

STATE OF INDIANA – COUNTY OF DEARBORN
IN THE DEARBORN CIRCUIT AND SUPERIOR COURTS

Notice of Proposed New Rule or Amendments to Local Court Rules
October 20, 2025

In accordance with Trial Rule 81 of the Indiana Court Rules, the Dearborn Circuit and Superior Courts hereby give notice to the bar and the public that the Courts propose to amend the Local Rule on caseload allocation for the courts of record of Dearborn County, effective January 1, 2026.

All new text is shown by underlining and deleted text is shown by ~~strikethrough~~. Supreme Court approval is required for Local Rules concerning caseload allocation and will not take effect until approved by the Supreme Court.

Notice has been given to the public by posting on the website of the Dearborn County Clerk and at the Indiana Judiciary webpage for Local Rules (<https://www.in.gov/courts/publications/local-rules/>), and by furnishing a copy to the officers of the Dearborn County Bar Association. A paper copy of the proposed amended local rules will be made available for viewing in the office of the Clerk of Dearborn County, 165 Mary Street, Lawrenceburg, Indiana during normal business hours.

The time period for the bar and the public to comment shall begin on October 22, 2025, and shall close on November 21, 2025. The proposed amendments to the rule will be adopted, modified, or rejected before December 3, 2025, and the final version of the rule will be submitted to the Indiana Supreme Court for review and approval not later than December 5, 2025.

Comments by the bar and the public should be made in writing to:

Hon. Aaron Negangard, Judge of the Dearborn Circuit Court, Attn: Public Comment on Local Rules, Dearborn County Courthouse, 165 Mary Street, Lawrenceburg, Indiana 47025, or emailed to anegangard@dearborncounty.in.gov.

DATED this 20th day of October 2025 on behalf of the Judges of Dearborn County.

LR15-AR-5: COURT RULES FOR ASSIGNMENT OF CASES

The Clerk of the Dearborn Circuit and Superior Courts is directed to file the following types of non-criminal cases in the following manner:

A. Juvenile CHINS, Juvenile Delinquent, Juvenile Status, Juvenile Paternity, Juvenile Miscellaneous, Juvenile Termination of Parental Rights, Adoption Petitions, Unsupervised Estates, Supervised Estates, Reciprocal Support, Guardianships, Mortgage Foreclosures, Eviction (civil), Judicial Review of Administrative Agency Decisions, and Trusts shall be filed in the Circuit Court.

B. Small Claims, Protective Orders, Evictions (small claims), Civil Plenary of an amount at issue of Ten Thousand Dollars (\$10,000.00) or less. Infractions and Ordinance Violations shall be filed in the ~~Dearborn~~ Superior Courts. Filings shall be divided through the following procedure: Cases filed in the months of January, March, May, July, September, and November shall be filed in ~~Dearborn~~ Superior Court I. Cases filed in the months of February, April, June, August, October and December shall be filed in ~~Dearborn~~ Superior Court II.

C. Mental Health cases shall be filed in the Court initiating the commitment process.

D. Domestic relations and new Grandparent Visitation cases shall be divided two thirds (2/3) to Circuit Court and one third (1/3) to Superior Court II. Cases filed in the months of January, February, April, May, July, August, October, and November shall be filed in Circuit Court. Cases filed in the months of March, June, September, and December shall be filed in Dearborn Superior Court II. Grandparent Visitation cases that involve minors in a previously filed matter will be assigned to the Court that handled the original matter. The Grandparent Visitation case may be transferred to the appropriate Court at any time.

E. Civil Torts shall be filed two-thirds (2/3) to Superior Court ~~No. 4I~~ and one-third (1/3) to Superior Court II. Cases filed in the months of January, February, April, May, July, August, October and November shall be filed in Superior Court ~~No. 4I~~. Cases filed in the months of March, June, September and December shall be filed in Superior Court II.

F. Civil Plenary, Commercial Court Eligible, and Civil Collections with the amounts in controversy, \$10,000.00 or more

shall be filed fifty percent (50%) to Circuit Court and twenty-five percent (25%) each to Superior Court I and Superior Court II. Cases filed in the months of January, March, May, July, September and November shall be filed with Circuit Court. Cases filed in the months of April, August, and December shall be filed with Superior Court I. Cases filed in the months of February, June and October shall be filed in Superior Court II.

