

Coronavirus and the Courts

We are all experiencing a unique moment in history. None of us has lived through a pandemic of these proportions. Although traditional and social media have gone into information overload, there has been little said regarding the operation of courts. Judges, like everyone else, have had to feel their way through a fluid, ever-changing situation to stay ahead of the curve.

Courts are required to balance the statutory and Constitutional rights of litigants with the need to mitigate exposure of the public to this virulent contagion. Different courts hear different types of cases and have different presiding judges. A March 13th Indiana Supreme Court order authorizing Lake County judges to suspend jury trials, certain statutory and Constitutional deadlines, execution and interest on judgments, and limit the number of courtroom spectators has provided general guidelines. But in the end, each court in Lake County is left to determine for itself how to operate.

On March 23rd, the Lake County Board of Commissioners, in response to the Governor's Executive Order, closed county buildings to the public and to non-essential employees through April 6, 2020. Judges and court staff, however, are among those who are considered to be essential employees. Do the Governor's Executive Order and the closing of buildings by the Commissioners have any effect on those with court dates set during the closure? How can people with court dates originally set to occur during the closure know whether their court dates remain set and whether they are required to appear in person?

Those represented by counsel should call or email their lawyer. Many attorneys are continuing to operate, even with limited staffing.

Those who are not represented by an attorney can try calling the court where their hearing is set and check with the court staff. Each court has its own phone number so look at the notice to appear to find the correct

contact information. Keep in mind, however, that some courts are working entirely from home, while other courts are operating with limited staff for limited office hours. Victims who wish to file a petition for protection order may be permitted to file in-person at a county courthouse, but can always e-file it themselves, or call a local shelter for telephonic assistance.

If a court cannot be contacted by telephone, Indiana's free online case management system allows anyone at any time of day to check the status of any case, including the status of hearings. The easiest way to access is to google "Indiana Odyssey", then click on the Indiana Case Management System, the first search result. Enter the case number or party name to find your case and read any filings and orders. Some cases are protected from public view, such as juvenile cases, protection order cases, and mental health cases.

At this point, Lake County Courts have re-set court all dates possible. Of those few matters the courts are hearing, many are being conducted by video conferencing or telephone. Very few court dates or hearings will be conducted in-person until the Supreme Court's March 13 Order expires on May 4th. All jury trials have been cancelled until then. And even though the Supreme Court Order expires May 4th and the Commissioner's Order reopens county buildings on April 7th, both of these order may be extended.

Finally, the Lake County Clerk's office remains operational, although the public is not permitted to file in-person due to the building closure. Persons wanting to file new cases or documents in existing cases are still able to do so. To use or sign up for an electronic filing account, simply go to efile.incourts.gov and follow the instructions. Victims of domestic violence who wish to file a petition for protection order can e-file it themselves or ask for assistance at one of the local domestic violence shelters.

There will be a day when life will get back to normal and we hope that the drastic steps being taken by all of us will make that day come sooner. In the meantime, your Lake County courts will continue to do their best to serve the public while not unnecessarily exposing citizens to harm. Thank you for your cooperation, patience, and understanding.

This message is from the Chief Judge Sedia and Circuit Court Judge

Marissa J. McDermott