

In the Indiana Supreme Court



In the Matter of the Petition of the City of
Union City Court for Administrative Rule
17 Emergency Relief.

Supreme Court Case No.
20S-CB-242

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 6/12/2020, **effective June 5, 2020.**

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

Loretta H. Rush
Chief Justice of Indiana

Filed 06/05/2020 3:35 PM

In the Matter of the Petition of)	Superior Court Case No.
The Union City City Court For)	CAUSE NO.: 20S-CB-00242
Administrative Rule 17)	
Emergency Relief)	

Comes now the Union City City Court and petitions the Supreme Court of Indiana for relief to resume normal operations under limitations appropriate to the 2019 novel coronavirus (COVID-19) public health emergency. In support of this petition, this Court submits an expansion of operations plan ("Plan") on June 5, 2019, and informs the Supreme Court as follows:

PLANNING

This Court has consulted with the following stakeholders to develop this Plan; the City of Union City Mayor, City Council and Administrative Staff, the Attorney for the City of Union City, the City of Union City Safety Director and Chief of Police, and the Randolph County Public Health Office.

EMPLOYMENT PROCEDURES – PLAN FOR RETURNING EMPLOYEES

1. High risk employees will be identified as those employees who are sixty 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 physical condition and preform daily body temperature checks to determine if their temperature is less than 100 degrees. If their temperature is more than 100 degrees, they will be required to notify their supervisor and their medical provider and to remain home and work remotely, if possible.
3. If, while at work, an employee experiences any symptoms of illness, they are required to immediately notify their supervisor, leave work and go home. If the employee has symptoms of COVID-19, they will be required to self-quarantine for at least 14 days and the last three days without symptoms. If the employee has a negative test result, they may return to work after seven days with the last three days without symptoms and/or in accordance with the current CDC guidelines.
4. All employees are required to conduct frequent hand hygiene and sanitizing when first arriving at work and throughout the work day.
5. All employees are required to follow facial covering guidelines as established by the City of Union City.

6. All employees are required to practice social distancing of six feet during the entire work day.
7. All employees are required to keep their work area clean and to sanitize the area at the end of each work day.
8. All employees will maintain a staggered work place presence in order to minimize the number of employees on site and limit interactions and contacts.

COURTROOM FACILITY PLAN

1. Courtroom surfaces will be disinfected at the beginning and end of each Court session.
2. Signs will be posted with the order of the docket for which the defendants will be called.
3. Social distancing signs have been posted throughout the building.
4. Hand sanitizers will be provided in several places throughout the Courtroom, hallway and entry area.
5. All defendants, attorneys, witnesses, and members of the public will be required to comply with the City of Union City face covering directive. Face covering masks will be provided as necessary.
6. Members of the public will be allowed to observe Courtroom proceedings in accordance with public health recommendations according to available space necessary for social distancing and will be asked to comply with all required state and local health and safety directives and/or CDC recommendations.
7. All individuals wishing to enter the Courtroom will be questioned as to any current illness or COVID-19 symptoms. If ill or exhibiting symptoms, they will be asked to leave with the suggestion that they go home and consult their medical provider. Their Court case will be rescheduled with no negative impact.

RESUMING NON-EMERGENCY HEARINGS

1. Non-emergency hearings will be conducted in-person commencing June 9, 2020. Initial hearings for traffic infractions and ordinance violations will be held at 10:00 am and Bench Trials will be held at 3:30 pm.
2. All defendants, attorneys, witnesses and members of the public will be required to comply with the established plan for safety and health.
3. The Court will continue to exercise flexibility in granting continuances and extending payment deadlines.
4. The Court will continue to encourage payment for fines to be made electronically, by mail or through the Courthouse drop box in order to minimize direct person to person contact.

The Union City City Court submits this plan for approval and proposes that it remain in effect until the current health risks no longer exist and the emergency declarations have been lifted. The Court will continue to consult with City Administration officials and Health Department officials to determine the need for ongoing operational changes in order to insure the health and safety of employees and all those who have business with the Court.

Respectfully submitted,

A handwritten signature in black ink, reading "Linda D. Wilcox", written in a cursive style. The signature is positioned above a horizontal line.

Honorable Linda D. Wilcox

City Court Judge