G. All Red Flag (RF) cases shall be filed in Superior Court I.

G.H. The judges of the three (3) courts shall retain the authority to assign and transfer cases between the courts whenever the workload of each court and convenience in handling cases make such an assignment judicially desirable and with the consent of the Judges.

LR15 - AR7: ASSIGNMENT OF CRIMINAL CASES

A. Comes now the Court, sua sponte, and, pursuant to Criminal Rule 2.2, 12 and 13 of the Indiana Rules of Court, now issues the following Administrative Order establishing the method of assigning felony and misdemeanor cases in the Court of record of Dearborn County, Indiana, taking into consideration amendments to Indiana Criminal Code effective 7-1-14. The Clerk of the Dearborn Circuit and Superior Courts is directed to file the following types of criminal cases in the following manner:

1. All murder cases shall be filed in the ~~Dearborn~~ Circuit Court.
2. All Class D felony cases (and after July 1, 2014, level 6 felonies) and all Class A, B and C misdemeanor cases shall be filed in accordance with the month in which the crime is alleged to have occurred as follows:
 - a. Offenses alleged to have occurred in January, March, May, July, September and November shall be filed in ~~Dearborn~~ Superior Court II.
 - b. Offenses to have occurred in February, April, June, August, October and December shall be filed in ~~Dearborn~~ Superior Court ~~No-1I~~.
 - c. Cases which allege an episode of criminal conduct over a period of time shall be filed in the month of the first occurrence of the crime as stated in the charging information. Cases that allege multiple counts of criminal conduct that are not necessarily of a continuing episode shall be filed in the month of the earliest count alleged.

3. All vehicular homicides other than murder cases shall be filed in the ~~Dearborn~~ Superior Courts I & II, consistent with paragraph 2 above.
4. All miscellaneous criminal cases may be filed in either the ~~Dearborn~~ Circuit Court, ~~the Dearborn~~ Superior Court I, or ~~the Dearborn~~ Superior Court II.
5. Class A, B and C felonies (and after July 1, 2014, level 1, 2, 3, 4 and 5 felonies) shall be randomly assigned by the Clerk as follows: 3/5 of such cases to ~~the Dearborn~~ Circuit Court; 1/5 of such cases to ~~the Dearborn~~ Superior Court No. 4I; and 1/5 of such cases to ~~the Dearborn~~ Superior Court II. Once filed as a Class A, B or C felony (and after July 1, 2014, level 1, 2, 3, 4 or 5 felonies), subsequent amendment of charges to add Defendants or additional counts (either of which arise from the same transaction or occurrence) shall be filed in the Court of original filing. In addition, if such charges are dismissed and re-filed, the charges shall be re-filed in the Court of original filing.
6. Felony cases filed after July 1, 2014, but occurring before July 1, 2014, shall remain designated as Class A, B, C, D felonies.
7. All traffic infractions shall be filed in ~~the Dearborn~~ Superior Court I.
8. This Rule does not affect the manner of assigning cases to Courts of non-record.
9. The Courts shall subsequently review this case distribution in light of criminal filings after July 1, 2014.

B. In all criminal cases, whenever the judge grants a change of judge or disqualifies or recuses under Administrative Rule 21, the clerk shall assign a special judge on a rotating basis pursuant to the following steps:

1. To another full-time judicial officer within Dearborn County, in the following order:
 - a. Judge of the Seventh Judicial Circuit.
 - b. Judge of Dearborn Superior Court I.
 - c. Judge of Dearborn Superior Court II.
 - 2.d. Magistrate of the Seventh Judicial Circuit.

3.2. If no full-time judicial officer is available within the County, assign a full-time judicial officer within the District, in the following order:

- a. Judge of the Switzerland Circuit Court.
- b. Judge of the Ripley Circuit Court.
- c. Judge of the Ripley Superior Court.

- d. Judge of the Jefferson Circuit Court.
- e. Judge of the Jefferson Superior Court.
- f. Magistrate of the Jefferson Circuit and Superior Courts.

4.3. If no full-time judicial officer is available within the District, assign a full-time judicial officer from a contiguous county, in the following order:

- a. Judge of the Franklin Circuit Court I.
- b. Judge of the Franklin Circuit Court 2.

5.4. If a special judge cannot be selected using the prior steps, the judge in the case shall certify the same to the Indiana Supreme Court for appointment of a special judge.

