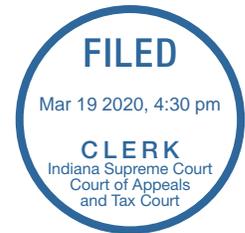


In the Indiana Supreme Court

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

Supreme Court Case No.
20S-CB-192



Order

The Steuben Circuit and Superior Courts (“the courts”) have petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17 and this Court’s March 16, 2020 order under Case No. 20S-CB-123. The Court takes judicial notice that federal and state emergencies have been declared regarding the outbreak of the 2019 novel coronavirus (COVID-19). The petition states that at least one work-release prisoner has been hospitalized with symptoms of COVID-19, though test results were negative; that if a prisoner should test positive, suspension of the work-release program and a mandatory 14-day self-quarantine of work-release prisoners and affected staff will be necessary; and courts and clerk staff are concerned about non-essential contact with the public. 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 Honorable William C. Fee 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 Steuben 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 18, 2020**:

1. The Court authorizes the tolling, from the effective date of this order **through April 17, 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 Steuben Circuit and Superior Courts. Further, no interest shall be due or charged during this tolled period.
2. This Court authorizes suspension in the courts’ discretion of criminal and civil jury trials, including those with a “fast and speedy” setting requested, through **April 17, 2020** (subject in criminal cases to the Constitutional right to speedy trial and Constitutional protection against double jeopardy). The courts of Steuben County are directed to review **no later than April 3, 2020** whether continued suspension is necessary; and if it is not, to resume jury trials **no later than April 17, 2020** to allow adequate notification of the jury pool. If the courts of Steuben County believe

continued suspension is necessary, they may petition this Court to extend the suspension.

3. **Through April 17, 2020**, the courts are authorized to suspend new juror orientations, extend existing jury panels, and/or postpone jury service to a later date for jurors who are ill, caring for someone who is ill, or in a high-risk category.
4. **Through April 17, 2020**, the courts are authorized, in their discretion and to the extent consistent with the parties' constitutional rights, to continue all hearings they deem non-essential, excluding emergency matters, domestic violence hearings, and evidentiary hearings in criminal cases.
5. **Through April 17, 2020**, the courts are authorized to use telephonic or video technology in lieu of in-person appearances, unless a litigant's due process rights would be violated. This authority includes conducting non-evidentiary and pretrial conferences by telephone; using conference calls or CourtCall for remote appearances; and using video or teleconferencing for appearance of incarcerated individuals.
6. **Through April 17, 2020**, the judges of the courts may exercise general jurisdiction over cases in each other's courts.
7. **Through April 17, 2020**, the courts may in their discretion issue summonses in lieu of bench warrants or notice of failure to appear.
8. **Through April 17, 2020**, the courts may 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.
9. **Through April 17, 2020**, the courts may 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 upon filing a "Notice of Remote Appearance" in the court in which the matter will be heard.
10. **Through April 17, 2020**, the 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 and to limit the size of the gathering consistent with public-health recommendations.
11. **Through April 17, 2020**, the courts are authorized to post signage at all public entry points to judicial facilities advising individuals not to enter the building if they have:
 - a. Visited China, Iran, South Korea, any European countries, or any other high-risk countries identified by the CDC in the previous 14 days;
 - b. Resided with or been in close contact with someone who has been in any of those countries within the previous 14 days;
 - c. Traveled domestically within the United States where COVID-19 has sustained widespread community transmission;

- d. Been asked to self-quarantine by any doctor, hospital, or health agency;
 - e. Been diagnosed with or had contact with anyone who has been diagnosed with COVID-19; or
 - f. A fever, cough or shortness of breath;
- and to direct bailiffs or court security officers to deny entrance to individuals attempting to enter in violation of these protocols.
12. **Through April 17, 2020**, the courts are authorized to allow individuals with legitimate court business to stay home and request a continuance by phone to the county Clerk if they are ill, caring for someone who is ill, or in a high-risk category.
 13. **Through April 17, 2020**, the courts are authorized to require plea agreements to be negotiated prior to court to the extent possible, not in open court; and to permit Steuben County Probation to conduct supervision remotely, such as by telephone or videoconferencing.
 14. **Through April 17, 2020**, the courts are authorized pursuant to Paragraph 1 above to set or reset juvenile termination, CHINS, and delinquency proceedings outside statutory timeframes.
 15. **Through April 17, 2020**, the Steuben County Clerk is authorized to modify its operating procedures as set forth in “Appendix A” to the courts’ petition, which appendix is attached to this order and incorporated by reference.
 16. The courts shall file a status update no later than **April 9, 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

March 17, 2020

To: Judge Fee, Steuben Superior Court Judge
From: Tangi Manahan, Steuben County Clerk

Only individuals allowed access to the clerk's office: new protective orders, new marriage license by appointment (must complete application online, www.public.courts.in.gov) and any other emergency issue on a case by case basis or by the authority of the elected official. There is a limit to two members of the public in the Clerk's office at one time.

For ALL Community Corrections, Home Detention Payments or Work Release payments, all cash or money order payments will be dropped off at NICC in their drop box and to be processed by Clerk's office on a daily basis. This allows the defendants to pay any day/time available to them. Receipts will be mailed to defendants. All other payments can be mailed.

Child Support Payments

- Kids line phone 855-972-9427
- Credit card payments www.shildsupportbillpay.com/Indiana
- Check/Money order (including ISETS case number)

Court Costs/Fines/Traffic Tickets Payments Options

- Mailing a Money Order or Cashier's Checks, make payable to Steuben County Clerk. Defendant's name must be legibly printed and include their case number. If you wish to have a receipt mailed back to you, please include a self-addressed stamped envelope for us to mail back the receipt. Mail payments to Steuben County Clerk, 55 S Public Square, Angola, IN 46703.

Voter Registration / Election Info

- Call Clerk's office, 260-668-1000 x 2230 and we will help over the phone or set up an appointment for them to come in

Pro Se Filings

- They can mail in the filings & we will mail them back copies and their receipt
- Access www.indianalegalhelp.org for forms
- Call Clerk's office for costs or questions 260-668-1000 x 2240