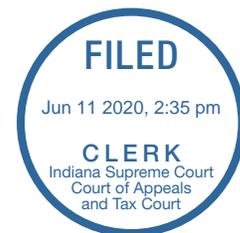


In the Indiana Supreme Court

In the Matter of the Petition of the
Bartholomew County Courts for
Administrative Rule 17 Emergency Relief

Supreme Court Case No.
20S-CB-178



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 9, 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.

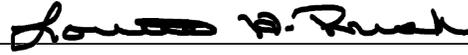
Being duly advised, and pursuant to Indiana Administrative Rule 17 and this Court’s inherent authority to supervise the administration of all courts of this State, the Court ORDERS as follows:

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**, subject to the following exceptions:
 - (a) The petitioning court(s) shall resume jury trials, subject to the health precautions proposed in the Plan, **no later than the week of August 17, 2020**. The petitioning court(s) may seek relief from this requirement pursuant to Administrative Rule 17 if a particularized local emergency requires suspending jury trials beyond that date.
 - (b) 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; and

(c) The petitioning court(s) shall permit the public 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 6/11/2020 , **effective June 9, 2020.**



Loretta H. Rush

Chief Justice of Indiana

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Bartholomew County Courts – Phased-In Guidelines to Re-Open the Justice System

On April 16th, 2020 Governor Eric Holcomb along with several other Midwestern governors announced plans for re-opening the economy in the region, with a target date of early May 2020, to begin a phased-in approach.¹

“Phasing in sectors of our economy will be most effective when we work together as a region. This doesn’t mean our economy will reopen all at once, or that every state will take the same steps at the same time. But close coordination will ensure we get this right. Over time, people will go back to work, restaurants will reopen, and things will go back to normal. We look forward to working together as one region to tackle this challenge together.”-Governor Holcomb

On May 13, 2020, the Indiana Supreme Court issued an executive Order extending *Administrative Rule 17* emergency relief Petitions until May 30, 2020, finding the public health emergency from COVID-19 is ongoing. Courts were ordered to develop and implement a plan to begin expanding operations beginning June 1, 2020. In addition, Courts were ordered to work with county emergency and public health authorities to convene local justice system partners to assist in implementing a safe and responsible approach to expanding operations. Public health considerations largely determine the timelines and plan.

The Bartholomew County Courts convened a “Team” that included members from our local justice system partners and the Bartholomew County COVID-19 Task Force in developing this plan. We will continue to seek assistance from the Team as needed.

Factors considered by the state and each region as we reopen:

- 1) Sustained control of the rate of new infections and hospitalizations.
- 2) Enhanced ability to test and trace.
- 3) Sufficient health care capacity to handle resurgence.
- 4) Best practices for preventing the spread of COVID-19 in the workplace.

Reality/Assumption: It is impossible to eliminate the spread of COVID-19 with re-opening businesses (including the courts). However, *we can* reduce harm and mitigate risk with the implementation of complimentary community-wide and business/court guidelines and plans.

Goal: Provide guidelines and best practices to transition the functioning of the justice system back to a more normalized, but expanded and improved operation, with appropriate and safe social interaction. These guidelines are intended to strongly support actions and behavior prioritizing safety and health of citizens, residents, court and county employees and partners, health care providers, and first responders. Phased-in steps are recommended to help mitigate the risk of the virus re-emerging.

**Note: Due to the ever-changing environment,
these guidelines are subject to change at any time.**

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All Phases shall include the following measures to minimize COVID-19 contamination and exposure:

1. **Employer Tracking:** department heads and elected officials shall track all employee COVID-19 related expenses, overtime, and time off, and forward to the Auditor with every pay period or as directed by the Auditor.
2. **All employees shall refrain from** using other employee's phones, desks, offices, or other work tools and equipment, when possible. If it is necessary, the employee using the item shall clean and disinfect the item and/or before and after use.
3. **All employees should** wear gloves when opening mail/accepting paperwork from others, and wash hands afterward.
4. **All employees are to continue to report all possible/potential COVID-19-like symptoms** to their office manager/supervisor, Judge, department head, or Director. Next steps for the employee shall be as recommended by current CDC guidelines and local health provider guidance through Columbus Regional Hospital (CRH) and/or Bartholomew County Public Health.
5. **Anyone (employees or the public) exhibiting symptoms of COVID-19 (example: excessive coughing) may be asked to leave the Courthouse or sit separately with appropriate precautions.**
6. **Employees shall Minimize non-essential travel** and adhere to CDC guidelines regarding isolation following travel. Employees should be prepared for potentially unpaid quarantine absences if they travel out of state/country, as self-quarantine without symptoms is not covered by emergency pay under the Federal Families First Coronavirus Response Act ("FFCRA").
7. **Special accommodations for personnel who are members of a vulnerable population** will be strongly considered and/or implemented. The employee shall work closely with their Judge, Department Head, or Director.
8. Judges, Department Heads and Directors shall continue to **track quarantines and illness. Employees who feel sick** should notify their supervisor with as much notice as possible but at minimum, consistent with department/county policy guidelines on call-in procedures and stay home. While out sick or quarantined, an employee should not go out into the community unless it meets emergency or essential function guidelines and the employee shall also make every effort to have others shop for them/use delivery so that illness is not spread into community.
9. **Emergency Pay timeline:** FFCRA emergency pay will continue to be available through December 31st, 2020 with Judge or Department Head approval within the limits and structure of the FFCRA, for **eligible** employees/departments.
10. **If people do not, or refuse, to abide** by the social distancing guidelines set forth within this Plan, they may be asked to leave Court Services, Community Corrections, Youth Services, or the Courthouse and may be warned and subject to Contempt of Court within the Courthouse.