C. A person appointed to serve as special judge must accept jurisdiction in the case regardless of the special judge's regular docket unless the appointed special judge is disqualified pursuant to the Code of Judicial Conduct, ineligible for service under this Rule or excused from service by the Indiana Supreme Court.

D.

E. Whenever a Motion for Change of Venue from the Judge has been granted pursuant to Criminal Rule 12(B)2.4, the presiding Judge disqualifies himself or it becomes necessary to assign another Judge, in any criminal or juvenile delinquency case in the Dearborn Circuit Court except for situations arising under Trial Rule 79(C) of the Indiana Rules of Court, the Clerk shall reassign said cases to the following a full-time Judge in the following consecutive order:

<u>Court</u>	<u>Judge of the Dearborn/Ohio Circuit</u>
1.	Judge of the Dearborn Superior Court I.
2.	Judge of the Dearborn Superior Court
II.	
3.	Judge of the Switzerland Circuit Court.
4.	Judge of the Ripley Circuit Court.
5.	Judge of the Ripley Superior Court.
6.	Judge of the Franklin Circuit Court #1

7. _____ Judge of the
Franklin Circuit Court #2.

~~In the event it becomes necessary to reassign a criminal or juvenile delinquency case in the Dearborn Circuit Court, the Judges shall be reassigned in consecutive order to the above named Judges. Judges previously assigned the case are ineligible for reassignment.~~

~~F. Whenever a Motion for Change of Venue from the Judge has been granted pursuant to Criminal Rule 12, the presiding Judge disqualifies himself, or it becomes necessary to assign another Judge in any criminal case in the Dearborn Superior Court 1, except for situations arising under Trial Rule 79 of the Indiana Rules of Court, the Clerk shall reassign said cases to the following Judges in the following order:~~

- ~~1. Judge of the Dearborn/Ohio Circuit Court;~~
- ~~2. Judge of the Dearborn Superior Court II;~~
- ~~3. Judge of the Switzerland Circuit Court;~~
- ~~4. Judge of the Ripley Circuit Court;~~
- ~~5. Judge of the Ripley Superior Court;~~
- ~~6. Judge of Franklin Circuit Court #1~~
- ~~7. Judge of Franklin Circuit Court #2~~

~~G. Whenever a Motion for Change of Venue from the Judge has been granted pursuant to Criminal Rule 12, the presiding Judge disqualifies himself, or it becomes necessary to assign another Judge in any criminal case in the Dearborn Superior Court II, except for situations arising under Trial Rule 79 of the Indiana Rules of Court, the Clerk shall reassign said cases to the following Judges in the following order:~~

- ~~1. Judge of the Dearborn/Ohio Circuit Court;~~
- ~~2. Judge of the Dearborn Superior Court 1.~~
- ~~3. Judge of the Switzerland Circuit Court;~~
- ~~4. Judge of the Ripley Circuit Court;~~
- ~~5. Judge of the Ripley Superior Court;~~
- ~~6. Judge of Franklin Circuit Court #1~~
- ~~7. Judge of Franklin Circuit Court #2~~

~~This rule shall apply to re-assignment of a case and the selection of a Special Judge where there is an Order of Disqualification or Recusal in order to bring the case to a conclusion in the Dearborn Superior Court~~

~~No. 1. Whenever the Judge of the Dearborn Superior Court No. 1 has a conflict of interest in any case which requires him to recuse himself because of prior contact with the case as a Deputy Prosecuting Attorney, the case shall be assigned to Dearborn Circuit Court Judge James D. Humphrey for all further proceedings. The Clerk, upon recusal by the Superior Court No. 1 Judge, shall enter an order appointing Dearborn Circuit Court Judge James D. Humphrey as Special Judge, with an appropriate RJO entry, and shall notify Dearborn Circuit Court~~

~~Judge James D. Humphrey of said appointment. Dearborn Circuit Court Judge James D. Humphrey shall accept jurisdiction under the provisions of this rule unless disqualified under the Code of Judicial Ethics or excused from service by the Indiana Supreme Court. The re-assignment of such case shall be entered on the chronological case summary of the case and will not require an oath or special order accepting jurisdiction. Dearborn Circuit Court Judge James D. Humphrey shall retain jurisdiction of the case for all future proceedings, unless a specific statute or rule provides to the contrary or Dearborn Circuit Court Judge James D. Humphrey is unavailable by reason of death, sickness, absence or unwillingness to serve. If further re-assignment or selection~~

