

Elkhart County courts respond to COVID-19

March 18, 2020 For Immediate Release

In response to concerns about COVID-19, the Elkhart County courts are enacting continuity of operations measures which will change how we operate.

The [Indiana State Department of Health](#), which is Indiana's lead agency on COVID-19, has the latest information about the virus. The best approach is to use fundamental healthy practices, such as washing your hands, covering your mouth with your arm or a tissue rather than your hand, and staying home when you are ill.

Maintaining required court operations is important. The health and safety of our employees and community are equally important. Therefore, Elkhart County courts are open. However; the courts are adjusting the way we operate by changing some common procedures.

In Elkhart County, we have no cases of COVID-19 according to the Indiana State Department of Health; therefore, we are keeping the courthouses open for business. That being said, the courts are limiting hearings in all types of legal matters to essential hearings. As circumstances change, additional steps may be required.

Courthouse Employees

All staff of the Elkhart County courthouses should continue to come to work, using sick time if feeling ill. Employees should communicate with their direct supervisor if they have concerns regarding risk factors.

Jury Duty

Individuals who have received a jury summons for March 19, 2020 through May 11, 2020 should not come to the courthouse. Please feel free to call the court from which you were summoned to obtain any additional information.

Litigants/Parties to a Case

Individuals who are scheduled to come to court for a hearing in a criminal matter, problem-solving court matter, or civil matter from March 19, 2020 through May 11, 2020 should contact their attorney to find out if their hearing is still taking place. If you do not have an attorney, please contact the court. Court contact information can be found at elkhartcountyindiana.com. If you are told by your attorney or court staff that you must appear for a hearing, the courts are only allowing parties and subpoenaed witnesses to the case to appear in court. In other words, anybody whose name does not appear in the caption of the case, or is listed as an interested party to the case, or who is a subpoenaed witness must remain outside of the courthouse.

Attorneys

Lawyers who are scheduled to appear from March 19, 2020 through May 11, 2020 should make attempts to continue hearings set during this time period. If a hearing is essential, attorneys are strongly encouraged to make arrangements to appear telephonically or by video, if possible. Attorneys

should also electronically file any documents in advance of hearings as the courts will not be accepting documents at the bench.

E-filing and Odyssey

Indiana's e-filing system is working. Cases and documents can continue to be filed through the statewide system.

The statewide case management system (Odyssey) is working. Litigants, attorneys, press, and public can continue to view case information on mycase.in.gov.

Jail

The Elkhart County courts are working with the Elkhart County Sheriff to ensure public safety. Anyone arrested or defendants already in jail will either have hearings by video or at the jail. Please be aware and understand that the courts are not allowing spectators to appear in court to watch hearings during this health crisis.

All questions regarding jail operations and visitation should be directed to the Elkhart County Sheriff's Office at 574-891-2100.

Juvenile Facility

Elkhart County court runs the Elkhart County juvenile facility. The courts are working diligently to ensure the safety of juveniles within their facility. The courts are also taking steps so that detained juveniles have phone and/or video access to their families as well as access to their attorneys.

Probation and Court Ordered Services

Elkhart County court runs the Elkhart County probation department. All individuals on probation should continue to be in contact with their officer and are expected to continue to appear in person for drug screens.

Special Volunteers

Volunteers, such as CASA or VASIA, who have cases before the court scheduled March 19, 2020 through May 11, 2020 should contact the court to find out if their hearing is being held. If your hearing is still being held, attempt to make arrangements to appear by phone.

AR 17

Indiana Supreme Court [Administrative Rule 17](#) describes the Indiana Supreme Court's ability to oversee the local administration of trial courts in the event of any unanticipated work interruption. Trial courts can utilize the rule by petitioning the Supreme Court for emergency relief, if needed, based on local circumstances. Under Supreme Court Administrative Rule 17, the Elkhart County courts have filed a Petition for Emergency relief.

If courts continue and reschedule hearings on their own motion, notices will be sent to the parties. If you are a party to a pending case, please make sure that the court has your current address on file.

Conclusion

The Elkhart County courts are working with local emergency management, the Commissioners, and the Elkhart County Health Department to ensure we are taking the necessary steps in response to the virus. Media with questions should be directed to Judge Kristine Osterday at 574-523-2373.