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PHASE I: JUNE 1, 2020 UNTIL CRITERIA WITHIN BARTHOLOMEW COUNTY IS MET TO ADVANCE TO PHASE II

CRITERIA TO ADVANCE TO PHASE II:

- a. There is a stable or downward average trend within a 14-day period of COVID-19 positive cases as reported by Indiana State Health Department (ISHD) at www.coronavirus.in.gov (with consideration for spikes due to increased testing), **AND**
- b. There is a downward average trend within a 14-day period of deaths related to COVID-19 as reported by ISHD, **AND**
- a. Columbus Regional Hospital (CRH) has a manageable **AND** stable or downward trend in COVID-19 hospitalizations.

Phase I will include the following measures to minimize COVID-19 contamination and exposure:

For Health of All Court Employees, County Employees, and Public:

1. The Courts will continue to operate under **Administrative Rule 17** guidelines as approved or extended by the Indiana Supreme Court.
2. **Employee Safety:**
 - a. Employees shall wash their hands regularly and wear a mask or face covering if within 6 feet of other employees, when walking within the Courthouse, Court Services, Community Corrections, or Youth Services Center and outside their specified office, and when walking into or out of any facility in a group.
 - b. Employees shall be brought back to work in phases if there is a concern of the ability within an office to keep employees 6 feet apart, and/or have a face covering available to wear, and/or have concerns of underlying medical conditions. Employees may also be grouped by shifts in order to reduce exposure to others.
 - c. Those at home shall complete work at home as directed by their Director, Judge, or Department Head, with documentation proving hours worked.
3. **Employee Training:** all employees shall have participated in a training designed to gain understanding of the COVID-19 virus and guidelines for safety precautions prior to May 29, 2020. This shall include the importance of hygiene, sanitation, and the need to stay home when sick. Each office will provide employees written information on OSHA, CDC guidelines and best practices. **ALL EMPLOYEES shall certify** in writing that that they have read the documents. OSHA posters regarding COVID-19 shall be clearly posted in the Courthouse.
4. **Public Safety:**
 - a. All non-employee persons entering the Courthouse shall wear a mask or face covering.

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- b. Notice of the face covering requirement shall be included in court hearing notices and summonses, on the Bartholomew County website, posted at the Courthouse front door, sent through the Bartholomew County Attorney Bar list, announced at a Bench/Bar meeting prior to May 18, 2020, and sent through a press release to local media (newspaper and radio).
 - c. If a person does not bring a mask or face covering with them, one will be provided **IF** additional masks are available at the Courthouse. The County and Courthouse shall make all efforts to have face coverings available. Otherwise, a person will be refused access to the Courthouse and their hearing may be rescheduled if a remote appearance cannot be arranged and/or is not agreed upon.
 - d. All persons entering the Courthouse Court Services, Community Corrections and Youth Services Center, shall have their temperature taken. If a person has a temperature of 100.4 or above, the person will be denied entry.
5. **Common areas such as** break rooms and lunch rooms should remain closed. Lunch and breaks should be taken outside six feet apart, at an employee's own desk or in an employee's personal vehicle. Group lunches are discouraged. If an office has under ten employees and a **small** break room or lunch room in within the office, one person at a time may be allowed to use the break room/lunch room and the employee shall disinfect the area used immediately after use.
6. **Maintenance** shall continue to sanitize public high volume, high touch, common areas several times during the day (door knobs, handrails, etc...) at the Courthouse, Court Services and Youth Services Center and continue to provide necessary hand sanitizer, sanitizing wipes, and disinfectant spray as needed.
7. **Contact information for Courthouse Offices, Court Services, and Community Corrections** shall continue to be listed on each of the buildings front doors.
8. **Signage shall be placed at every public entrance** to the Courthouse, Court Services, Community Corrections and Youth Services Center, notifying people that if they have symptoms consistent with COVID-19, they may not enter the premises. Those who do enter shall:
- a. Have an appointment or scheduled hearing if the courthouse is closed to the public; and
 - b. Wear a mask or face covering; and
 - c. Practice social distancing (six feet between individuals or family units); and
 - d. Abide by the number of people limited in a courtroom or the courthouse at any one time (as set forth below under "Courthouse"); and
 - e. Keep the visit short and stay only for the specific purpose.
- Individual offices may also post signs regarding social distancing guidelines and limiting the number of people allowed in each court, office, and/or courthouse floor.
9. **Meetings:** Meetings between offices and or employees shall take place by Zoom unless necessary to meet in person. If in person, social distancing guidelines shall be followed and masks worn. Any meeting place shall be cleaned immediately afterward by the participants in the meeting.
10. **Communication** between employees of different offices and buildings shall be by phone and or Zoom. Employees shall not go to other offices to "socially visit".

