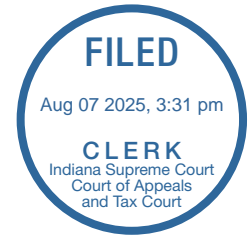


In the
Indiana Supreme Court

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

Supreme Court Case No.
25S-MS-200



Order Approving Amended Local Rule

The Judges of the Marshall 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 Marshall Circuit and Superior Courts, this Court finds that the proposed amendments to LR50–TR81 & AR1(E)–MLR-10 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, LR50–TR81 & AR1(E)–MLR-10, for the Marshall Circuit and Superior Courts, set forth as an attachment to this Order, is approved effective January 1, 2026.

Done at Indianapolis, Indiana, on 8/7/2025.

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

Loretta H. Rush
Chief Justice of Indiana

LR50–TR81 & AR1(E)– MLR-10

*Local Caseload Allocation Plan
Transfer, Refiling, and Reassignment*

SECTION ONE, LOCAL CASELOAD ALLOCATION PLAN

In order to meet the statistical requirements mandated by the Indiana Supreme Court, except as noted below in the paragraphs entitled “Exceptions,” original case filing shall be made into the following Courts as listed below effective January 1, 2026:

MARSHALL CIRCUIT COURT

All CE, CT, EM, JC, JD, JS, JP, JM, JQ, JT, PL, MF, RS, RA

MARSHALL SUPERIOR COURT NO. 1

All LP, DP, MR, F1, F2, F3, F4, DN, DC PO*, RF, TS, TP

MARSHALL SUPERIOR COURT NO. 2

All CM, IF, OV, OE, EV, SC

MARSHALL SUPERIOR COURT NO. 3

All F5, F6, CC, MH

EXCEPTIONS:

- (1) If a person is on probation or has a criminal case pending in any Marshall County Court, any new criminal case filing against that person regardless of its classification may be filed in the same court.
- (2) * New PO cases which relate to a previously filed GU, JP, JD, JC, DR, DC, DN or GV case type shall be filed in the court where the previously filed case already exists.

ADDITIONAL CASE TYPES AND CASE DIVISIONS:

- (1) The following shall be divided equally in either Marshall Circuit Court or Marshall Superior Court No. 1: All AD, ES, EU, GU, TR, GV.
- (2) The Clerk of Marshall County shall monitor the division of AD, ES, EU, GU, GV, and TR case types as outlined herein. The Judges assigned these case types will control their division.
- (3) CB, PC, MI, MC, and XP filings shall be made in the most appropriate Court for the matter being adjudicated.
- (4) The MI case type cannot be used for matters covered by an existing case type. Any MI filed that covers an existing case type will be corrected to the

appropriate case type and transferred to the appropriate court assigned that case type.

- (5) Transfers shall be permitted between Courts provided both participating judges approve.
- (6) Judicial officers shall be authorized to act and conduct trials and hearings of all types in any of the courts of Marshall County in the event the presiding judge is unavailable or requests assistance.
- (7) Any pending Motion to Revoke Probation regardless of case type shall remain with the Court where it is now pending. Forthcoming revocation or modification proceedings shall be filed in the Court acquiring jurisdiction over the case type for the violation resulting from this rule.

SECTION TWO, TRANSFER, REFILING AND SUBSEQUENT FILINGS, AND REASSIGNMENT

(A) TRANSFER

A judge of the Marshall Circuit Court, Marshall Superior Court No. 1, Marshall Superior Court No. 2, or Marshall Superior Court No. 3 may, by appropriate order entered in its record of judgments and orders, transfer and reassign a case or cases to either of the other courts of record in Marshall County with jurisdiction to hear the charged offense, subject to acceptance by the judge of the receiving court.

(B) REFILING AND SUBSEQUENT FILINGS

When the State of Indiana dismisses a case and chooses to refile the case, the case shall be assigned to the court from which the dismissal was taken.

In the event charges have been filed against a criminal defendant and subsequent charges of a higher level than previously filed are filed in an alternative court, the existing charges pending in the other court, of a lesser degree, may be reassigned to the court where the higher-level felony charge is filed.

(C) REASSIGNMENT

In the event a change of judge is granted, or it becomes necessary to assign another judge in any felony or misdemeanor proceeding, the case shall be returned to the Clerk of the Court for assignment to one of the other courts in Marshall County on an alternating basis contingent upon approval by the judge of the court next in line for assignment. In the event the judge next in line for assignment of a case declines assignment due to a conflict of interest the remaining court shall be subject to assignment of the case unless the presiding judge also declines assignment due to a conflict of interest.

In the event a change of judge is granted, or it becomes necessary to assign the case to another judge and the other judges in Marshall County decline assignment of that case due to a conflict of interest, the clerk of the court shall select a special judge (on a rotating basis) from an alphabetical list that includes:

- (1) eligible judicial officers from within the administrative district; and,
- (2) eligible judicial officers from a contiguous county.

(D) APPOINTMENT OF SPECIAL JUDGE

In the event no judge is available for assignment or reassignment of a felony or misdemeanor case, such case shall be certified to the Indiana Supreme Court for the appointment of a special judge. In the event the judge presiding in the felony or misdemeanor case concludes that the unique circumstances presented in such proceeding require appointment by the Indiana Supreme Court of a special judge, this presiding judge may request the Indiana Supreme Court for such appointment.