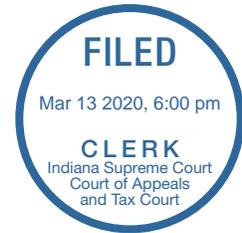


# In the Indiana Supreme Court



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

Supreme Court Case No.  
20S-CB-00113

Trial Court Case No.  
49D01-2001-CB-000039

## Order

The courts of Marion County have petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states in part that the Marion Superior Court Executive Committee in conjunction with the Marion Circuit Court Judge have determined that:

1. A public health emergency has been declared in Indiana concerning the 2019 novel coronavirus (COVID-19).
2. The Marion County Health Department has closed all local schools through Monday, April 6, 2020 and implemented local restrictions on all non-essential gatherings of more than 250 individuals in Indianapolis.
3. The Mayor has implemented operational changes among City employees to protect them and the public while maintaining basic city services, and he has directed the Indianapolis Metropolitan Police Department to summons non-violent misdemeanor offenses in lieu of arrest.
4. The City has suspended all programming for elderly and at-risk individuals throughout the county to limit their exposure and risk.
5. The Centers for Disease Control and Prevention (CDC) has recommended “social distancing” to limit the spread of the COVID-19 and other potentially fatal viruses.
6. The Marion County courts’ operations result in thousands of people entering the City-County Building, Juvenile Court Complex, and Traffic Court each week.
7. The Marion County courts have received numerous complaints and concerns about the health and safety of prospective jurors given the transmission risks of COVID-19.
8. The Honorable Heather Welch has been appointed as the presiding judge of this emergency.

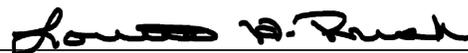
It appears from the petition that compliance with appropriate public-health practices will inhibit litigants’ and courts’ ability to comply with statutory deadlines and rules of procedure. The Court therefore finds that good cause exists for granting emergency relief.

Being duly advised, the Court GRANTS the petition, DECLARES pursuant to Indiana Administrative Rule 17 that an emergency exists in courts of Marion County, and APPROVES

the plan as submitted. The Court accordingly ORDERS as follows to ensure the orderly and fair administration of justice during this emergency:

1. The Court authorizes the tolling, beginning March 16, 2020 and until April 6, 2020, of all laws, rules, and procedures setting time limits for speedy trials in criminal and juvenile proceedings, public health, and mental health matters; all judgments, support, and other orders; and in all other civil and criminal matters before the courts of Marion County. Further, no interest shall be due or charged during this tolled period.
2. Beginning March 16, 2020 and until April 6, 2020, the Court authorizes each of the judges and magistrates of the courts of Marion County to exercise general jurisdiction over any and all cases in each other's courts.
3. Beginning March 16, 2020 and until April 6, 2020, the Court authorizes the Marion County courts, in their discretion, to continue all hearings they deem non-essential.
4. Beginning March 16, 2020 and until April 6, 2020, the Court authorizes all essential hearings from Criminal Courts 7–10, 12, 14–18, 24, and 25 to be heard in the Criminal Court 8 location; and all essential hearings from Criminal Courts 1–6, 20, and 21 to be heard in the Criminal Court 21 location.
5. Beginning March 16, 2020 and until April 6, 2020, the Court authorizes all essential hearings from Probate Court or any other Marion County civil court to be heard in the Probate Court location.
6. Beginning March 16, 2020 and until April 6, 2020, the Court authorizes the Juvenile Court in its discretion to determine the number of and location of courts it will operate for essential juvenile hearings.
7. Beginning March 16, 2020 and until April 6, 2020, the Court authorizes the Initial Hearing Court to operate on a limited basis within its discretion.
8. Beginning March 16, 2020 and until April 6, 2020, the Court authorizes the Marion County courts reduce the number of court staff members working; provided, however, that the courts shall maintain sufficient operations to process emergency matters.
9. Beginning March 16, 2020 and through **April 15, 2020**, the Court authorizes continuance of all civil jury trials and all out-of-custody criminal jury trials; and of in-custody jury trials if the rights of the defendant will not be violated.
10. The courts of Marion County shall file a status update **no later than April 3, 2020** to inform this Court of whether there is an ongoing need for emergency relief.

Done at Indianapolis, Indiana, on 3/13/2020.



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Loretta H. Rush  
Chief Justice of Indiana