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Courthouse:

1. The Courthouse shall be open to the general public, however, the number of general public admitted shall be in compliance with the Court capacity limitations set forth in paragraph 8 below. The Clerk and the Prosecutor may require public access by appointment only or in compliance with direction from the Commissioners. Each Court is to provide front door security with an updated list of court appearances for the day to assist in determining courtroom capacity.
2. No persons, including employees, shall be allowed to enter the Courthouse until 7:30 a.m. each morning, or until the Security Officers are ready for persons to enter. Employees shall NOT enter until and unless their temperature is taken by Security Officers.
3. Upon entry to Courthouse:
 - a. There shall be at least 2 Security Officers at the entryway. Three is preferred if possible. Each Security officer shall wear a mask and gloves when interacting with employees and the public.
 - b. At least one Security Officer shall be stationed at the front door, or just inside the front door, to assure persons entering and/or waiting in line to enter, are maintaining a distance of six (6) feet. In addition, this Security Officer shall screen each person entering by asking the following questions:
 - i. Have you come into close contact (within 6 feet) with someone who has a laboratory confirmed COVID – 19 diagnoses in the past 14 days?
 - ii. Do you have any of the following: fever or chills, cough, shortness of breath or difficulty breathing, body aches, headache, new loss of taste or smell, sore throat? (This question to be updated as recommended by CDC).
 - iii. If a person answers yes to any of the questions, the person shall be denied entry.
 - c. The other Security Officer shall monitor persons entering through the normal security scanner unit which includes a temperature scanner. If a person has a temperature of 100.4 or above, the person shall be denied entry.
 - d. If a person is denied entry and has a scheduled court appearance, security shall obtain and confirm the person's name and then immediately advise the designated court of the denial of entry. The designated Court shall reschedule the hearing.
4. The Security Officers and Maintenance Department Head shall work together to ensure backup masks are available as needed, with the understanding that masks may be difficult to obtain given ongoing circumstances and (lack or) availability.

Court Offices and Courtrooms:

1. No jury trials will be scheduled until after July 1, 2020, or as ordered by the Supreme Court. Once jury trials commence:
 - a. Criminal speedy jury trials will take precedence over all others.
 - b. Criminal trials with defendants who are incarcerated, and criminal trials, in that respective order, will take precedence over all other trials.
 - c. The Courts will work together to determine priority between the three courts if only one offsite jury selection venue is available.
 - d. Jury trials will take place in Superior Court 1.
2. Jury selection will occur either at The Commons (owned by the City of Columbus) located across the street from the Courthouse or another appropriate large venue that can accommodate social

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distancing and public access. Jury selection may also occur in Superior Court 1 for smaller trials in which social distancing can be maintained and public access provided.

