

# In the Indiana Supreme Court

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

Supreme Court Case No.  
20S-CB-223



## 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(s) filed an expansion of operations plan (“Plan”) on July 9, 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(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 **effective the date of this order**, and the petitioning court(s) shall comply with its terms through its stated duration, subject to further order of this Court.

Done at Indianapolis, Indiana, on 7/9/2020 .

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 )	
Bluffton City Court Administrative )	Supreme Court Case No. 20S-CB-223
Rule 17 Emergency Relief )	

**BLUFFTON CITY COURT'S EXPANSION OF OPERATIONS PLAN**

June 29, 2020

Comes now the Bluffton City Court and petitions the Supreme Court of Indiana for relief to resume normal operations under limitations appropriate to the novel coronavirus COVID-19 public health emergency. In support of its petitions, the Bluffton City Court submits this expansion of operations plan and informs the Supreme Court as follows:

**PLANNING**

The Bluffton City Court, located in the Bluffton City Police Department, 204 East Market Street, Bluffton, Indiana, is staffed by the judge and a court clerk. The Bluffton Court Clerk has consulted with the judge and the Court has adopted the following policies and procedures.

**ADMINISTRATIVE RULE 17 COMPONENTS**

The following component(s) of the Administrative Rule 17 Order dated March 23, 2020 shall be permitted until December 31, 2020:

1. Posting signage at all public entry points to judicial facilities advising individuals not to enter the building if they have:
  - a. Visited China, Iran, South Korea, any European countries, or any other high-risk countries identified by the CDC in the previous 14 days;
  - b. Resided with or been in close contact with someone who has been in any of those countries within the previous 14 days;
  - c. Traveled domestically within the United States where COVID-19 has sustained widespread community transmission;

- d. Been asked to self-quarantine by any doctor, hospital, or health agency;
- e. Been diagnosed with or had contact with anyone who has been diagnosed with COVID-19; or
- f. A fever, cough, or shortness of breath

and directing bailiffs or court security officers to deny entrance to individuals attempting to enter in violation of these protocols.

### **EMPLOYMENT PROCEDURES**

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 perform 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 workday.

5. All employees are required to practice social distancing of six feet during the entire workday.

6. All employees are required to keep their work area clean and to sanitize the area at the end of each workday. Disinfectant and hand sanitizer are provided.

7. Bluffton City Court recognizes its employees may suffer stress and anxiety during this health emergency and has advised them of the mental health resources available at Be Well Indiana ([www.bewellindiana.com](http://www.bewellindiana.com)).

### **COURTHOUSE FACILITY PLAN**

1. The Court Clerk will continue to accept payments by mail and in person payments with a plexiglass partition separating the Clerk from the payee.
2. Public access to Bluffton City Court is limited to a public lobby area where persons can make payments for violations.

### **SCREENING PROCEDURES FOR THE PUBLIC**

1. Signage has been placed at the entrance of City Hall advising that persons who have:
  - a. Visited China, Iran, South Korea, any European countries, or any other high-risk countries identified by the CDC in the previous 14 days;
  - b. Resided with or been in close contact with someone who has been in any of those countries within the previous 14 days;
  - c. Traveled domestically within the United States where COVID-19 has sustained widespread community transmission;
  - d. Been asked to self-quarantine by any doctor, hospital, or health agency.
  - e. Been diagnosed with or had contact with anyone who has been diagnosed with COVID-19; or
  - f. A fever, cough, or shortness of breathshould not enter City Hall.

### **RESUMING NON-EMERGENCY HEARINGS**

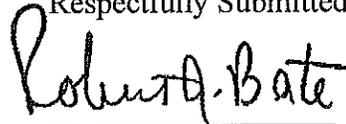
1. The Bluffton City Court will resume non-emergency hearings on May 20, 2020.

2. Telephonic continuance of litigants who are high risk or exhibiting symptoms of COVID-19 will continue to be permitted and the court may provide scheduling of cases for high risk litigants at times which minimize exposure to others.
3. The courtroom is open to the public, however spectators (other than parties, their attorneys, and witnesses) will be limited to the extent necessary to provide adequate social distancing, subject to applicable Constitutional limitations.

**JURY TRIALS**

Jury trials in Bluffton City Court are extremely rare. If a jury trial is requested during the COVID-19 health emergency, Bluffton City Court will file an amended Expansion of Operation Plan with the Indiana Supreme Court.

Respectfully Submitted

  
Robert J. Bate

Robert J. Bate, Judge  
Bluffton City Court