

In the Indiana Supreme Court



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

Supreme Court Case No.
20S-CB-167

Order

The courts of Gibson 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 public health emergency due to the spread of the novel coronavirus (COVID-19); that the U.S. Centers for Disease Control (CDC) has recommended “social distancing” as a means of limiting the spread of the virus; and that the Gibson Circuit and Superior Courts lack the physical space necessary for the social distancing required. It appears that this emergency will inhibit litigants’ and courts’ ability to comply with statutory deadlines and rules of procedure. The Honorable Robert Krieg 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 IN PART the petition, DECLARES pursuant to Indiana Administrative Rule 17 that an emergency exists in Gibson County, and APPROVES IN PART the plan as submitted. The Court 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 30, 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 Gibson 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 30, 2020**. The courts of Gibson County are directed to review **no later than April 16, 2020** whether continued suspension is necessary; and if it is not, to resume jury trials **no later than April 30, 2020** to allow adequate notification of the jury pool. If the courts of Gibson County believe continued suspension is necessary, they may petition this Court to extend the suspension.
3. **Through April 30, 2020**, this Court authorizes immediate suspension of all civil proceedings, except for protective orders in domestic violence cases, emergency child

in need of services (CHINS) proceedings, and other emergencies or matters deemed “urgent” in the courts’ discretion.

4. **Through April 30, 2020**, this Court authorizes immediate suspension of all criminal proceedings, except for emergency motions and petitions, bond hearings, initial hearings, emergency hearings, and any other criminal hearing or proceeding necessary to protect a defendant’s Constitutional rights;
5. The courts of Gibson County shall file a status update **no later than April 27, 2020** to inform this Court of whether there is an ongoing need for emergency relief.

Done at Indianapolis, Indiana, on 3/19/2020.



Loretta H. Rush
Chief Justice of Indiana