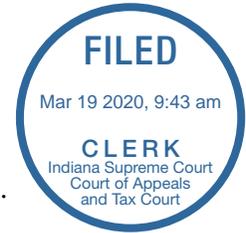


# In the Indiana Supreme Court



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

Supreme Court Case No.  
20S-CB-173

## Order

The Courts of White 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 federal and State emergency has been declared, the Center for Disease Control has determined that social distancing is a preventative for spreading the virus, all schools in White County have closed until at least March 31, 2020; and White County lacks adequate hygiene stations and sanitary supplies to safely accommodate usual traffic in judicial facilities. It appears this emergency will inhibit litigants' and courts' ability to comply with statutory deadlines and rules of procedure. The Honorable Jason Thompson 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 White 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, and mental health matters; all judgments, support, and other orders; and in all other civil and criminal matters before the Courts of White 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 White 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 White County believe continued suspension is necessary, they may petition this Court to extend the suspension.
3. The Court authorizes the courts of White County to continue all hearings except those they deem in their discretion to be urgent:

- a. **Through May 4, 2020**, in civil proceedings, urgent matters shall at a minimum include protective orders, emergency CHINS proceedings, JD and JC detention hearings, and emergency and visitation motions.
- b. **Through April 3, 2020**, in criminal matters, urgent matters shall at a minimum include emergency motions and petitions, bond hearings, arraignments, initial hearings, and emergency hearings.
4. **Through May 4, 2020**, the courts of White County are authorized to allow any attorney wishing to appear remotely (e.g., through teleconference systems, etc.) for any status conference or non-evidentiary hearing without further leave of court.
5. **Through May 4, 2020**, allow the courts of White County to consider (a) the existence of flu or flu-like symptoms in any attorney, self- represented litigant, or witness expected to testify; (b) exposure of such individuals to anyone who has or may have COVID-19; or (c) status of such individuals in a high- risk category; to constitute “good cause” to either appear remotely or continue a court setting, to the extent possible without violating statutory or constitutional rights.
6. **Through May 4, 2020**, subject to applicable constitutional limitations, the courts of White County are authorized 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 White 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 3/19/2020.



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Loretta H. Rush  
Chief Justice of Indiana