



## **LAGRANGE CIRCUIT/SUPERIOR COURT**

105 N. Detroit Street, LaGrange County Courthouse  
LaGrange, Indiana 46761

### **MEDIA RELEASE**

FOR IMMEDIATE RELEASE

MARCH 16, 2020

The United States Center for Disease Control is encouraging “social distancing” as a means of limiting the spread of COVID-19 and other potential viruses. The Court finds that mitigation of the spread of contagions outweighs the benefit of having in person appearances on non-evidentiary court hearings. The Courts are committed to taking measures to continue to provide access to justice in LaGrange County consistent with the health and wellness needs of our community.

The LaGrange County Courts will work with the LaGrange County Sheriff to address the wellness needs of the LaGrange County Jail population. If it becomes necessary to do so, the judges will assess sentences being served at the jail, as well as pre-trial release decisions, in order to strike a proper balance between community safety and community wellness.

Court proceedings will continue to be conducted to the extent doing so is prudent. Requests for continuances of trials and hearings will be considered in light of the outbreak, and personal and community wellness needs will be carefully considered. Attendance at hearings by telephone and video conferencing 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 and non-evidentiary hearings by telephone. 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 applicable rules.

#### **Small Claims**

Effective immediately and through May 29, 2020, Small Claims hearings, such as Notice of Claim, Rule to Show Cause and Proceeding Supplemental, will be conducted via telephone. Plaintiff or plaintiff’s attorney shall provide the Defendant with a date and time that a telephonic hearing will be conducted. Plaintiff or plaintiff’s counsel shall likewise provide the Defendant with their telephone number. The Court will not penalize the Defendant for failing to appear at such telephonic proceeding. The Court shall issue a Garnishment Order upon the Defendant’s failure to appear for the telephonic Proceedings Supplemental hearing. Plaintiff shall continue to file a CCS Memo with the Court concerning the results of the hearing. This protocol does not apply to eviction proceedings.

Counsel for Plaintiffs are encouraged to continue any Proceedings Supplemental to a date after May 29, 2020.

## Jury Trials

All civil jury trials scheduled through May 29, 2020 will be postponed. Criminal jury trials scheduled through May 29, 2020 will be postponed, provided the postponement is consistent with the rights of the parties and the interests of justice.

Efforts will be made to address the wellness needs of jurors and prospective jurors, as well as other persons involved in legal proceedings in LaGrange 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.

## Evidentiary Hearings

Regarding evidentiary hearings and trials, the existence of flu or flu-like symptoms in any attorney, unrepresented person, or witness expected to testify, or exposure of any attorney, unrepresented person, or witness expected to testify to anyone who has or may have COVID-19, shall be considered “good cause” for a Motion to Appear Remotely and a Motion to Continue a court setting. Such a Motion must be filed as soon as the condition of the individual is known.

## Probationers

Unless otherwise notified in writing, individuals that are currently under a Court Order of supervision by the LaGrange County Probation Department shall not report in person to the LaGrange County Probation Department for probation appointments currently scheduled on or before May 29, 2020. Probationers shall, instead, call in telephonically to the LaGrange County Probation Department for their scheduled appointments through May 29, 2020. Some probationers may be notified in writing to appear in person for a probation appointment and should do so, unless they are experiencing flu like symptoms or have been exposed to the COVID-19 virus. Probationers should call in to the LaGrange County Probation Department to advise of their exposure or flu-like symptoms.

Litigants may contact the LaGrange Circuit or Superior Court Offices to make arrangements to appear by telephone for hearings. Litigants may also request a continuance of any evidentiary hearing when they or a witness is experiencing any flu or flu like symptoms or have been exposed to the COVID-19 virus. The Court will review the motion, and issue a Court Order in response. This protocol is effective immediately, and will continue through May 29, 2020. Telephone inquiries should be directed to the LaGrange Circuit Court at (260) 499-6360 or LaGrange Superior Court at (260) 499-6418.