

# In the Indiana Supreme Court

In the Matter of the Petition of the  
Fishers City Court for  
Administrative Rule 17 Emergency Relief.

Supreme Court Case No.  
20S-CB-202



## Order

The Fishers City Court has petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that federal, state, and local emergencies have been declared in response to the 2019 novel coronavirus (COVID-19) outbreak; all area public schools have been closed, bars, restaurants, and other businesses have been closed, and other local agencies have implemented measures consistent with public health authorities' advice for "social distancing" to reduce the spread of the virus. The petition states that this emergency requires limiting city court operations.

The Court finds that good cause exists for granting emergency relief.

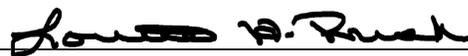
Being duly advised, the Court GRANTS the petition, DECLARES pursuant to Indiana Administrative Rule 17 that an emergency exists in Fishers City Court, and APPROVES the plan as submitted. The Court further ORDERS as follows to ensure the orderly and fair administration of justice during this emergency, effective **March 19, 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 in all matters within the Fishers City Court's jurisdiction. Further, no interest shall be due or charged during this tolled period.
2. **Through May 4, 2020**, this Court authorizes immediate suspension of all non-essential hearings and proceedings.
3. **Through May 4, 2020**, the Fishers City Court is authorized to utilize video or telephonic conferencing in lieu of in-person appearances, unless a litigant's due process rights would be violated.
4. **Through May 4, 2020**, the Fishers City Court is authorized to issue summonses in lieu of bench warrants, writs of attachment, notice of failure to appear, or notices of failure to pay.
5. **Through May 4, 2020**, the Fishers City Court 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.

6. **Through May 4, 2020**, any attorney wishing to appear remotely for any status conference or non-evidentiary hearing in the Fishers City Court 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.
7. **Through May 4, 2020**, the Fishers City 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.
8. **Through May 4, 2020**, the Fishers City Court is authorized to utilize a drop box at the Fishers City Hall for conventional paper filed documents and receipt of payments.
9. **Through May 4, 2020**, the Fishers City Court is authorized to reduce the number of court staff members working and/or to permit working remotely if feasible; provided, however, that the court shall maintain sufficient operations to process emergency matters, mail and e-mail received, e-filing of pleadings, and receipt of payments for fines and judgments.
10. **Through May 4, 2020**, the Fishers City Court may allow individuals with legitimate court business who are ill, caring for someone who is ill, or in a high-risk category for COVID-19 to request a continuance by telephone to the court clerk.
11. The Fishers City Court 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 3/20/2020.



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Loretta H. Rush  
Chief Justice of Indiana