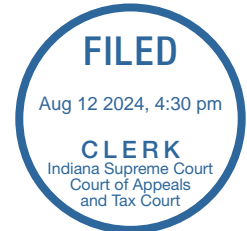


In the  
**Indiana Supreme Court**

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

Supreme Court Case No.  
24S-MS-260



**Order Approving Amended Local Rule**

The Judges of the Elkhart Circuit and Superior Courts request the approval of an amended local rule for caseload allocation in accordance with Indiana Administrative Rule 1(E). Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendments requested by the Elkhart Circuit and Superior Courts, this Court finds that the proposed rule amendments to LR20-AR1-106 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 Rule, LR20-AR1-106, for the Elkhart Circuit and Superior Courts, set forth as an attachment to this Order, is approved effective January 1, 2025.

Done at Indianapolis, Indiana, on 8/12/2024 .

A handwritten signature in black ink that reads "Loretta H. Rush". The signature is written in a cursive style and is positioned above a horizontal line.

Loretta H. Rush  
Chief Justice of Indiana

Rule LR20-AR1-106. Caseload Allocation Plan for Elkhart County

106.2. Civil And Juvenile: Assignment Of Civil and Juvenile Cases

A. Elkhart Circuit Court

- 30% Plenary (PL)
- 30% Tort (CT)
- 100% Tax Sales (TS)
- 100% Tax Petitions (TP)
- 25% Expungements (XP-Discretionary)

B Elkhart Superior Court 1 D01

- Protective Orders (PO) related to criminal law cases In Superior Court 1 that are pending or under supervision.
- 25% Expungements (XP-Discretionary)
- No other Civil or Juvenile types of cases

C. Elkhart Superior Court 2 D02

- Commercial Court Cases
- 35% Plenary (PL)
- 35% Tort (CT)
- 50% Mental Health
- 50% Mortgage Foreclosure (MF)
- 50% Expungements (XP-Mandatory)
- All Estates (ES)
- All Estates Unsupervised (EU)
- All Estates Miscellaneous (EM)
- All Trusts (TR)
- Miscellaneous Civil 50% Except Grandparent Visitations, Name Changes, Specialized Driving Privileges, Lifetime Rescission requests, BMV Fee Waiver
- No other Juvenile or Civil type cases
- Red Flag (RF) (Civil)

D. Elkhart Superior Court 3 D03

- 50% Mental Health
- 25% Expungements (XP-Discretionary)

- No other Civil or Juvenile case types except Miscellaneous Civil (MI) involving the Forfeiture or Seizure of Property and Plenary (PL) cases involving Forfeiture or Seizure of Property
- Red Flag (RF) (Criminal)

E. Elkhart Superior Court 4 D04

- No Civil or Juvenile Cases Except as follows:
- 25% Expungements (XP-Discretionary)
- Miscellaneous Civil (MI): as follows allowed: Specialized Driving Privileges, BMV Fee Waiver Requests, Lifetime Rescission Requests

F. Elkhart Superior Court 5 D05

- 50% Mortgage Foreclosure (MF)
- 50% Expungements (XP-Mandatory)
- 35% Plenary (PL)
- 35% Tort (CT)
- 100% Collections (CC)
- 50% Miscellaneous Civil (MI) Except Grandparent Visitations, Name Changes, Specialized Driving Privileges, Lifetime Rescission requests, BMV Fee Waiver
- 100% Small Claims SC See Section 110.3 below.
- 100% Evictions EV
- No other Juvenile or Civil type cases

G. Elkhart Superior Court 6 D06

- All Juvenile Paternity (JP)
- All Domestic Relations with children (DC)
- All Domestic Relations without children (DN)
- All Reciprocal Support (RS)
- All Adoptions (AD)
- All Guardianships (GU)
- All Protection Orders (PO) except those filed in Elkhart Superior Court related to a pending criminal case or a criminal case under supervision.
- Juvenile Chins (JC)
- Juvenile Delinquency (JD)

- Juvenile Status (JS)
- Juvenile Miscellaneous (JM)
- Juvenile Termination (JT)
- Juvenile Protection (JQ)
- Miscellaneous Civil (MI) limited to Grandparent Visitation and Name Change
- No other civil type cases

#### 106.3. Caseload Allocation Plan

Calculated on **the first four months of 2024 filings**, as this is the best estimate of caseloads **due to the complete reorganization of our judicial system on January 1, 2024, to include the addition of two county paid judicial officers.**