

# In the Indiana Supreme Court

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

Supreme Court Case No.  
20S-CB-209

Trial Court Case No.  
63C01-2002-CB-40



## Order

The Pike Circuit Court (“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 an emergency due to the 2019 novel coronavirus (COVID-19) and that the World Health Organization has declared the virus a pandemic. It appears from the petition 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 IN PART the petition, DECLARES pursuant to Indiana Administrative Rule 17 that an emergency exists in Pike County, and APPROVES IN PART the plan as set out below. The Court ORDERS as follows to ensure the orderly and fair administration of justice during this emergency, effective March 20, 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 and public health and mental health cases; all judgments, support, and other orders; and in all other civil and criminal matters before the court. No interest shall be due or charged during this tolled period.
2. This Court authorizes immediate suspension of all criminal and civil jury trials through May 4, 2020. The court is directed to review **no later than April 17, 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 court believes continued suspension is necessary, it may petition this Court to extend the suspension.
3. **Through May 4, 2020**, the court is authorized in **criminal cases**, subject to applicable Constitutional limitations, to continue all pre-trial conferences and non-essential hearings that will not result in a resolution of the case; hold pre-trial and discovery status hearings by counsel only; allow attorney-only conferences whenever possible without the requirement of a motion; allow counsel to appear remotely by conference call; have defendants appear via teleconference from jail for any hearings, except contested sentencing hearings, plea agreements, and trials; and continue trials for non-incarcerated individuals.

4. **Through May 4, 2020**, the court is authorized in **civil cases**, in its discretion and subject to applicable Constitutional limitations, to continue all bench trials; continue all non-essential matters; use conference calls to conduct hearings that involve agreed issues; allow parties to appear remotely, unless a litigant's constitutional rights would be violated; allow attorneys to appear remotely for any civil status conference, pretrial conference, or non-evidentiary hearing; allow attorney-only conferences whenever possible without the requirement of a motion; suspend issuing civil body attachments and Title IV-D attachments; and utilize teleconferencing in juvenile court for all fact-finding and termination hearings in Child in Need of Services (CHINS) cases where either parent is in the Pike County Security Center.
5. **Through May 4, 2020**, the 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 the court, to the extent necessary to provide adequate social distancing and limit the size of the gathering consistent with public-health recommendations.
6. The court shall file a status update **no later than April 27, 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