3. The Courts will schedule as many hearings remotely as possible given AR14, AR17, technological capabilities, and/or agreement of the parties. Public access shall be accommodated by:
 - a. Access to the remote hearing through projection screen in the Courtroom and within that courtroom's capacity limit, and/or,
 - b. The availability of a court to post their calendar to the public county website, noting which hearings will be remote (by Zoom), and outlining the procedure to contact the court to be included in the remote hearing.
4. Courts will continue to utilize video conferencing for incarcerated individuals and as agreed upon by all parties and attorneys. Courts will continue to work with the IT Department Head to analyze, upgrade, install and implement applications designed to provide remote hearings and live streaming considering Constitutional requirements.
5. All problem-solving courts shall be conducted by Zoom.
6. Judges may choose to conduct the following hearings by Zoom: Initial Hearings, Civil Hearings, Pre-Trial Conferences, Small Claim Hearings, Fee Status Hearings, Attorney Status Hearings, Attorney Only Hearings, Family Law Hearings.
7. Judges will conduct the following hearings in the Courtroom:
 - a. Criminal hearings (other than initial hearings or as otherwise agreed between parties).
 - b. Emergency custody hearings in which an attorney is unable to appear by Zoom.
 - c. Protective Order in which attorneys or parties are unable to appear by Zoom.
 - d. Juvenile hearings as determined by the Juvenile Magistrate and which cannot be done by Zoom.
8. Courts will work together to stagger hearings to avoid back up at the Courthouse entryway and to limit the amount of people on each floor. No more than 60 non-employee people should be on Floors 1 and 2. No more than 45 non-employee people should be on Floor 2 at any time. Each individual Court shall also stagger the timing of their hearings to allow additional time for any necessary cleaning and disinfection in between hearings.
 - a. Circuit Court: There shall be no more than 19 people at one time in the Circuit courtroom.
 - b. Superior 1: There shall be no more than 27 people at one time in the Superior 1 courtroom.
 - c. Superior 2: There shall be no more than 19 people at one time in the Superior 2 courtroom.
 - d. Juvenile Court: There shall be no more than 9 people at one time in the Juvenile Courtroom. Juvenile Court shall use the Circuit or IV-D courtroom as available.
 - e. Small Claims: There shall be no more than 6 people at one time in the Small Claims courtroom.
 - f. IV-D: There shall be no more than 12 people at one time in the IV-D courtroom.
9. Court staff will, among other "normal job duties:"
 - a. Learn and practice Zoom;
 - b. Schedule court hearings in a staggered and limited manner to comply with the maximum number of people allowed on each floor of the Courthouse and any one courtroom as set forth above;

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- c. Assist in ensuring that persons within the Courthouse and courtrooms are abiding by the social distancing requirements, and notify their Judge or Department Head if someone is not;
 - d. Work with maintenance to assure the courts continue to have all cleaning/disinfecting supplies and are apprised of procedures necessary to clean and/or disinfect the offices and courtrooms during ongoing daytime court operations;
 - e. Provide information to the public on how to appear for a proceeding remotely (by Zoom) if a person requests..
10. Courtroom and hallway furniture shall be moved so that they are six (6) feet apart, or colored electrical tape shall be used to mark an "X" 6 feet apart on the benches or between chairs, and on the floors, to assist in persons keeping 6 feet apart.
 11. Attorneys desiring to enter the **Court Offices** will not be allowed to do so unless they are wearing a mask and shall not touch anything or wipe/sanitize any area they touch.
 12. All persons in the Courthouse shall:
 - a. Exercise social distancing practices on the stairway, in the hallways, and in the courtroom. Those who refuse to abide by the guidelines will either:
 - i. Be asked to leave the Courthouse; or
 - ii. Be asked to leave the Courthouse and wait outdoors until their case is called; or
 - iii. Be warned and subject to Contempt of Court.
 13. Parties and attorneys will be asked to sit in different areas of the gallery or in the hallway, with a six-foot distance, while awaiting their hearing. During a hearing, gloves are encouraged to be worn when handling exhibits.
 14. Court staff, attorneys, public defenders, and prosecutors will utilize sanitizer wipes and disinfecting spray in the courtroom to clean up their table and area used upon conclusion of the hearings.
 15. Judges will continue to work with the Sheriff, Chief of Police, Prosecutor, Jail Commander, and Public Defenders to assess warrant issues and jail population.

Clerk of Courts and Prosecutor Offices:

1. Employees shall follow directives as set forth by County Commissioners and as set forth within this Plan.
2. Payments to the Clerk shall continue to be made at the outside depository, online, or by appointment.
3. Applications for marriage licenses shall continue to be taken at the Clerk's office by appointment only. Clerk to inform the Security Officers of the appointments each day.
4. Prosecutor and Clerks Office shall inform Security Officers of any appointments with their office each day.

Court Services/Youth Services Center/Community Corrections Center:

1. All volunteers and the programs they present/facilitate remain suspended.
2. Visitation of approved family members remains suspended, including off-ground passes.

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3. Parents of juveniles being admitted to the YSC will be contacted by YSC staff to explain situation and discuss what type of non-physical communication can occur with their child. Youth will receive extra phone time.
4. Work Release is suspended. Current participants restricted to pod. No new participants.
5. Staff will return to work on a rotating and/or phased in basis as required by each employees' direct supervisor and approved by the Director. Changes to the schedule may be made only with approval from the direct supervisor.
6. At Court Services Center and Community Correction Center, no more than two (2) employees will be permitted in the small Group Room, and no more than (5) employees will be permitted in the large Group Room at any given time. Staff will refrain from gathering in individual offices, observing proper social distancing guidelines at all times.
7. All client case management is to continue to be done remotely with electronics approved by the Director and/or made available by Bartholomew County IT, and in-person client contact is suspended unless approved by a supervisor. This will most commonly relate to field visits.
8. Drug testing shall occur as set up through TOMO, St. Peters Lifeworks, or CRH's Treatment and Support Center (TASC), following all appropriate CDC guidelines and best practices.
9. Revocations may be filed, but only a summons may be requested for those revocations addressing technical violations. Revocations for new felony offenses or absconded clients may automatically request a warrant. All others seeking a warrant must obtain permission from the Director first.

