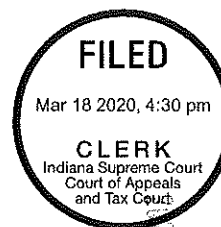


In the
Indiana Supreme Court

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

Supreme Court Case No.
20S-CB-137



FILED
CLERK OF THE INDIANA SUPREME COURT
MAR 19 AM 8:20

Order

The courts of Hendricks County *en banc* (“the courts”) have petitioned this Court for emergency relief pursuant to Indiana Administrative Rule 17. The petition states that on March 6, 2020, the State declared a public health emergency for the 2019 novel coronavirus (“COVID-19”); on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic; on March 15, 2020, the Center for Disease Control called for the cancellation of in-person events of 50 people or more to prevent the spread of COVID-19; and the Hendricks County courts’ operations result in hundreds of people entering the courthouse each week. It appears from the petition that this emergency will inhibit litigants’ and courts’ ability to comply with statutory deadlines and rules of procedure.

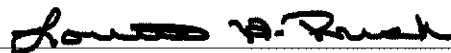
The Court finds that good cause exists for granting emergency relief.

Being duly advised, the Court GRANTS the petition, DECLARES pursuant to Indiana Administrative Rule 17 that an emergency exists in Hendricks County, 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 17, 2020**:

1. The Court authorizes the tolling, from the effective date of this order **through April 17, 2020**, of all laws, rules, and procedures setting time limits for speedy trials in criminal and juvenile proceedings, public health, mental health, and appellate matters; all judgments, support, and other orders; and in all other civil and criminal matters before the courts. 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 April 17, 2020**. The courts of are directed to review **no later than April 10, 2020** whether continued suspension is necessary; and if it is not, to resume jury trials **no later than April 17, 2020**, to allow adequate notification of the jury pool. If the courts believe continued suspension is necessary, they may petition this Court to extend the suspension.
3. **Through April 17, 2020**, the courts are authorized in all criminal proceedings to suspend pre-trial conferences and non-essential hearings that will not result in a resolution of the case; to hold pretrial and discovery status hearings by counsel only; to allow attorney-only conferences whenever possible without the requirement of a motion;

- to allow counsel to appear remotely by CourtCall or conference call by filing a "Notice of Remote Appearance" at least 24 hours prior to the scheduled hearing; and to allow defendants to appear via teleconference from jail for any hearing, except contested sentencing hearings and jury trials if no party's constitutional rights would be violated.
4. **Through April 17, 2020**, the courts are authorized, in their discretion, to immediately suspend all civil bench trials and non-essential matters in civil proceedings.
 5. **Through April 17, 2020**, the courts are authorized in all civil proceedings to use CourtCall or conference call to conduct hearings involving agreed issues; to allow parties to appear remotely, unless a party's constitutional rights would be violated; and allow attorneys to appear remotely for any civil status conference, pretrial conference, or non-evidentiary hearing by filing a "Notice of Remote Appearance" at least twenty-four hours prior to the scheduled hearing.
 6. **Through April 17, 2020**, the courts are authorized in all civil proceedings to use attorney-only conferences whenever possible without the requirement of a motion; to suspend civil body attachments and Title IV-D attachments; and to use video conferencing in juvenile court for fact-finding and termination hearings in Child in Need of Services cases where either parent is in the Hendricks County jail, unless a party's constitutional rights would be violated.
 7. **Through April 17, 2020**, the courts of Hendricks County are authorized, in their 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.
 8. The courts of Hendricks County shall file a status update **no later than April 10, 2020**, to inform this Court of whether there is an ongoing need for emergency relief.

Done at Indianapolis, Indiana, on 3/18/2020.



Loretta H. Rush
Chief Justice of Indiana