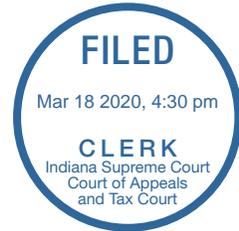


# In the Indiana Supreme Court



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

Supreme Court Case No.  
20S-CB-142

## Order

The Adams Circuit and Superior Courts (“the courts”) *en banc* have petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The courts subsequently filed an amended petition and have conferred with local county stakeholders in the preparation of the petition. The petition states that the State of Indiana has declared the 2019 novel coronavirus (COVID-19) a public health emergency and the United States has declared it a national emergency; Adams County schools have been ordered closed until April 13, 2020; health authorities advise that “social distancing” is an effective strategy for the prevention of the further spread of the virus; and due to shortage of cleaning and sanitation products, the courts of Adams County do not possess adequate hygiene stations or sanitation supplies. The Hon. Patrick R. Miller has been appointed as the presiding Judge for this emergency.

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

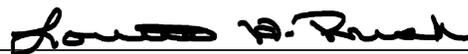
Being duly advised, the Court GRANTS the petition, DECLARES pursuant to Indiana Administrative Rule 17 that an emergency exists in Adams County, and APPROVES the plan as submitted. The Court further ORDERS as follows to ensure the orderly and fair administration of justice during this emergency, effective **March 17, 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, and mental health matters; all judgments, support, and other orders; and in all other civil and criminal matters before the courts of Adams County. Further, no interest shall be due or charged during this tolled period.
2. The courts are authorized to immediately suspend all criminal and civil jury trials, including those with a “fast and speedy” setting requested, through **May 4, 2020**. The courts are directed to review **no later than April 16, 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 to immediately suspend all criminal proceedings except emergency motions and petitions, bond hearings, arraignments,

initial hearings, emergency hearings, drug court hearings, and other criminal proceedings deemed “urgent” in the courts’ discretion.

4. **Through May 4, 2020**, the courts are authorized to immediately suspend all civil proceedings except protective order proceedings, emergency CHINS proceedings and time sensitive CHINS fact-finding hearings, emergency juvenile detention hearings, emergency custody and parenting-time motions, and other emergencies or matters deemed “urgent” in the courts’ discretion.
5. **Through May 4, 2020**, the courts of Adams County 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. **Through May 4, 2020**, the courts are authorized to allow any attorney wishing to appear remotely for any status conference or non-evidentiary hearing to do so without further leave of court upon filing a notice of remote appearance.
7. **Through May 4, 2020**, the courts are authorized to consider (a) the existence of flu or flu-like symptoms in any attorney, self-represented litigant, or witness expected to testify; or (b) exposure of such individuals to anyone who has or may have COVID-19; to constitute “good cause” to either appear remotely or continue a court setting, to the extent possible without violating statutory or constitutional rights.
8. **Through May 4, 2020**, the courts are authorized to utilize video conferencing to conduct hearings of incarcerated individuals to the extent possible without violating statutory or constitutional rights.
9. The courts of Adams County 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