PHASE II. IN EFFECT UNTIL CRITERIA WITHIN BARTHOLOMEW COUNTY IS MET TO ADVANCE TO PHASE III

CRITERIA TO ADVANCE TO PHASE III:

- a. There is a stable or downward average trend within a 14-day period of COVID-19 positive cases as reported by Indiana State Health Department (ISHD) at www.coronavirus.in.gov (with consideration for spikes due to increased testing), **AND**
- b. There is a downward average trend within a 14-day period of deaths related to COVID-19 as reported by ISHD, **AND**
- b. Columbus Regional Hospital (CRH) has a manageable **AND** stable or downward trend in COVID-19 hospitalizations.

**Phase II will include the following measures to minimize COVID-19
contamination and exposure:**

1. **Employee Safety:**
 - a. Employees shall wash their hands regularly and wear a mask or face covering if within 6 feet of other employees, when walking within the Courthouse, Court Services, Community Corrections, or Youth Services Center and outside their specified office, and when walking into or out of any facility in a group.

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- b. All employees shall report back to work unless otherwise directed to work from home by their Director, Judge or Department Head. Those at home shall complete work at home as directed by their Director, Judge, or Department Head, with documentation proving hours worked.
2. **Public Safety:**
- a. All non-employee persons entering the Courthouse shall wear a mask or face covering.
 - b. Notice of such requirement shall be included in court hearing notices and summonses, on the Bartholomew County website, and posted at the Courthouse front door.
 - c. If a person does not bring a mask or face covering with them, one will be provided **IF** additional masks are available at the Courthouse. The County and Courthouse shall make all efforts to have face coverings available. Otherwise, the person will be refused access to the Courthouse and their hearing may be rescheduled if a remote appearance cannot be arranged and/or is not agreed upon.
 - d. All persons entering the Courthouse, Court Services, Community Corrections and Youth Services Center, shall have their temperature taken. If a person has a temperature of 100.4 or above, the person will be denied entry.
3. **Common areas:** Lunch and break rooms may be used by no more than two (2) employees at a time, as long as the employees stay at least six feet apart. Group lunches are discouraged. Employees using the break room/lunch room shall disinfect the area used immediately after use.
4. **Maintenance** shall continue to sanitize public high volume, high touch, common areas several times during the day (door knobs, handrails, etc...) at the Courthouse, Court Services and Youth Services Center and continue to provide necessary hand sanitizer, sanitizing wipes, and disinfectant spray as needed.
5. **Signage shall be placed at every public entrance** to the Courthouse, Court Services, Community Corrections and Youth Services Center, notifying people that if they have symptoms consistent with COVID-19, they may not enter the premises. Those who do enter shall:
- a. Wear a mask or face covering; and
 - b. Practice social distancing (six feet between individuals or family units); and
 - c. Abide by the number of people limited in a courtroom or the courthouse at any one time (as set forth below under "Courthouse"); and
 - d. Keep the visit short and stay only for the specific purpose.
- Individual offices may also post signs regarding social distancing guidelines and limiting the number of people allowed in each court, office, and/or courthouse floor.
6. **Meetings:** Meetings between offices and or employees shall take place by Zoom unless necessary to meet in person. If in person, social distancing guidelines shall be followed and masks worn. Any meeting place shall be cleaned immediately afterward by the participants in the meeting.
7. **Communication** between employees of different offices and buildings shall be by phone and or Zoom. Employees shall not go to other offices to "socially visit".

Courthouse:

