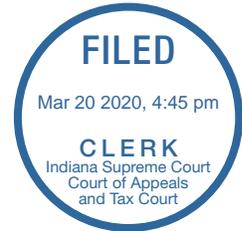


In the Indiana Supreme Court

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

Supreme Court Case No.
20S-CB-206



Order

The New Castle City Court has petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that federal and state governing authorities have declared a public health emergency due to the 2019 novel coronavirus (COVID-19); local schools, restaurants, and places of employment are closed; and it is neither safe nor judicially efficient for the City Court to maintain normal operations. The petition appears to show that 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 the petition, DECLARES pursuant to Indiana Administrative Rule 17 that an emergency exists in New Castle, 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. This 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 all judgments and other orders. Further, no interest shall be due or charged during this tolled period.
2. **Through May 4, 2020**, the New Castle City Court is authorized to continue and/or reschedule all non-essential hearings, excluding emergency matters and subject to Constitutional limitations.
3. **Through May 4, 2020**, the New Castle City Court is authorized to utilize telephonic or videoconferencing technology in lieu of in-person appearances, to the extent possible without violating statutory or constitutional rights.
4. **Through May 4, 2020**, the New Castle City Court is authorized to issue summonses in lieu of bench warrants, writs of attachment, notices of failure to appear, or notices of failure to pay.
5. **Through May 4, 2020**, the New Castle City Court is authorized to consider (a) the existence of flu or flu-like symptoms in any attorney, self-represented litigant, or witness; (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**, the New Castle City Court is authorized to allow any attorney wishing to appear remotely for any status conference or non-evidentiary hearing to do so without further leave of court by filing a “Notice of Remote Appearance.”
 7. **Through May 4, 2020**, the New Castle City Court is authorized, subject to applicable Constitutional limitations, to limit spectators (other than parties, their attorneys, and any other statutorily contemplated attendees) 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 New Castle City Court clerk is authorized to make drop boxes available for conventionally filed documents and receipt of payment. The New Castle City Court shall maintain sufficient operations to process emergency matters, mail received, and receipts of payments for fines and judgments.
 9. **Through May 4, 2020**, the New Castle City Court shall allow any individual with legitimate court business to remain home and request a continuance telephonically if the individual is ill, caring for someone who is ill, or is in a high-risk category.
 10. **Through May 4, 2020**, the New Castle City Court is authorized to post signage at public entry points to judicial facilities advising persons 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 and court security officers to deny entrance to individuals attempting to enter in violation of these protocols.
 11. The New Castle 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.



Loretta H. Rush
Chief Justice of Indiana