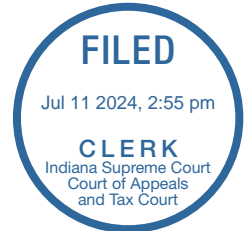


In the
Indiana Supreme Court

In the Matter of the Approval of Local
Rules for Kosciusko County

Supreme Court Case No.
24S-MS-101



Order Approving Amended Local Rules

The Judges of the Kosciusko Circuit and Superior Courts request the approval of amended local rules for both caseload allocation and criminal case assignment in accordance with Indiana Administrative Rule 1(E). Attached to this Order are the proposed rules.

Upon examination of the proposed rule amendments requested by the Kosciusko Circuit and Superior Courts, this Court finds that the amendments to LR43-AR1E-1 and LR43-AR1E-2 comply with the requirements of Indiana Administrative Rule 1(E), and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR43-AR1E-1 and LR43-AR1E-2 for the Kosciusko Circuit and Superior Courts, set forth as attachments to this Order, are approved effective January 1, 2025.

Done at Indianapolis, Indiana, on 7/11/2024.

A handwritten signature in black ink that reads "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

- (1) MH, TS, and TP cases shall be filed in the Kosciusko Circuit Court.
- (2) JC, JD, JS, JM, JQ and JT cases shall be filed in the Kosciusko Superior Court No. 1. JP cases shall be filed in the Kosciusko Superior Court No. 4.
- (3) PL and CT cases shall be filed fifty percent (50%) in the Kosciusko Circuit Court and fifty percent (50%) in the Kosciusko Superior Court No. 4, on an alternating basis, and any such matters on the active docket of the Kosciusko Superior Court No. 1 as of January 1, 2025 and thereafter are transferred to the active docket of the Kosciusko Superior Court No. 4.
- (4) Seventy-five percent (75%) of MI cases shall be filed in the Kosciusko Superior Court No. 3 and twenty-five percent (25%) shall be filed in either the Kosciusko Circuit Court or the Kosciusko Superior Court No. 1, on an alternating basis.
- (5) IF cases shall be filed in the Kosciusko Superior Court No. 3.
- (6) OV, OE, PO (except PO cases where a JP, DC or DN case is in existence involving the same parties, which shall then be filed in the court having the JP, DC or DN case), EV and SC cases shall be filed in Kosciusko Superior Court No. 3.
- (7) Sixty percent (60%) of DC and ninety percent (90%) of DN cases shall be filed in the Kosciusko Superior Court No. 4.
- (8) Ten percent (10%) of DN and forty percent (40%) of DC cases shall be filed in the Kosciusko Circuit Court.
- (9) CC cases shall be filed in the Kosciusko Superior Court No. 4, and any such matters on the active docket of the Kosciusko Superior Court No. 2 and the Kosciusko Superior Court No. 3 as of January 1, 2025 and thereafter are transferred to the active docket of the Kosciusko Superior Court No. 4.
- (10) ES, EM, EU and TR cases and matters not otherwise described herein, shall be filed fifty percent (50%) in the Kosciusko Circuit Court and fifty percent (50%) in the Kosciusko Superior Court No. 1.
- (11) AD cases shall be filed thirty-three percent (33%) in the Kosciusko Circuit Court and sixty-seven percent (67%) in the Kosciusko Superior Court No. 1.
- (12) GU and GM cases shall be filed twenty percent (20%) in the Kosciusko Circuit Court and eighty percent (80%) in the Kosciusko Superior Court No. 1.
- (13) MF cases shall be filed fifty percent (50%) in the Kosciusko Superior Court No. 4 and fifty percent (50%) in the Kosciusko Superior Court No. 3, on an alternating basis, and any such matters on the active docket of the Kosciusko Circuit Court as of January 1, 2025 and thereafter are transferred to the active docket of the Kosciusko Superior Court No. 4. as of that date.

(14) XP cases may be filed in any court.

(15) RS cases shall be filed fifty percent (50%) in the Kosciusko Superior Court No. 1 and fifty percent (50%) in the Kosciusko Superior Court No. 4, and any such matters on the active docket of the Kosciusko Circuit Court as of January 1, 2025 and thereafter are transferred to the active docket of the Kosciusko Superior Court No. 4. as of that date.

(16) RF cases shall be filed fifty percent (50%) in the Kosciusko Superior Court No. 3 and fifty percent (50%) in the Kosciusko Superior Court No. 2.

(17) All civil cases shall be filed in a random manner and in the percentages as provided by these rules. The Judges of the Kosciusko Circuit Court and the Kosciusko Superior Courts shall periodically review the filing patterns of civil cases and the Judges of such Courts reserve the right to transfer cases in the event of a disproportionate distribution of cases in order to balance the caseload and to expedite dispositions of all pending civil cases.

LR43-AR1E-2 Initial Criminal Case Assignment

(1) Felonies Under Title 35-42-1 (Homicide)

All felonies filed under Title 35, Article 42, Chapter 1 (Homicide) shall be filed in the Kosciusko Circuit Court.

(2) Felonies Under Title 35, Article 48 (Controlled Substances)

All felonies filed under Title 35, Article 48 (Controlled Substances) shall be filed on an alternating basis in the Kosciusko Circuit Court and the Kosciusko Superior Court No. 1.

(3) Felonies Under Title 9 (Traffic) and I.C. 35-46-1-5 through 35-46-1-7 (Non-Support)

All felonies filed under Title 9 (Traffic) and I.C. 35-46-1-5 through and including I.C. 35-46-1-7 (Non-Support) shall be filed in the Kosciusko Superior Court No. 3.

(4) All Other F1, F2, F3 and F4 Felony Cases

All other F1, F2, F3 and F4 felonies shall be filed on an alternating basis to the Kosciusko Circuit Court and the Kosciusko Superior Court No. 1.

(5) All Other F5 and F6 Felony Cases

Sixty percent (60%) shall be filed in the Kosciusko Superior Court No. 3; twenty percent (20%) shall be filed in the Kosciusko Superior Court No. 2; twenty percent (20%) shall be filed in the Kosciusko Superior Court No. 1.

(6) All Misdemeanor Cases

All misdemeanors shall be assigned to the Kosciusko Superior Court No. 2.

(7) All Juvenile Delinquent Cases

All cases filed under Title 31, Article 37 (Juvenile Law: Delinquency) shall be initially assigned to Kosciusko Superior Court No. 1. In the event a child is waived into adult court, the case shall be reassigned to the appropriate court in accordance with the proceeding provisions of this rule.

(8) Combination of Felony and Misdemeanor Cases

In the event the case charges both felony and misdemeanor offenses, the case shall be considered a felony for the application of this rule.

(9) Post-Conviction Relief Cases

PC cases shall be filed in the court in which the related criminal case was filed.