

In the Indiana Supreme Court

In the Matter of the Petition of the
Allen Circuit and Superior Courts for
Administrative Rule 17 Emergency Relief.

Supreme Court Case No.
20S-CB-127



Order

The courts of Allen County *en banc* have petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that the Governor of the State of Indiana has declared a public health emergency; the U.S. Center for Disease Control (CDC) recommends that for the next eight weeks, all non-essential gatherings must be limited to no more than 50 people; and the CDC is encouraging “social distancing” as a means of limiting the spread of the novel coronavirus (COVID-19). It appears from the petition that this emergency may require closure of the court(s) and is likely to inhibit litigants’ and courts’ ability to comply with statutory deadlines and rules of procedure. The Honorable Andrea Trevino 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 Allen 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, effective **March 16, 2020**:

1. The Court authorizes the tolling, from the effective date of this order **through April 13, 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 Allen County. Further, no interest shall be due or charged during this tolled period.
2. This Court authorizes immediate suspension of all criminal and civil jury trials, including those with a “fast and speedy” setting requested, through **April 13, 2020**. If the courts of Allen County believe continued suspension is necessary, they may petition this Court to extend the suspension.
3. **Through April 13, 2020**, this Court authorizes the Allen County courts, in their discretion, to continue all hearings they deem non-essential.

4. The courts of Allen County shall file a status update **no later than April 10, 2020** to inform this Court of whether there is an ongoing need for emergency relief.

Done at Indianapolis, Indiana, on 3/17/2020.

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

Loretta H. Rush
Chief Justice of Indiana