

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

On March 16, 2020, the Marion County Small Claims Courts petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. On March 18, 2020, this Court issued an order declaring an emergency and granting Marion County Small Claims Courts emergency relief.

On March 24, 2020, the Marion County Small Claims Courts, in conjunction with the Marion County Circuit Court Judge, petitioned this court for additional relief stating that:

1. On March 18, 2020, the Supreme Court approved the Marion County Small Claims Court Administrative Rule 17 Emergency Relief Order.
2. The Governor of the State of Indiana has issued an Executive Order closing the schools until May 1, 2020.
3. The Governor of the State of Indiana has signed an Executive Order suspending evictions in the State of Indiana until April 6, 2020, unless the Governor extends his order.
4. The Supreme Court has approved Marion County Superior and Circuit Courts' amended Administrative Rule 17 Plan to extend their order to May 1, 2020; and the Marion County Small Claims Courts' Plan should be consistent to avoid confusion.
5. The State of Indiana and the City of Indianapolis have increased the emergency travel level to a stay at home order, which means individuals are to stay at home unless it is necessary travel, or they work in an essential field.
6. The Marion County Small Claims Courts believe that the additional requested relief, allowing the Courts to operate remotely by telephonic technology, will allow court operations to continue in manner that protects the health and safety of its citizens, parties, staff, and judicial officers while continuing limited essential court operations.

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

Having previously declared an emergency in the Marion County Small Claims Courts, the Court GRANTS IN PART the petition for additional relief and APPROVES IN PART the additional relief requested. The Court accordingly ORDERS as follows, in addition to the relief previously granted:

1. The provisions of this Court's March 18, 2020 order, including but not limited to tolling of time frames and authority to continue trials, are extended **through May 1, 2020**.
2. Through **May 1, 2020**, the Marion County Small Claims Courts are authorized, in their discretion and subject to applicable constitutional limitations, to utilize audiovisual telecommunication to conduct hearings. The use of telephonic or video technology must also provide the courts with the ability to maintain a complete and proper record of the proceedings.

In all other respects, this Court's order of March 18, 2020 remains in full force and effect.

Done at Indianapolis, Indiana, on 3/25/2020.



Loretta H. Rush
Chief Justice of Indiana