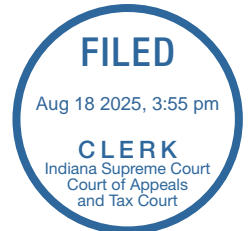


In the Indiana Supreme Court

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

Supreme Court Case No.
25S-MS-194



Order Approving Amended Local Rule

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

Upon examination of the proposed rule amendments requested by the Shelby Circuit and Superior Courts, this Court finds that the proposed amendments to LR73-AR1(E) Rule 2 comply with the requirements of Administrative Rule 1(E), and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule, LR73-AR1(E) Rule 2, for the Shelby Circuit and Superior Courts, set forth as an attachment to this Order, is approved effective January 1, 2026.

Done at Indianapolis, Indiana, on 8/18/2025.

A handwritten signature in black ink, appearing to read "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

LR73-AR1(E) RULE 2 LOCAL CASELOAD PLAN

2.1 Evaluation of Caseload Allocation

- 2.1.1 The Allocation of Judicial Resources described herein should place the Shelby County Courts in compliance with guidelines issued by the Indiana Supreme Court's Order for Development of Local Caseload Plans. No later than March 1 of each year, the judges of the courts of record in Shelby County shall meet and evaluate the caseload data as reported to the Indiana Supreme Court Office of Judicial Administration.
- 2.1.2 The caseload evaluation shall factor in the allocation of administrative duties among the judges as well as any special circumstances such as death penalty cases.
- 2.1.3 Special service by Shelby County judges outside their own courts or special, senior judges or transfer judges serving in the Shelby County Courts shall also be considered. Such service shall be calculated in accordance with the weighted caseload worksheet and criteria established by the Indiana Supreme Court Office of Judicial Administration.
- 2.1.4 Modification or changes necessary for the Shelby County Courts to remain in compliance with the Order for Development of Local Caseload Plans shall be developed and approved by a majority vote of the judges and shall become effective on April 1 of each year.

2.2 Caseload Allocation

2.2.1 Criminal Cases

- All A, B & C and Level 1-5 felonies and murder as defined in Local Rule 73-CR2.2-1, shall be filed in the respective courts in the following percentages:
 - 45% in Shelby Circuit Court
 - 45% in Shelby Superior Court No. 1
 - 10% in Shelby Superior Court No. 2
- All D and Level 6 felonies shall be filed in the respective courts in the following percentages:
 - 45% in Shelby Circuit Court
 - 10% in Shelby Superior Court 1
 - 45% in Shelby Superior Court 2
- All misdemeanor, (CM) infraction (IF), and ordinance violation (OV, OE) cases shall be filed in Superior Court 2.
- All XP cases shall be filed as per statute.

- All search warrants issued outside of normal hours by the Shelby County Magistrate shall be filed in Superior Court 2.
- All Miscellaneous criminal cases (MC) and red-flag cases (RF) shall be filed as directed by the initiating party.

2.2.2 Civil Cases

2.2.2.1. *Juvenile Cases.* The following Juvenile case types (JC, JD, JM, JQ, JS, JT and JP,) shall be filed in Shelby Superior Court No. 1.

2.2.2.2 *Remaining Civil Cases*

2.2.2.2.1 All Plenary (PL) cases shall be filed 50/50 on a random basis in Shelby Circuit Court and Shelby Superior Court No. 1

2.2.2.2.2 All Domestic Relations (DR) (DC) (DN) (GV) cases shall be filed 50/50 on a random basis in Shelby Circuit Court and Shelby Superior Court No. 1.

2.2.2.2.3 All Reciprocal Support (RS) cases shall be filed in Shelby Circuit Court.

2.2.2.2.4 All Protective Orders (PO) and Juvenile Protective order (JQ) cases shall be filed in Shelby Superior Court I.

2.2.2.2.6 If a JC or JT is pending in Shelby Superior Court 1, any GU involving the same minor named in the JC or JT case shall be filed in Shelby Superior Court 1. All other guardianships shall be filed in Shelby Circuit Court.

2.2.2.2.7 All Mortgage Foreclosure (MF) Cases shall be filed in Shelby Circuit Court.

2.2.2.2.8 All Small Claims (SC) shall be filed in Shelby Superior Court No. 2

2.2.2.2.9 All Tax Sale (TS) and Tax Deed Petitions (TP) shall be filed in Shelby Superior Court 1.

2.2.2.2.10 All CC cases shall be filed 50/50 on a random basis in Shelby Circuit Court and Shelby Superior Court 2.

2.2.2.2.11 EV cases with a small claims filing fee shall be filed in Superior Court 2. EV cases with a full filing fee shall be filed in Superior Court 1.

2.2.2.2.12 All remaining types of civil cases (AD, AH, CE, CT, ES, EU, EM, MH, MI, RA, and TR) shall be filed as requested by the initiating party. If no request is made by the initiating party, the remaining cases shall be assigned 50/50 on a random basis in Shelby Circuit Court and Shelby Superior Court 1.

2.2.2.2.12 All 72 hour (MH) holds issued outside of normal hours by the Shelby County Magistrate shall be filed in Superior Court 1.

LR73-AR1(E) RULE 3 EXCEPTIONS TO LOCAL CASELOAD PLAN

In addition to the authority granted by Indiana Code 33-29-1-9 and Indiana Code 33-29-1-10 and notwithstanding the caseload allocation plan, a judge of Shelby Circuit or a

Superior Court may transfer and reassign to any other court or judge or magistrate in the county with jurisdiction to hear the matter in dispute, any case subject to acceptance by the receiving court, where the interests of justice or the interest of judicial economy so require. For cases filed after January 1, 2014, if the intent is to transfer the entire case to the other court, the clerk shall change the court identifier characters to reflect the new receiving court pursuant to Indiana Administrative Rule 8. Such a change shall be noted in the CCS as well.

LR73-CR2.2 RULE 1. CRIMINAL CASELOAD ASSIGNMENT

- 1.1 All misdemeanors, infractions, and ordinance violations shall be filed in Shelby Superior No. 2.
- 1.2 All felonies (including murder) shall be assigned on a random basis among the three courts by the Shelby County Clerk pursuant to the Shelby County Caseload Allocation Plan under LR73-AR1(E) Rule 2.
- 1.3 The most serious level of charge filed determines where the case is assigned.
- 1.4 When the State of Indiana dismisses a felony case and chooses to refile that case, the case shall be assigned to the court from which dismissal was taken.
- 1.5 All co-defendants in felony cases shall be assigned to the same court based upon a single random assignment by the case management system.
 - 1.5.1 The Shelby County Prosecutor's Office shall notify the Clerk at the time of filing if the cases involve co-defendants. Each person will be assigned an individual cause number. For purposes of this Rule, the cases involve co-defendants as provided by I.C. 35-34-1-9 and amendments thereto.
- 1.6 Except in felony cases involving co-defendants as defined above, any new felony case filed against a defendant who has an open felony case already pending in any Court, shall be assigned to the Court where the current case is pending. The Shelby County Prosecutor's Office shall notify the Clerk at the time of filing if the defendant has a pending felony case.
- 1.7 The prosecuting attorney or the defendant may seek to transfer a case, and upon good cause shown, a case may be transferred to any of the other courts for consolidation with a companion case, or with other cases pending in that court against the defendant with the acceptance of the judges or magistrate of the receiving and sending courts.
- 1.8 In the event a motion for change of judge is granted the case shall be reassigned pursuant to Local Rule or District Rule DR17-CR12-00003 Appointment of a Special Judge In Criminal Cases.