

Tippecanoe County Courts

Updated Operations Plan

November 19, 2020

WHEREAS, on May 29, 2020, the Indiana Supreme Court approved the Tippecanoe County Courts' Expansion of Operations Plan, which was prepared after local judges conferred with local health officials and justice system partners.

WHEREAS, the number of Covid-19 infections in Tippecanoe County has increased in recent weeks. In almost every statistical category, Covid-19 numbers are worse than May 29, 2020.

WHEREAS, on November 10, 2020, the Indiana Supreme Court entered its Order on Continued Emergency Actions, and encouraged local courts to take proactive, responsible steps to minimize the potential for exposure and infection.

WHEREAS, Tippecanoe County judges have continued to confer with local health officials and justice system partners and hereby adopt the following Updated Operations Plan. This plan is supported by Dr. Jeremy Adler from the Tippecanoe County Health Department. It is effective November 19, 2020, and is subject to change.

A. Until July 1, 2021:

1. All courts will maximize the use of remote proceedings in accordance with the Supreme Court's May 13, 2020 Emergency Order Permitting Remote Proceedings, when it is practical to do so.
2. All persons entering the Tippecanoe County Courthouse must wear a mask. Persons who cannot wear a mask for medical reasons shall wear a face shield. Judges may permit the removal of masks in the courtroom or court offices when social distancing can be maintained or for other good cause (to protect Constitutional rights, ensure a proper record, etc.).

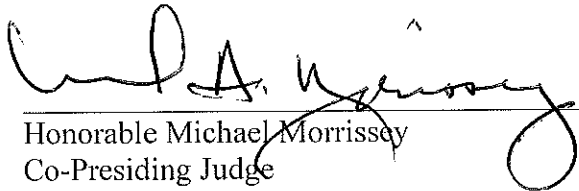
3. Courthouse office personnel may restrict entry to the threshold of the office.
4. Everyone in the courthouse shall maintain a proper social distance (six feet apart) in common areas.
5. Courts may utilize off-site areas, such as the Long Center, for jury selection.
6. Courts will continue to use Covid-19 jury questionnaires.

B. Until January 31, 2021:

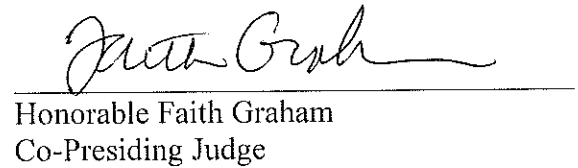
1. All persons entering the courthouse will be screened. Bailiffs may deny entry to:
 - (a) any person presenting with a fever and/or other symptoms of Covid-19, or improper facial covering,
 - (b) large groups, including but not limited to tour groups, student field trips, and large wedding parties, and
 - (c) spectators other than parties, attorneys, witnesses, other participants required by law, persons with official court business (paying child support, filing documents, etc.), or persons authorized to appear by the court.
2. Judges may limit in-court spectators, subject to Constitutional limitations. The parties, through counsel if represented, should seek preapproval for attendance of persons other than attorneys, parties, witnesses or other participants required by law.
3. Judges may livestream non-confidential proceedings to allow additional spectators. Livestreamed proceedings may be viewed by the public at:
<https://public.courts.in.gov/incs#/>
4. The Tippecanoe County Sheriff's Office may limit or exclude spectators from the jail courtroom gallery. Persons allowed to enter shall wear masks or face shields and use hand sanitizer as directed.
5. The Clerk may continue to utilize the existing drop-box at the public entrance of the courthouse for the filing of documents and other clerk related business.
6. Writs of attachment in civil cases, including Title IV-D cases, will not be served. Instead, law enforcement will obtain a valid address and inform the court.

7. Bench warrants on misdemeanor cases for failure to appear issued by Tippecanoe Superior Courts No. 4, 5, 6 and 7, except for crimes of violence, invasion of privacy and operating while intoxicated, will not be served. Instead, law enforcement will obtain a valid address, assign a new court date, and inform the court.
8. Civil jury trials are suspended.
9. Judges may continue and reschedule criminal jury trials, subject to the Constitutional right to speedy trial and Constitutional protection against jury double jeopardy, upon a finding of an emergency, and without the necessity of a motion.
10. Judges may reschedule non-essential hearings.
11. Judges will maximize the use of telephonic or video appearances for attorneys, parties and witnesses who are ill, at high risk for illness, or in isolation or quarantine, subject to Constitutional limitations. Parties and attorneys wishing to appear remotely should file a written motion to appear remotely, along with a proposed order listing the appropriate email or telephone number, as early as possible.
12. In Tippecanoe Circuit Court, Tippecanoe Superior Court and Tippecanoe Superior Court No. 2:
 - (a) Attorneys are strongly encouraged to utilize Family Law Status Order forms and should not have their clients appear for suit and support, unless otherwise ordered. Clients should be available by telephone during suit and support.
 - (b) Criminal defendants, who are not in custody, shall not be required to appear for Pre-Trial Conferences, so long as they file an executed Acknowledgement of Jury Trial beforehand.
13. Court ordered mediations through the Court's Alternative Dispute Resolution Program shall be conducted remotely.
14. Veterans Treatment Court will be conducted remotely, except as otherwise ordered and subject to Constitutional limitations.

15. Except for West Lafayette City Court, Tippecanoe County judicial officers may exercise general jurisdiction in other Tippecanoe County courts if a judicial officer is ill, in isolation or in quarantine.
16. Judge Michael Morrissey and Judge Faith Graham will serve as Co-Presiding Judges over this public health emergency at this time.



Honorable Michael Morrissey
Co-Presiding Judge



Honorable Faith Graham
Co-Presiding Judge

Distribution:

Chief Justice Loretta Rush, Indiana Supreme Court

File Copy: Indiana Supreme Court Case No. 20S-CB-161

Tippecanoe County and West Lafayette City Court Judges

Tippecanoe County Department Heads

Kyle Cray, President of the Tippecanoe County Bar Association

David Byers, President of the Tippecanoe County Commissioners

Kevin Underwood, President of the Tippecanoe County Council

Dr. Jeremy Adler, Tippecanoe County Health Department

Local Media