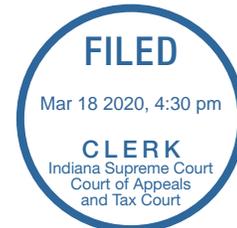


In the Indiana Supreme Court

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

Supreme Court Case No.
20S-CB-135



Order

The courts of Warrick County *en banc* (“the courts”) 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 an emergency due to the 2019 novel coronavirus (“COVID-19”), and the World Health Organization has declared COVID-19 to be a pandemic. It appears from the petition that this emergency will inhibit litigants’ and courts’ ability to comply with statutory deadlines and rules of procedure.

The Court finds that good cause exists for granting emergency relief.

Being duly advised, the Court GRANTS IN PART the petition, DECLARES pursuant to Indiana Administrative Rule 17 that an emergency exists in Warrick County, and APPROVES IN PART 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 **May 4, 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 Warrick 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 and bench trials, including those with a “fast and speedy” setting requested, through **May 4, 2020**. The courts are directed to review **no later than April 20, 2020**, whether continued suspension is necessary; and if it is not, to resume jury trials **no later than May 4, 2020**, to allow adequate notification of the jury pool. If the courts believe continued suspension is necessary, they may petition this Court to extend the suspension.
3. **Through May 4, 2020**, the courts are authorized in all criminal cases to continue pre-trial conferences and non-essential hearings that will not result in resolution of the case; to hold pre-trial and discovery status hearings by counsel only; to hold attorney-only conferences whenever possible without the requirement of a motion; to allow counsel to appear remotely; to allow defendants to appear via teleconference from jail, except for contested sentencing hearings and jury trials and to the extent a party’s

constitutional rights will not be violated; and to continue trials for non-incarcerated individuals.

4. **Through May 4, 2020**, the courts are authorized in all civil cases to continue all bench trials and proceedings the courts in their discretion deem non-essential; to use conference calls for hearings on agreed issues, for parties to appear remotely unless a party's constitutional rights would be violated, and for attorneys to appear remotely for any civil status conference, pre-trial conference, or non-evidentiary hearing; to hold attorney-only conferences whenever possible without the need for a motion; to suspend issuance of body attachments and Title IV-D attachments; and to use teleconferencing in Juvenile Court for all fact-finding and termination hearings in Child in Need of Services cases where either parent is in the Warrick County jail to the extent no party's constitutional rights will be violated.
5. **Through May 4, 2020**, the courts are authorized, in their discretion and subject to applicable Constitutional limitations, to limit spectators (other than parties to the litigation and their attorneys) in courtrooms to the extent necessary to provide adequate social distancing.
6. The courts shall file a status update **no later than April 20, 2020**, to inform this Court of whether there is an ongoing need for emergency relief.

Done at Indianapolis, Indiana, on 3/18/2020.



Loretta H. Rush
Chief Justice of Indiana