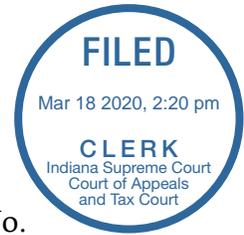


In the Indiana Supreme Court



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

Supreme Court Case No.
20S-CB-144

Order

The Marion County Small Claims Courts *en banc* have petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that:

1. The United States Centers for Disease Control and Prevention (CDC) is encouraging “social distancing” to limit the spread of the 2019 novel coronavirus (COVID-19) and other potentially fatal viruses.
2. The state has declared a public health emergency concerning COVID-19.
3. The Marion County Health Department has closed all local schools through April 6, 2020 and implemented local restrictions on all non-essential gatherings of more than 50 individuals in Indianapolis.
4. The Mayor has declared a local disaster emergency limiting travel for non-essential individuals and closed bars, entertainment venues and certain businesses like gyms and movie theaters starting March 17, 2020 at 8:00 a.m.
5. The manner in which Marion County Small Claims Courts schedules hearings requires numerous members of the public to be in close contact with each other for a significant time period. These members of the public are of all ages and physical fitness and often are short on financial resources that would be further strained by contracting an illness such as COVID-19.
6. Members of the public often feel compelled to comply with court summons despite illness.
7. The Marion County Small Claims Courts have nine (9) court locations with nine (9) judges and more than sixty (60) staff members that also interact with numerous members of the public daily and potentially could be exposed to COVID-19.

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 Honorable Garland E. Graves 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 Marion County Small Claims Courts, and

therefore 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 6, 2020**, of all laws, rules, and procedures setting time limits for trials in civil proceedings; all judgments, support, and other orders; and in all other civil matters before the Marion County Small Claims Courts. Further, no interest shall be due or charged during this tolled period.
2. **Through April 6, 2020**, the Court authorizes the Marion County Small Claims Courts, in their discretion, to continue all hearings they deem non-essential.
3. **Through April 6, 2020**, the Marion County Small Claims 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.
4. **Through April 6, 2020**, the Marion County Small Claims Courts are authorized to reduce the number of court staff members working and/or to permit working remotely if feasible; provided, however, that the courts shall maintain sufficient operations to process emergency matters.
5. The Court authorizes each of the judges of the courts of Marion County Small Claims Courts to exercise jurisdiction over any and all cases in each other's courts.
6. The Marion County Small Claims Courts 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 3/18/2020.



Loretta H. Rush
Chief Justice of Indiana