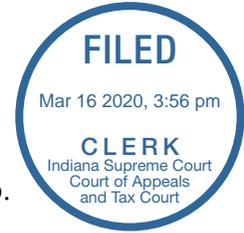


In the Indiana Supreme Court



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

Supreme Court Case No.
20S-CB-117

Trial Court Case No.
47C01-2003-CB-000013

Order

The courts of Lawrence County *en banc* have petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that a staff attorney with the Lawrence County office of the Indiana Department of Child Services has voluntarily quarantined after recent contact with a person who is believed presumptively positive for the COVID-19 virus. The attorney's absence will prevent strict compliance with statutory deadlines in several Termination of Parental Rights, Child in Need of Services, and criminal matters. Further, at least one Lawrence County school corporation has closed until at least April 3, 2020; and it appears from the petition that general conditions in the county related to the virus are likely to inhibit litigants' and courts' ability to comply with statutory deadlines and rules of procedure. The Honorable Nathan Nikirk has been appointed as the presiding Judge for this emergency.

The Court 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 Lawrence County, and APPROVES the plan as submitted. The Court further ORDERS as follows to ensure the orderly and fair administration of justice during this emergency:

1. The Court authorizes the tolling, from the date of this order **through April 30, 2020**, of all laws, rules, and procedures setting time limits for speedy trials in criminal and juvenile proceedings, public health, mental health, and appellate matters; all judgments, support, and other orders; and in all other civil and criminal matters before the courts of Lawrence County. Further, no interest shall be due or charged during this tolled period.
2. The courts of Lawrence County are directed and authorized to alter, modify, and suspend necessary procedures as provided in the emergency plan submitted with the petition, which plan is attached to this order as **Exhibit A** and incorporated by reference.

3. The Lawrence County Courts shall file a status update **no later than April 28, 2020** to inform this Court of whether there is an ongoing need for emergency relief.

Done at Indianapolis, Indiana, on 3/16/2020.

A handwritten signature in black ink, appearing to read "Loretta H. Rush", written over a horizontal line.

Loretta H. Rush
Chief Justice of Indiana

Lawrence County Courts Emergency Plan

1. Minimize contact between all individuals appearing for any court hearing.
2. Conduct non-evidentiary hearings and pretrial conferences by telephone if possible.
3. Utilize CourtCall for remote appearances when possible.
4. Maximize use of “Person to Person” tele-contact through CourtCall between the courts and individuals incarcerated or placed at any of the following:

Lawrence County Jail
Indiana Department of Correction
State Hospital
Mental health facilities
Juvenile detention facilities or any other facility authorized to house juveniles

5. Make all reasonable attempts to adhere to all statutory deadlines unless doing so would endanger court personnel, members of the local bar, litigants or general public.
6. To the extent possible, all criminal court plea agreement negotiations should take place and be completed prior to court. Plea agreement negotiations should not take place in open court.
7. Same day plea agreements will not be entertained by the criminal courts except in urgent situations (i.e. defendant is to be released that same day, etc.).
8. All transport requests from the Lawrence County Jail made by attorneys must be made by 3:00 p.m. the day prior to court or the inmate will not be transported.
9. The Courts will make all reasonable efforts to reschedule time sensitive hearings as quickly as possible.
10. Criminal and civil jury trials will be continued on a case by case basis depending upon the status of the COVID-19 virus.
11. The Courts will consult regularly with the Lawrence County Health Department and the Lawrence County Commissioners regarding additional preventative measures.