

In the Indiana Supreme Court

In the Matter of the Petition of the Courts
of Lake County for Administrative Rule
17 Emergency Relief.

Supreme Court Case No.
20S-CB-110



Order Approving Jury Trial

By order issued May 13, 2020, this Court stayed jury trials in the trial courts until at least July 1, 2020, without prior approval upon the conditions established in this Court's order issued April 24, 2020. Pursuant to these orders, **Lake Superior Court Civil Division 7** files a request to hold a two-day civil jury trial commencing July 1, 2020.

The Court finds that Lake Superior Court Civil Division 7 has substantially met the conditions required by the April 24, 2020 order in that the following precautions have been implemented and will be strictly followed to ensure the safety of jurors, litigants, attorneys, court staff, and the public:

1. Strict compliance with the Lake County Commissioner's policy compelling masks and social distancing within the courthouse is required.
2. Significant signage within the courthouse has been posted emphasizing the necessity of social distancing.
3. The judicial office will notify all persons present in Civil Division 7 of the measures taken to ensure their safety.
4. Masks will be provided for persons who do not have one.
5. Hand sanitizer and alcohol wipes will be readily available.
6. The Bailiff will be questioning all persons as they enter the courtroom as to the state of their health and use a temporal thermometer to the daily temperature of the judicial officer, all court staff, attorneys, litigants, jurors, witnesses, and observers from the general public.
7. Voir dire will be held in an alternative location (the Lake County data classroom) where appropriate social distancing can be maintained. This location has a high level, downloadable, recording system that can create an appropriate record of the process.
8. Civil Division 7's courtroom has been modified to ensure adequate social distancing can be maintained during the trial. This courtroom will also be used as the jury deliberation room.
9. Jurors will stay in the courtroom and the judge, attorneys, and litigants will adjourn to an adjacent courtroom or to the traditional jury room where argument when argument outside the presence of the jury can be recorded.

10. Court staff will clean the courtroom throughout each day and provide hand sanitizer and masks to the jurors as needed.

11. Members of the public will be seated in a socially distanced manner using the existing jury box.

12. Civil Division 7 has discussed with the attorneys the need to be very lenient with members of the venire as to illness, fear of illness, recent unemployment because of the pandemic, and recent child-care issues because of the pandemic.

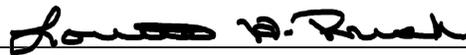
13. Although written consent of the attorneys involved has not been obtained, the judicial officer from Civil Division 7 has affirmed that the attorneys want to proceed and requested to be the first civil trial to be held after the reopening of this trial court.

14. The court staff of Civil Division 7 is ready to face the challenge of holding a civil jury trial during the COVID-19 health emergency with empathy, creativity, ingenuity, and hard work.

15. The judicial officer will make himself available as a resource to other Indiana judicial officers for practical and real-life best practices for holding a jury trial ail during this pandemic.

Being duly advised, and pursuant to Indiana Administrative Rule 17 and this Court's inherent authority to supervise the administration of all courts of this State, the Court ORDERS that Lake County Civil Division 7 is permitted to hold a two-day civil jury trial commencing July 1, 2020.

Done at Indianapolis, Indiana, on 6/29/2020 .



Loretta H. Rush
Chief Justice of Indiana