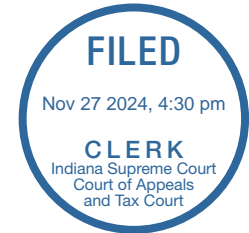


In the  
**Indiana Supreme Court**

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

Supreme Court Case No.  
24S-MS-405



**Order Approving Amended Local Rules**

The Judges of the Henry Circuit Courts request revalidation of their current caseload allocation plan in accordance with Administrative Rule 1(E) and to amend their criminal case special judge assignments rule in accordance with Administrative Rule 21. Attached to this Order is the proposed amended local rule.

Upon examination of the request to revalidate the current caseload allocation plan and the proposed amendments by the Henry Circuit Courts, this Court finds that the caseload allocation plan complies with the requirements of Administrative Rule 1(E), and the proposed amendments to LR33-AR1(E)-7 comply with Administrative Rule 21, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that the caseload allocation plan is revalidated and amended Local Rule, LR33-AR1(E)-7, is approved, effective January 1, 2025.

Done at Indianapolis, Indiana, on 11/27/2024.

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

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Loretta H. Rush  
Chief Justice of Indiana

## **LR33-AR1(E)-7 CRIMINAL CASE ASSIGNMENT**

The criminal case assignment for all offenses allegedly occurring prior to July 1, 2014 shall be filed pursuant to the Henry County Local Rules effective January 1, 2013.

All misdemeanor cases shall be filed in Henry Circuit Court 3.

All Level 6 felonies shall be filed in Henry Circuit Court 2 except the following: which shall be filed in Circuit Court 3:

1. Battery, I.C. 35-42-2-1.
2. Theft, I.C. 35-43-4-2
3. Habitual Violator of Traffic Laws, I.C. 9-30-10-16
4. Operating a Vehicle While Intoxicated, I.C. 9-30-5 et. seq.,
5. Resisting Law Enforcement, I.C. 35-44.1-3-1
6. Domestic Battery, I.C. 35-42-2-1.3

All Level 1, 2, 3, 4, and 5 Felonies shall be filed randomly in Henry Circuit Court 1 or Henry Circuit Court 2. The case shall be assigned according to the highest level charge. Cases filed against other defendants arising out of the same fact situation which are joinable by law shall be filed in the same court, unless the case is a misdemeanor which shall be filed in Henry Circuit 3.

All homicide cases shall be filed alternately in Henry Circuit Court 1 and Henry Circuit Court 2. The first such homicide shall be filed in Henry Circuit Court 1 with the second in Henry Circuit Court 2 alternating thereafter. The order of filing shall continue on an alternate basis according to the existing rule in effect prior to the adoption of these rules.

In the event that a filing in Henry Circuit Court 3 causes the Judge in that Court to believe that the matter cannot be tried within 3 days or less, then that Judge shall have the option of causing that case to be reassigned to either Henry Circuit Court 1 or Henry Circuit Court 2. The case to be reassigned will be sent to the Henry County Clerk's office for reassignment based upon the random manner set forth herein.

The Henry County Clerk shall maintain a computer system for randomly assigning criminal cases in Henry Circuit 1 & Henry Circuit 2.

Once a case has been assigned in accordance with the provisions set out herein, the case cannot be assigned to another judge by dismissal and refile if the second filing is based on the same underlying incident.