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1. The Courthouse shall be open to the general public, however, the number of general public admitted shall be in compliance with the Court capacity limitations set forth in paragraph 6 under "Court Offices and Courtrooms." The Clerk and the Prosecutor may require public access by appointment only or in compliance with direction from the Commissioners. Each Court is to provide front door security with an updated list of court appearances for the day to assist in determining courtroom capacity.
2. No persons, including employees, shall be allowed to enter the Courthouse until 7:30 a.m. each morning, or until the Security Officers are ready for persons to enter. Employees shall NOT enter until and unless their temperature is taken by Security Officers.
3. Upon entry to Courthouse:
 - a. There shall be at least 2 Security Officers at the entryway. Three is preferred if possible. Each Security officer shall wear a mask and gloves when interacting with employees and the public.
 - b. At least one Security Officer shall be stationed at the front door, or just inside the front door, to assure persons entering and/or waiting in line to enter, are maintaining a distance of six (6) feet. In addition, this Security Officer shall screen each person entering by asking the following questions:
 - i. Have you come into close contact (within 6 feet) with someone who has a laboratory confirmed COVID – 19 diagnoses in the past 14 days?
 - ii. Do you have any of the following: fever or chills, cough, shortness of breath or difficulty breathing, body aches, headache, new loss of taste or smell, sore throat? (This question to be updated as recommended by CDC).
 - iii. If a person answers yes to any of the questions, the person shall be denied entry.
 - c. The other Security Officer shall monitor persons entering through the normal security scanner unit which includes a temperature scanner. If a person has a temperature of 100.4 or above, the person shall be denied entry.
 - d. If a person is denied entry and has a scheduled court appearance, security shall obtain and confirm the person's name and then immediately advise the designated court of the denial of entry. The designated Court shall reschedule the hearing.
4. The Security Officers and Maintenance Department Head shall work together to ensure backup masks are available as needed, with the understanding that masks may be difficult to obtain given ongoing circumstances and (lack or) availability.

Court Offices and Courtrooms:

1. Jury Trials:
 - a. Criminal speedy jury trials will take precedence over all others.
 - b. Criminal trials with defendants who are incarcerated, and criminal trials, in that respective order, will take precedence over all other trials.
 - c. The Courts will work together to determine priority between the three courts if only one offsite jury selection venue is available.
 - d. Jury trials will take place in Superior Court 1.
2. Jury selection will occur either at The Commons (owned by the City of Columbus) located across the street from the Courthouse or another appropriate large venue that can accommodate social

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distancing and public access. Jury selection may also occur in Superior Court 1 for smaller trials in which social distancing can be maintained and public access provided.

3. The Courts will continue to schedule as many hearings remotely as possible given AR14, AR17, technological capabilities, and/or agreement of the parties. Public access shall be accommodated by:
 - a. Access to the remote hearing through projection screen in the Courtroom and within that courtroom's capacity limit, and/or,
 - b. The availability of a court to post their calendar to the public county website, noting which hearings will be remote (by Zoom), and outlining the procedure to contact the court to be included in the remote hearing.
4. Courts will continue to utilize video conferencing for incarcerated individuals and as agreed upon by all parties and attorneys. Courts will continue to work with the IT Department Head to analyze, upgrade, install and implement applications designed to provide remote hearings and live streaming as deemed necessary or as agreed upon by parties.
5. All problem-solving courts may be conducted by Zoom or be held in Court if it is believed social distancing may be accomplished.
6. Courts will continue to work together to stagger hearings to avoid back up at the Courthouse entryway. Each individual Court shall also stagger the timing of their hearings to allow additional time for any necessary cleaning and disinfection in between hearings.
 - a. Circuit Court: There shall be no more than 19 people at one time in Circuit Court.
 - b. Superior 1: There shall be no more than 27 people at one time in Superior 1 unless used for a jury trial.
 - c. Superior 2: There shall be no more than 19 people at one time in Superior 2.
 - d. Juvenile Court: There shall be no more than 9 people at one time in the Juvenile Courtroom. Juvenile shall use Circuit court and/or IV-D court as available.
 - e. Small Claims: There shall be no more than 6 people at one time in the Small Claims Courtroom.
 - f. IV-D: There shall be no more than 12 people at one time in the IV-D Courtroom.
7. Court staff will:
 - a. Continue to work on calendaring to continue to increase cases and stagger court hearings.
 - b. Assist in ensuring persons within the Courthouse and courtrooms are abiding by the social distancing requirements, and notify their Judge or Department Head if someone is not.
 - c. Work with maintenance to assure the courts continue to have all cleaning supplies and are apprised of procedures necessary to clean and/or disinfect the offices and courtrooms during daytime court operations.
 - d. Court staff to wear a mask when helping someone at the window.
 - e. Provide information to the public on how to appear for a proceeding remotely (by Zoom) if a person requests.
8. Attorneys desiring to enter the **Court Offices** will not be allowed to do so unless they are wearing a mask and shall not touch anything or wipe/sanitize what they do touch.

