

# In the Indiana Supreme Court

In the Matter of the Petition of the  
Crawford Circuit Court for Administrative  
Rule 17 Emergency Relief.

Supreme Court Case No.  
20S-CB-200



## Order

The Crawford Circuit Court has petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that the Governor of the State of Indiana has declared a public health emergency due to outbreak of the 2019 novel coronavirus (COVID-19); the CDC has advised that “social distancing” is an effective strategy to reduce spread of the virus; on Wednesday, March 18, 2020, the Crawford County Commissioners closed the Crawford County Judicial Complex and county offices to the public; and the court is particularly at risk as the only court in the county with a very limited staff, all of whom are essential. It appears this emergency will 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 IN PART the petition, DECLARES pursuant to Indiana Administrative Rule 17 that an emergency exists in Crawford County, and APPROVES IN PART the plan. The Court further ORDERS as follows to ensure the orderly and fair administration of justice during this emergency, effective **March 19, 2020**:

1. This Court authorizes the tolling, from the effective date of this order **through May 8, 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 Crawford Circuit Court. 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 8, 2020**. The Crawford Circuit Court is 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 8, 2020** to allow adequate notification of the jury pool. If the Crawford Circuit Court believes continued suspension is necessary, it may petition this Court to extend the suspension.
3. The Court authorizes the Crawford Circuit Court in **criminal and civil** cases, to the extent the parties’ constitutional rights will not be violated, to:

- a. continue all pre-trial conferences and non-essential hearings that will not result in a resolution of the case;
  - b. hold pre-trial and discovery status hearings by counsel only;
  - c. allow attorney-only conferences whenever possible without the requirement of a motion;
  - d. allow counsel to appear remotely by CourtCall or conference call by filing a “Notice of Remote Appearance” at least 24 hours prior to the scheduled hearing; and allowing parties to appear by video or telephone;
  - e. have defendants appear via teleconference from jail for any hearings, except contested sentencing hearings and jury trials; and
  - f. continue trials for non-incarcerated individuals and continue all bench trials;
  - g. continue all matters deemed non-essential in the courts’ discretion, excluding emergency matters, domestic violence hearings, and evidentiary hearings in criminal cases;
  - h. suspend issuing civil body attachments and Title IV-D attachments; and
  - i. continue all juvenile court and CHINS cases outside statutory timeframes pursuant to Paragraph 1 above.
4. **Through May 8, 2020**, the Crawford Circuit Court is authorized, in its 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.
5. **Through May 8, 2020**, the Crawford Circuit Court may post signage at all entry points to judicial, clerk, and probation 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 fourteen (14) days;
  - b. Resided with or been in close contact with someone who has been in any of those countries within the previous fourteen (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 close contact with anyone who has been diagnosed with COVID-19; or
  - f. A fever, cough, or shortness of breath;
- and direct bailiffs or court security officers to deny entrance to individuals attempting to enter in violation of these protocols.
6. **Through May 8, 2020**, the Crawford Circuit Court may consider (a) the existence of flu or flu-like symptoms in any attorney, self-represented litigant, or witness expected to testify; or (b) exposure of such individuals to anyone who has or may have COVID-

19; 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 8, 2020**, the Crawford Circuit Court shall allow individuals with legitimate court business to stay home and request a continuance by phone to the courts if they are ill, caring for someone who is ill, or in a high-risk category.
8. The Crawford Circuit Court shall file a status update **no later than April 30, 2020** to inform this Court of whether there is an ongoing need for emergency relief.

Done at Indianapolis, Indiana, on 3/20/2020.



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Loretta H. Rush  
Chief Justice of Indiana