

In the Indiana Supreme Court



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

Supreme Court Case No.
20S-CB-162

Trial Court Case No.
16C01-2003-CB-11

Order

The courts of Decatur County *en banc* have petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that the Governor of Indiana has declared a statewide emergency related to the novel coronavirus (COVID-19) and its spread across the state and nation. It appears from the petition that this emergency is likely to 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 the petition, DECLARES pursuant to Indiana Administrative Rule 17 that an emergency exists in Decatur 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 April 20, 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 Decatur 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 **April 20, 2020**. The courts of Decatur County are directed to review **no later than April 7, 2020** whether continued suspension is necessary; and if it is not, to resume jury trials **no later than April 20, 2020** to allow adequate notification of the jury pool. If the courts of Decatur County believe continued suspension is necessary, they may petition this Court to extend the suspension.
3. **Through April 20, 2020**, this Court authorizes immediate suspension of all civil proceedings, except initial, detention, and fact-finding hearings in child in need of services (CHINS) cases; protective order proceedings; initial and bond hearings in criminal cases involving incarcerated inmates; emergency guardianship proceedings; civil and mental health commitment proceedings; child custody and visitation

proceedings that are emergency in nature; and other emergencies or matters deemed “urgent” in the courts’ discretion.

4. **Through April 20, 2020**, the courts of Decatur 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.
5. **Through April 20, 2020**, any attorney wishing to appear remotely for any status conference or non-evidentiary hearing in any of the courts of Decatur County may do so without further leave of court upon filing a “Notice of Remote Appearance” in the court in which the matter will be heard.
6. The courts of Decatur County shall file a status update **no later than April 8, 2020** to inform this Court of whether there is an ongoing need for emergency relief.

Done at Indianapolis, Indiana, on 3/24/2020.



Loretta H. Rush
Chief Justice of Indiana