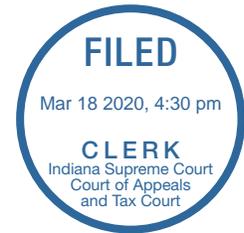


In the
Indiana Supreme Court



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

Supreme Court Case No.
20S-CB-146

Order

The Courts of Marshall County *en banc* have petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that because of 2019 novel coronavirus (COVID-19), a State emergency has been declared, the Marshall County Health Department has directed Marshall County residents to the Center for Disease Control website for guidance, and many Marshall County schools have closed through at least March 30, 2020. The petition states that this emergency will inhibit litigants' and courts' ability to comply with statutory deadlines and rules of procedure. The Honorable Curtis Palmer 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 Marshall 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, mental health, and appellate matters; all judgments, support, and other orders; and in all other civil and criminal matters before the Courts of Marshall 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 **May 4, 2020**. The Courts of Marshall County are directed to review **no later than April 13, 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 of Marshall County believe continued suspension is necessary, they may petition this Court to extend the suspension.
3. **Through May 4, 2020**, this Court authorizes the Courts of Marshall County to allow any attorney wishing to appear remotely for any status conference or non-evidentiary hearing in Courts of Marshall County to do so without further leave of court.

4. **Through May 4, 2020**, this Court authorizes the Courts of Marshall County to suspend issuing civil body attachments in civil cases.
5. **Through May 4, 2020**, this Court authorizes the courts of Marshall County, in their discretion, to continue all criminal and civil hearings they deem non-essential and grant any continuances requested by any attorney, litigant, necessary witness or other party exhibiting flu-like symptoms. In criminal proceedings, emergency motions and petitions, bond hearings, arraignments of inmates, initial hearings, emergency hearings, and any criminal hearing or proceeding necessary to protect a defendant's right to a speedy trial shall be deemed essential. These hearings may be conducted via videoconferencing from the jail or other electronic means consistent with the defendant's constitutional rights.
6. **Through May 4, 2020**, the courts of Marshall 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.
7. The Courts of Marshall County shall file a status update **no later than May 1, 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