~~of a successor Special Judge or Senior Judge is required, then it shall be in the same manner as set forth in Dearborn County Local Court Rules.~~

~~A. If further re-assignment or selection of a successor Special Judge is required, then it shall be in the same manner as set forth in Dearborn County Court Rule 15 for criminal cases:~~

- ~~1. In the event a case is dismissed and refilled, the Judge last having jurisdiction in the dismissed case shall be the Judge in the new case;~~
- ~~2. Any post-conviction relief Petitions shall be filed in the Court in which the underlying conviction originated;~~
- ~~3. Any cases which may be joined by statute shall be treated as one case for purposes of determining which Court shall be selected. The highest charge filed shall determine selection;~~
- ~~4. This Rule shall be reviewable at any time by the Judges of the Dearborn Circuit Court and Dearborn Superior Court I and shall be reviewed annually by the Judges of said Courts with approval of any changes in this Rule to be made in accordance with Criminal Rule 2.2 before any changes become effective;~~

~~B. Whenever the Judge of the Dearborn Superior Court II has a conflict of interest in misdemeanor or Class D felony cases which require her to recuse herself because of prior contact with the case as a Deputy Prosecuting Attorney, Prosecuting Attorney, or private practitioner, the case shall be assigned to Dearborn Superior I. Whenever the Judge of the Dearborn Superior Court II has a conflict of interest in any Class A, B or C felony cases which requires her to recuse herself because of prior contact with the case as a Deputy Prosecuting Attorney, Prosecuting Attorney, or private practitioner the case shall be assigned to Dearborn Circuit Court. The Clerk, upon recusal by the Dearborn Superior II Judge, shall enter an Order transferring the case to the appropriate Judge. The re-assignment of such case shall be entered on the chronological case summary of the case and will not require an Oath or special Order accepting jurisdiction.~~

LR15-AR-8: SPECIAL JUDGES

A. In all civil cases, when the appointment of a special judges is required upon disqualification or recusal of the judge under Trial Rule 79, and the parties cannot agree to an eligible special judge under Trial Rule 79(D), the clerk shall assign a special judge on a rotating basis pursuant to the following steps: Pursuant to Trial Rule 79(H), the following list of full time judges shall be eligible for appointment as a Special Judge in civil cases:

1. Judge of the Jefferson Circuit Court
Judge of the Jefferson Superior Court
2. Magistrate of the Jefferson Circuit/Superior Courts
3. Judge of Switzerland Circuit Court
4. Judge of the Ripley Circuit Court
5. Judge of the Ripley Superior Court
Judge of the Dearborn Ohio Circuit Court
6. Magistrate of Ohio Circuit Court
7. Judge of Dearborn Superior Court II
Judge of Dearborn Superior Court I
8. Magistrate of Dearborn Circuit Court

B. Such judges shall be appointed on a rotating basis, except when such Judges are known to this Court to be ineligible or disqualified as Special Judge under Trial Rule 79(H). All judges named above are members of Indiana Supreme Court administrative district 12.

C. Any Judge appointed to serve as a permanent special judge under an existing standing order of the Supreme Court shall continue to serve in that capacity until further instruction from the Supreme Court.

1. To another full-time judicial officer within Dearborn County, in the following order:
 - a. Judge of the Seventh Judicial Circuit.
 - b. Judge of Dearborn Superior Court I.
 - c. Judge of Dearborn Superior Court II.
 - d. Magistrate of the Seventh Judicial Circuit.
2. If no full-time judicial officer is available within the County, assign a full-time judicial officer within the District, in the following order:

- e. Judge of the Switzerland Circuit Court.
- f. Judge of the Ripley Circuit Court.
- g. Judge of the Ripley Superior Court.
- h. Judge of the Jefferson Circuit Court.
- i. Judge of the Jefferson Superior Court.
- j. Magistrate of the Jefferson Circuit and Superior Courts.

3. If a special judge cannot be selected using the prior steps, the judge in the case shall certify the same to the Indiana Supreme Court for appointment of a special judge.

A person appointed to serve as special judge must accept jurisdiction in the case regardless of the special judge's regular docket unless the appointed special judge is disqualified pursuant to the Code of Judicial Conduct, ineligible for service under this Rule or excused from service by the Indiana Supreme Court.