In the
Indiana Supreme Court

In the Matter of Emergency Procedures for the Witnessing of Wills Relating to the 2019 Novel Coronavirus (COVID-19).	Supreme Court Case No. 20S-MS-237

FILED
May 01 2020, 2:26 pm
CLERK
Indiana Supreme Court
Court of Appeals
and Tax Court

Order

On March 31, 2020, this Court issued an order relating to "probate and estate planning documents executed during the period of this public health emergency" relating to the 2019 novel coronavirus (COVID-19). The order established conditions under which simultaneous or contemporaneous remote appearance would temporarily be deemed as substantial compliance with provisions of Indiana Code chapters 29-1-5 and 29-1-21 requiring physical presence of a testator and two attesting witnesses when executing a will and self-proving clause. Additionally, the order required re-ratification or re-execution in compliance with regular statutory witness procedures "within 90 days after the health emergency expires."

The Court now finds that the COVID-19 health emergency is ongoing and will likely affect judicial operations and impair in-person execution of wills even after any Executive declaration of emergency is lifted.

Being duly advised, the Court ORDERS that the March 31 order shall remain in effect until further order of this Court declaring that the "health emergency" contemplated in this matter has expired.

Done at Indianapolis, Indiana, on 5/1/2020.

Loretta H. Rush
Chief Justice of Indiana