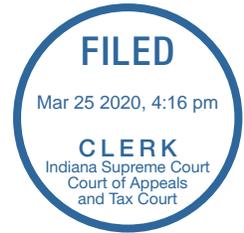


In the
Indiana Supreme Court



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

Supreme Court Case No.
20S-CB-229

Order

The Winchester City Court has petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that the State of Indiana has put in place restriction on public gatherings in response to the 2019 novel coronavirus (COVID-19). Local schools have been closed since March 16, 2020. The petition also indicated that the Winchester City Court Judge attended a meeting with an individual who has now been officially quarantined. The petition states that this emergency requires changes to the normal operations and procedures of the city court, and 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 Winchester, and APPROVES IN PART the plan as submitted. The Court further ORDERS as follows to ensure the orderly and fair administration of justice during this emergency, effective **March 24, 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 proceedings; all judgments, support, and other orders; and in all other civil and criminal matters before the Winchester City 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 4, 2020**. The Winchester City Court is directed to review **no later than April 16, 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 Winchester City Court believes continued suspension is necessary, it may petition this Court to extend the suspension. The Winchester City Court is further authorized to suspend new juror orientations, extend existing jury panels, and/or postpone jury service to a later date for jurors who are ill, caring for someone who is ill, or in a high-risk category.
3. **Through May 4, 2020**, this Court authorizes immediate suspension of all non-essential hearings and proceedings (excluding emergency matters, domestic violence hearings, and evidentiary hearings in criminal cases).

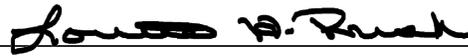
4. **Through May 4, 2020**, the Winchester City Court is authorized to utilize video or telephonic conferencing in lieu of in-person appearances, unless a litigant's due process rights would be violated.
5. **Through May 4, 2020**, the Winchester City Court is authorized to issue summonses in lieu of bench warrants, writs of attachment, notice of failure to appear, or notices of failure to pay.
6. **Through May 4, 2020**, the Winchester 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.
7. **Through May 4, 2020**, any attorney wishing to appear remotely for any status conference or non-evidentiary hearing in the Winchester 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.
8. **Through May 4, 2020**, the Winchester 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.
9. **Through May 4, 2020**, the Winchester City Court is authorized to utilize a drop box for conventional paper filed documents and receipt of payments.
10. **Through May 4, 2020**, the Winchester 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.
11. **Through May 4, 2020**, the Winchester 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.
12. **Through May 4, 2020**, the Winchester City Court is authorized to post signage at all public entry points to judicial 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 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 or court security officers to deny entrance to individuals attempting to enter in violation of these protocols.

13. The Winchester 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 3/25/2020.



Loretta H. Rush
Chief Justice of Indiana