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9. Court staff, attorneys, public defenders, and prosecutors shall continue to utilize sanitizer wipes and disinfecting spray in the courtroom to clean up their table and area used upon conclusion of the hearings.
10. Jury trials will resume unless otherwise directed by Supreme Court Executive Order:
 - a. Criminal trials will take precedence over any civil trials due to COVID-19 court backlog.
 - b. Jury selection shall take place:
 - i. In a separate venue conducive to social distancing; or,
 - ii. In 2-3 waves as needed to comply with social distancing; or
 - iii. With the jury pool separated into two groups (one in the courtroom and one in IV-D courtroom by video),
to allow for social distancing.
 - c. The actual jury trial shall take place:
 - i. In a separate venue conducive to social distancing, or
 - ii. In Superior 1 where social distancing may be accomplished. Superior 1 Court hearings shall then occur in the Court using Superior 1.
 - d. Jury questionnaires shall contain the CDC COVID-19 screening questions. If a prospective juror answers in the affirmative to any questions, and that juror is pulled for a jury, court staff shall call the juror to obtain updated information regarding the screening questions. If there is still an affirmative answer, that juror will be excused without having to present themselves to the Court.
 - e. Potential jurors will be asked to bring a mask and gloves with them, if they have them. The courts will supply masks and gloves to a juror who does not have them.
 - f. Jurors shall sit 6 feet away from one another.
 - g. Some witnesses may be allowed to appear remotely with agreement of the parties.
11. Judges will continue to work with the Sheriff, Chief of Police, Prosecutor, Jail Commander, and Public Defenders to assess warrant issues and jail population.

Clerk of Courts and Prosecutor Offices:

1. Employees shall follow directives as set forth by County Commissioners and as set forth within this Plan.
2. Payments to the Clerk shall continue to be made at the outside depository, online, or by appointment.
3. Applications for marriage licenses shall continue to be taken at the Clerk's office by appointment only. Clerk to inform the Security Officers of the appointments each day.
4. Prosecutor and Clerks Office shall inform Security Officers of any appointments with their office each day.

Court Services/Youth Services Center/Community Corrections Center:

1. Volunteers and the programs they present/facilitate may be restarted IF social distancing guidelines can be followed and at the discretion of the Director.
2. Visitation of approved family members remain suspended, including off-ground passes.
3. Parents of juveniles admitted to the YSC will be contacted by YSC staff to explain situation and discuss what type of non-physical communication can occur with their child. Youth will receive extra phone time.

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4. Work Release shall remain suspended for new participants. Current participants may be allowed to leave for work, upon approval of Community Corrections Director.
5. Client contact may be done either remotely or in person if social distancing guidelines can be followed.
6. All Staff will return to work unless otherwise instructed by the Director and approved by the Courts.
7. At Court Services Center and Community Corrections Center, employees may be permitted in the small and large Group Rooms as long as social distancing guidelines can be followed.
8. Drug testing shall continue to occur as set up through TOMO, St. Peters Lifeworks, or TASC, following all appropriate CDC guidelines and best practices.
9. Revocations may be filed, but only a summons may be requested for those revocations addressing technical violations. Revocations for new felony offenses or absconded clients may automatically request a warrant. All others seeking a warrant must obtain permission from the Director first.

If, during Phase II, the average trend of positive COVID-19 cases or deaths increase, and the medical members of the Bartholomew County COVID-19 Task Force recommends, the justice system will return to Phase I and reconvene the "Team" for further assessment.

PHASE III. TO REMAIN IN EFFECT UNTIL FURTHER NOTICE

If, during Phase III, the average trend of positive COVID-19 cases or deaths increase, and the medical members of the Bartholomew County COVID-19 Task Force recommends, the justice system will return to Phase I or II and reconvene the "Team" for further assessment

Phase III will include the following measures to minimize COVID-19 contamination and exposure:

1. **Employee Safety:**
 - a. Employees shall wash their hands regularly and practice responsible social distancing.
 - b. All employees shall report back to work unless otherwise directed by their Judge, Director or Department Head. Any employee directed to work from home shall do so as directed and provide documentation proving hours worked.
 - c. Employees will not be required to wear masks in their office but may if they desire.
 - d. Employees may enter the Courthouse prior to 7:30 a.m. without having their temperature taken, as long as they are feeling well.
2. **Common areas:** Lunch and break rooms may be used by the employees practicing social distancing as practicable.
3. **Signage shall remain at every public entrance** to the Courthouse, Court Services, Community Corrections and Youth Services Center, notifying people that if they have symptoms consistent with COVID-19, they may not enter the premises.
4. **Public Safety:**

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- a. Those who enter any facility shall practice social distancing as reasonable.
 - b. Persons who are healthy will not be required to wear masks but are encouraged to do so. Those who report, "not feeling well" will be asked to wear a mask or face covering.
5. **Meetings:** Meetings between offices and or employees of more than 10 people should take place by Zoom if possible. Any in-person meeting place shall be cleaned immediately afterward by the participants in the meeting and they should exercise social distancing as possible.

