours before handling or one person shall handle the mail using gloves and a face mask during the task.

These safeguards are for your protection as well as the children's and will be modified as needed. Please check your email daily.

Clark County Addiction Treatment and Support Program:

- Resume drug testing a minimum of twice a week on all participants, in the Clark County Government Center, by Monday, June 1st, 2020

- Require that all participants wear masks while in the Clark County Government Center until further notice
- Require that all staff wear masks while interacting with participants, and anytime they are not in their office.
- Resume meeting with participants in the office on Monday, June 15th, 2020
- Resume meeting for “in person” court status hearings on Thursday, July 9th, 2020. Zoom team meetings and court hearings will continue to be held remotely before the opening of July 9, 2020.

Clark County Adult Guardianship Program: On May 18, 2020, the Center for Medicare and Medicaid Services recommended twenty-eight (28) days having passed since the onset of any new COVID-19 cases before visitation would be allowed in nursing facilities. None of the nursing facilities in which the program has clients have indicated they are going to begin such a countdown despite being free of any COVID-19 cases. If they were to begin the countdown today, it would be June 24, 2020 before any in-person visits could be made to clients of the program. However, the Indiana State Department of Health (ISDH) has set no dates for resuming visits nor set a clear deadline based on the number of COVID-19 cases or other data. When these facilities do resume visitation for their residents the program’s personnel, paid and volunteer, will follow the guidelines of each facility when making visits. We have clients with Intellectual Disabilities being served by two (2) providers. One provider has indicated they plan to resume visitation in July depending on health risks of the residents of each group home. The other provider has just begun to allow visits on the property outside the home (in the yard or porch) and maintaining a six (6) foot distance between visitor and resident. Any other safety policies of the providers will be followed by everyone associated with the program.

DONE at Jeffersonville, Indiana, this 5th day of June, 2020.

/s/ Andrew Adams
Andrew Adams
Judge, Clark Circuit Court No. 1

/s/ Bradley B. Jacobs
Bradley B. Jacobs
Judge, Clark Circuit Court No. 2

/s/ Joseph P. Weber
Joseph P. Weber
Judge, Clark Circuit Court No. 3

/s/ Vicki L. Carmichael
Vicki L. Carmichael
Judge, Clark Circuit Court No. 4