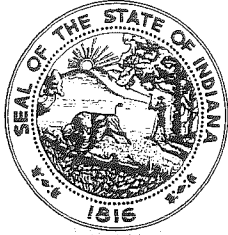


GRANT COUNTY COURTS

48th Judicial Circuit



Hon. Mark E. Spitzer, Circuit Court
Hon. Jeffrey D. Todd, Superior Court No. 1
Hon. Dana Kenworthy, Superior Court No. 2
Hon. Warren Haas, Superior Court No. 3
Hon. Brian McLane, Magistrate

MEDIA RELEASE

FOR IMMEDIATE RELEASE

MARCH 18, 2020

GRANT COUNTY COURTS ACTION PLAN CONCERNING COVID-19 (CORONA VIRUS) MARCH 18, 2020

The Judges of the Grant County Circuit and Superior Courts (“the Courts”) are acutely aware of the challenges presented by the outbreak of COVID-19 (the “Coronavirus”). The outbreak requires that the Courts take extraordinary measures in order to continue to provide access to justice in Grant County while balancing the health and wellness needs of our community. As a result, the Courts have requested that the Indiana Supreme Court approve an emergency plan pursuant to Indiana Administrative Rule 17.

The Courts expect the outbreak of the Coronavirus will require such extraordinary measures for at least several weeks. The duration of such measures is referred to herein as the “Response Period.” *If approved by the Supreme Court*, the Emergency Plan provides that during the Response Period, the Courts will take the following actions:

1. The judicial officers of the Courts will work with the Grant County Sheriff in addressing the wellness needs of the Grant County Jail population and the Grant County Juvenile Detention Center Population. If it becomes necessary to do so, the judicial officers will assess sentences being served, as well as pre-trial release decisions, in order to try to strike a proper balance between community safety and community wellness.

2. Non-emergency in-person court proceedings will be postponed until after the Response Period. Every effort will be made to ensure that access to justice will remain available in Grant County. Requests for continuances of trials and hearings will be

carefully considered. Attendance at hearings by telephone and video conferencing, including but not limited to all hearings involving defendants in criminal cases, will be encouraged whenever possible and when consistent with the rights of the parties and the interests of justice. Attorneys will be allowed to participate in pre-trial conferences by telephone without filing a motion. The Courts will take reasonable steps to limit the number of people attending hearings and trials to those who are essential to the proceedings being conducted, subject to the requirements of all applicable laws and rules. For all court hearings, only parties, their attorneys, and witnesses under subpoena will be allowed to attend in person. Further, the Courts will liberally consider requests from these individuals to appear by telephone. All other persons are non-essential, and will not be admitted into hearings absent exceptional circumstances upon written request to the Court in question. These measures are designed to allow necessary court functions to continue, while also providing in-person attendees and court staff the ability to exercise social distancing. While these measures may be inconvenient to members of the public, we respectfully request that all residents join us and adhere to these restrictions to keep Grant County as safe and healthy as possible.

3. All civil jury trials will be postponed during the Response Period. Criminal jury trials will be postponed during the Response Period, provided that such postponements are consistent with the rights of the parties and the interests of justice. The Courts hereby declare an emergency for purposes of Criminal Rule 4 through May 4, 2020, subject to extension by the Courts.

4. Efforts will be made to address the wellness needs of jurors and prospective jurors, as well as other persons involved in legal proceedings in Grant County. Special consideration will be given to excusing prospective jurors from service if the health and well-being of such jurors likely would be adversely affected by jury service.

5. The Courts and their staffs will work with Grant County maintenance personnel so that all appropriate steps are taken to see that Grant County Court facilities are in an

6. The Courts will support and encourage compliance with mandatory preventative measures like quarantines and isolations, protect potentially vulnerable staff, and be prepared for situations such as school closings that could impact court staff.

A. Employees under official quarantine/isolation orders are authorized to work from home without further approval needed.

B. For employees tangentially affected by COVID-19 by actions such as school closures—or who might be vulnerable demographics or have underlying health conditions, etc.—who cannot or do not wish to be in the office, the presumption is that they will use benefit time to cover their absence from the office. But judicial officers will have the discretion to authorize and require those employees to work from home, considering the following non-exclusive set of guidelines:

- Age and capacity of children affected by school or childcare closures;
- Availability of additional spouse/family support;
- Underlying medical conditions or vulnerabilities;
- Evidence of symptoms;
- Nature of the employee's job and ability to be performed remotely; and
- Availability of resources to support remote work by the employee.

C. Employees are not required to work from home—they may still use benefit time if available and desired. Where necessary to the essential function of the Courts, however, judicial officers are authorized to require employees to work remotely.

7. Community health needs and preventative measures may require that individuals showing signs of infection or non-essential visitors be excluded from the Grant County Courthouse. The Judges are working to achieve an appropriate balance between critical health concerns and access to the Courts.

8. Individuals who are on correctional supervision, including probation, may have the circumstances of supervision altered temporarily during the Response Period to incorporate community health best practices.

9. Unrepresented litigants have been permitted to file cases and pleadings in person in the Clerk's Office. During the period set out in this Petition, non-emergency filings by unrepresented litigants may be filed 1) using the Indiana Statewide E-filing System or 2)

mailing them. In-person emergency filings and document requests by unrepresented litigants are permitted.

10. The Judges of the Courts will remain in regular communication throughout the outbreak with the Grant County Clerk, Grant County Correctional Services, the Grant County Board of Commissioners, the Grant County Council, the Grant County Board of Health, the Grant County Bar Association, the Grant County Prosecutor, the Grant County Managing Public Defender, and the Grant County Sheriff. The cooperation and coordination with all such officials and agencies will remain a high priority during the Response Period.

11. All of these measures are subject to the approval or modification by the Indiana Supreme Court after consideration of the Petition of the Courts. The Courts will issue a further media release once the Petition has been ruled upon by the Supreme Court.

DONE at Marion, Indiana this 18th day of March, 2020.


MARK E. SPITZER, JUDGE
GRANT CIRCUIT COURT


JEFFREY D. TODD, JUDGE
GRANT SUPERIOR COURT NO. 1


DANA J. KENWORTHY, JUDGE
GRANT SUPERIOR COURT NO. 2


WARREN HAAS, JUDGE
GRANT SUPERIOR COURT NO. 3


BRIAN MCLANE, MAGISTRATE
GRANT COUNTY JUVENILE COURT