Courthouse:

1. The Courthouse shall be open to the public.
 - a. Any member of the public entering is encouraged to wear a mask (if they have one) and shall follow all social distancing guidelines as reasonable.
 - b. Poster and signs shall continue to be displayed throughout the Courthouse listing CDC's social distancing guidelines in place at that time.
2. Upon entry to Courthouse:
 - a. There shall be at least 2 Security Officers at the entryway. Each Security officer shall wear a mask and gloves when interacting with employees and the public if recommended by CDC or local medical authorities at the time.
 - b. Security Officers shall assure persons entering and/or waiting in line to enter, are maintaining a distance of six (6) feet.
 - c. If the temperature scanner at the Courthouse detects someone may have a fever above 100.4, that person will be denied entry to the Courthouse, unless otherwise directed by the Courts and Commissioners. If allowed to enter, that person shall wear a mask.
 - d. The Security Officers and Maintenance Department Head shall work together to ensure backup masks are available as needed, with the understanding that masks may be difficult to obtain given ongoing circumstances and (lack of) availability.

Court Offices and Courtrooms:

1. Courts shall return to calendaring and scheduling their docket as deemed necessary:
 - a. Courts may continue to schedule ongoing remote (Zoom) hearings within Administrative Rule 14 authorization and with notification on the county public website as to how members of the public can contact the court to attend the hearing.
 - b. Courts shall continue to be aware of and encourage social distancing.
2. Court staff, attorneys, public defenders, and prosecutors shall continue to utilize sanitizer wipes and disinfectant spray in the courtroom to clean up their table and areas used upon conclusion of the hearings.
3. Jury trials:
 - a. Criminal trials will continue to take precedence over any civil trials due to COVID-19 court backlog.
 - b. ***If deemed necessary at the time***, jury selection shall take place in:
 - i. The Commons or a separate venue conducive to social distancing; or,
 - ii. In 2-3 waves as needed to comply with social distancing; or
 - iii. With the jury pool separated into two groups (one in the courtroom and one in IV-D courtroom by video),

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to allow for social distancing.

- c. ***If deemed necessary at the time***, the actual jury trial shall take place:
 - i. In a separate venue conducive to social distancing, or
 - ii. In Superior 1 where social distancing may be accomplished. Superior 1 Court hearings shall then occur in the Court using Superior 1.
 - d. ***Until further notice by the Courts***, jury questionnaires shall contain the current CDC COVID-19 screening questions. If a prospective juror answers in the affirmative to any questions, and that juror is pulled for a jury, court staff shall call the juror to obtain updated information regarding the screening questions. If there is still an affirmative answer, that juror will be excused without having to present themselves to the Court.
 - e. ***If deemed necessary at the time***, potential jurors will be asked to bring a mask and gloves with them, if they have them. The courts will supply a mask and gloves to a juror who does not have them or who desire to wear them.
 - f. ***If deemed necessary at the time***, jurors shall sit 6 feet away from one another.
 - g. ***If deemed necessary at the time***, some witnesses may be allowed to appear remotely to reduce the number of people in the courtroom, and with agreement of the parties.
4. Judges will continue to work with the Sheriff, Chief of Police, Prosecutor, Jail Commander, and Public Defenders to assess warrant issues and jail population.

Clerk of Courts and Prosecutor Offices:

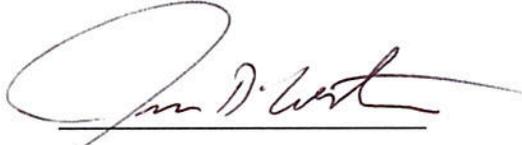
1. Employees shall follow directives as set forth by County Commissioners and as set forth within this Plan.
2. Payments to the Clerk shall be encourage to be made at the outside depository or online.

Court Services/Youth Services Center/Community Corrections Center:

1. Volunteers and the programs they present/facilitate may be restarted with reasonable social distancing guidelines implemented.
2. Visitation of approved family members may occur, including off-ground passes, at the discretion of the Director.
3. Youth will receive extra phone time if visitation is restricted in any way.
4. Work Release shall be operational. Current participants may leave pods and new participants may be accepted.
5. Client contact may be done either remotely or in person. Social distancing guidelines should be followed as reasonable.
6. All Staff will return to work unless otherwise instructed by the Director and approved by the Courts.
7. At Court Services Center and Community Corrections Center, employees may be permitted in the small and large Group Rooms. Employees encouraged to practice social distancing guidelines.
8. Drug testing shall continue to occur as set up through TOMO, St. Peters Lifeworks, or TASC, following all appropriate CDC guidelines and best practices.

ⁱ April 16 Press Release, Governor's Office, <https://calendar.in.gov/site/gov/event/midwest-governors-announce-partnership-to-reopen-regional-economy/>

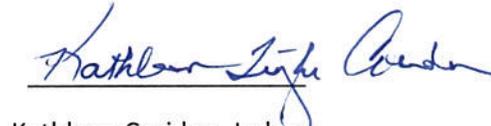
Respectfully submitted by the Judges of Bartholomew County, Indiana on this 9th day of June, 2020.



James D. Worton, Judge



Kelly S. Benjamin, Judge



Kathleen Coriden, Judge