

In the Indiana Supreme Court

In the Matter of the Petition of the
Zionsville Town Court for Administrative
Rule 17 Emergency Relief.

Supreme Court Case No.
20S-CB-220



Order

The Zionsville Town 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); the CDC is encouraging “social distancing” as an effective strategy for the prevention of the further spread of the virus; and all area public schools, bars, restaurants, and other businesses have been closed. 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 the petition, DECLARES pursuant to Indiana Administrative Rule 17 that an emergency exists in Zionsville Town Court, and APPROVES the plan. The Court further ORDERS as follows to ensure the orderly and fair administration of justice during this emergency, effective **March 20, 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 in all matters within the Zionsville Town 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. The Zionsville Town Court may exercise flexibility in suspending litigants’ driver’s licenses for their failure to appear or failure to pay fines and/or fees.
4. Effective **March 20, 2020**, and extending through **May 4, 2020**, any attorney wishing to appear remotely for any status conference or non-evidentiary hearing may do so without further leave of the court by filing a “Notice of Remote Appearance” at least 24 hours prior to the scheduled hearing.
5. **Through May 4, 2020**, the Zionsville Town 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 and adjacent hallways to the extent necessary to provide adequate social distancing and to limit the size of the gathering consistent with public-health recommendations.

6. **Through May 4, 2020**, the Zionsville Town 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 4, 2020**, the Zionsville Town Court may direct persons appearing before the court who have been exposed to COVID-19 or who are experiencing flu-like symptoms to report this to court staff.
8. The Zionsville Town Court shall file a status update **no later than April 24, 2020** to inform this Court of whether there is an ongoing need for emergency relief.

Done at Indianapolis, Indiana, on 3/24/2020.



Loretta H. Rush
Chief Justice of Indiana