

In the Indiana Supreme Court

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

Supreme Court Case No.
20S-CB-193



Order

The Grant County Courts *en banc* have petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that federal and state emergencies have been declared in response to the 2019 novel coronavirus (COVID-19); all area public schools have been closed; and other local, state, and federal government agencies have implemented measures to reduce the spread of the virus. It appears that this emergency likely requires limiting trial court operations and is likely to inhibit litigants' and courts' ability to comply with statutory deadlines and rules of procedure. The Honorable Jeffrey D. Todd 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 Grant 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 18, 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 Grant County 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 Grant County Court 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 May 4, 2020** to allow adequate notification of the jury pool. If the Grant County Courts believe continued suspension is necessary, they may petition this Court to extend the suspension.
3. **Through May 4, 2020**, the Grant County Courts are authorized to suspend new juror orientations, extend existing jury panels, and/or postpone jury service for jurors who are ill, caring for someone who is ill, or in a high-risk category.
4. **Through May 4, 2020**, this Court authorizes immediate suspension of all non-essential hearings and proceedings (excluding emergency matters, domestic violence hearings, and evidentiary hearings in criminal cases).

5. **Through May 4, 2020**, the Grant County Courts are authorized to utilize video or telephonic conferencing in lieu of in-person appearances, unless a litigant's due process rights would be violated.
6. **Through May 4, 2020**, the Grant County 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.
7. **Through May 4, 2020**, the Grant County Courts may allow any attorney wishing to appear remotely for any status conference or non-evidentiary hearing in any of the Grant County Courts 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.
8. **Through May 4, 2020**, the Grant County 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.
9. **Through May 4, 2020**, the Grant County 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 the protocols described in Paragraph 8.
10. **Through May 4, 2020**, the Grant County Courts may allow individuals with legitimate court business that are ill, caring for someone who is ill, or in a high-risk category for COVID-19 to request a continuance by telephone.
11. **Through May 4, 2020**, the Grant County Courts may allow non-emergency filings by unrepresented litigants (a) by mail; or (b) by depositing them in a drop box designated by the Grant County Clerk.
12. The Grant County Courts shall file a status update **no later than April 20, 2020**, to inform this Court of whether there is an ongoing need for emergency relief.

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

A handwritten signature in black ink, appearing to read "Loretta H. Rush", written over a horizontal line.

Loretta H. Rush
Chief Justice of Indiana