

# In the Indiana Supreme Court

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

Supreme Court Case No.  
20S-CB-224



## 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 filed an expansion of operations plan (“Plan”) on June 15, 2020 and requested approval of the Plan on June 19.

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 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 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 6/22/2020, effective **June 15, 2020**.

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

Loretta H. Rush  
Chief Justice of Indiana

IN THE MATTER OF THE PETITION OF THE GAS CITY  
COURT ADMINISTRATIVE RULE 17 EMERGENCY RELIEF

SUPREME COURT CASE COURT  
NUMBER: ~~20S-CB-193~~  
20S-CB-224

#### OPERATIONAL PLAN

This Court has consulted the following stakeholders to develop the Plan; The Mayor of Gas City, who has been in consultation with the Grant County Health Department and the Chief of Police who are responsible for the health, safety, and welfare of City employees; the Grant County Prosecutor's Office; and the Court's Public Defender.

#### EMPLOYMENT PROCESURES FOR RETURNING EMPLOYEES

1. High risk employees, will be identified as those employees that are 60 years of age or older and/or those 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 own health and perform daily body temperature checks before coming to work to determine if their temperature is less than 100 degrees Fahrenheit. If their temperature is more than 100 degrees Fahrenheit, the employees will be required to contact their supervisor, their medical provider and to remain at home and work remotely, if possible.
3. If the employee is at work and starts to experience any symptoms of illness of any kind they are required to immediately leave work and go home. If they have symptoms of COVID-19, they will be required to self-quarantine for at least 14 days and the last 3 days of zero symptoms, unless they have a negative test result, then they might return after 7 days; with the final 3 days of zero symptoms in accordance with CDC guidelines.
4. All employees are required to conduct frequent and thorough hand hygiene and washing upon arriving to work and throughout the day.
5. All employees are required to wear a mask while in City Hall proper; not in the Court offices.
6. All employees are required to practice social distancing of 6 six feet.
7. Workspaces are to be kept clean and clear of all papers in order to disinfect after each workday.
8. All employees must report if they have been in contact with someone that has COVID-19. If so the employee will need to self-quarantine for two weeks. The employee may work remotely, if possible.
9. If the employee needs the services of a mental health provider to address the stressors of the COVID-19 virus they are encouraged to go to the Cornerstone Mental Health facility in Marion, Indiana for counseling. If that is not possible the Court will provide the link to Be Well Indiana: [www.bewellinfiana.com](http://www.bewellinfiana.com).

#### COURTROOM FACILITY PLAN

1. Courtroom surfaces will be disinfected prior to starting court proceedings
2. A sign will be posted of the order of the Court docket in which defendants will be called.
3. Social distancing signs have been posted throughout the building.

4. Microphone for Court proceedings has been moved to the opposite side of the room and is 12 feet from the bench. This provides distancing for court employees, deputy prosecutor and or the defendants attorney.
5. Ten people , including the Court staff, bench trial witnesses, deputy prosecutor, public defender, or the defendant's counsel will be allowed in the courtroom at one time
6. Defendant's and attorneys will wear masks if applicable.
7. Hand sanitizer will be provided in the courtroom.
8. No family members or children will be permitted in the courtroom.

#### SCREENING PROCEDURES FOR THE PUBLIC

1. All individuals wanting to enter the courtroom must have a scheduled court date of entry.
2. Masks are required to enter the courtroom.
3. If equipment can be procured, non-contact temperatures will be taken of everyone prior to entry into the courtroom, and if a person has a temperature higher than 100 degrees Fahrenheit. If a person is coughing or noticeably ill, they will not be allowed to enter the Courtroom and their hearing date will be rescheduled. Signage will be posted to not enter if they have COVID-19 symptoms.

#### RESUMING NON-EMERGENCY HEARINGS

1. Non-emergency hearings will be conducted in person commencing June 2, 2020. Initial hearings begin at 10:30 am on Tuesdays. Bench trials and plea hearings with any appearances for infractions, ordinance violations, and misdemeanors will be heard on Wednesdays beginning at 2:00 pm.
2. Parties are required to file, if possible, appropriate paperwork five days prior to the scheduled court date if their case will not proceed to be heard on the scheduled court date as a bench trial, plea hearing or status hearing.
3. Courtroom access for individuals other than the defendant and his or her attorney and any witnesses for bench trials will not be allowed. Due to budget restriction, the equipment and the necessary software is not currently available to provide public access for hearings and trials. The Court would respectfully request that equipment, software, and training be provided by the Indiana Office of Court Services, to provide public video and audio access for the courtroom hearings and trials. Until such time the equipment, software and training are provided, the Court will audio record all courtroom proceedings and transcripts of those recordings will be made available, if requested.
4. Incarcerated persons scheduled for hearings will be held via video court. If the person needs to be transported for trial the Defendant will be checked prior coming to the court.

#### PROBATION SERVICES

1. The Court's probation services will resume on June 2, 2020 and the probation officer and all probationers will adhere to and comply with the listed processes and procedures of the Court Plan.