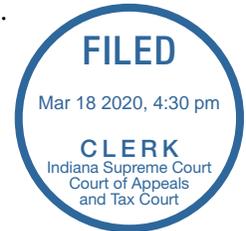


In the Indiana Supreme Court

In the Matter of the Petition of the
Henry Circuit Court for
Administrative Rule 17 Emergency Relief.

Supreme Court Case No.
20S-CB-153

Trial Court Case No.
33C01-2003-CB-000044



Order

The Henry Circuit Courts *en banc* have petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that the President and the Governor have determined a state of emergency exists in the United States and Indiana due to the 2019 novel coronavirus (“COVID-1”); the Henry County Commissioners met on March 16, 2020, and enacted a resolution adopting the recommendations of the Henry County Health Department concerning the operation of Henry County Offices, recognizing the Henry Circuit Courts would have oversight over the courts’ operations; and the Henry Circuit Courts have adopted a plan for continued operation of the courts. It appears from the petition that this emergency will inhibit litigants’ and courts’ ability to comply with statutory deadlines and rules of procedure.

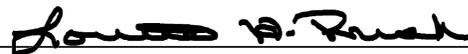
The Court finds that good cause exists for granting emergency relief.

Being duly advised, the Court GRANTS IN PART the petition, DECLARES pursuant to Indiana Administrative Rule 17 that an emergency exists in the Henry 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 Henry Circuit Courts. 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 Henry Circuit Courts are directed to review **no later than April 17, 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 Henry Circuit Courts believe continued suspension is necessary, they may petition this Court to extend the suspension.

3. **Through May 4, 2020**, this Court authorizes Henry Circuit Courts, in their discretion, to continue all hearings deemed non-essential.
4. **Through May 4, 2020**, the Henry Circuit Courts may 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.
5. **Through May 4, 2020**, the Henry Circuit 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 Henry Circuit Courts shall file a status update **no later than April 17, 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