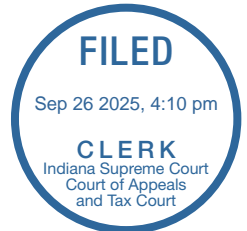


In the Indiana Supreme Court

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

Supreme Court Case No.
25S-MS-257



Order Approving Amended Local Rules

The Judges of the Vigo Circuit and Superior Courts request the approval of amended local rules for caseload allocation in accordance with Administrative Rule 1(E) and for special judge assignments in accordance with Trial Rule 79. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Vigo Circuit and Superior Courts, this Court finds that the proposed amendments to LR84-AR01-2 comply with the requirements of Administrative Rule 1(E) and the amendments to LR84-TR79-18 comply with Trial Rule 79, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR84-AR01-2 and LR84-TR79-18, for the Vigo Circuit and Superior Courts, set forth as attachments to this Order, are approved effective October 1, 2025.

Done at Indianapolis, Indiana, on 9/26/2025.

A handwritten signature in black ink, appearing to read "Loretta H. Rush", written over a horizontal line.

Loretta H. Rush
Chief Justice of Indiana

LR84-AR01-2 Case Assignments

CRIMINAL CASES

1. Except as provided in paragraphs (vi) and (vii) below, Felony cases shall be assigned as follows:
 - A. All felonies arising between family or household members (as defined in I.C. 35-31.5-2-128) shall be assigned to Vigo Superior Court Division Four except the following:
 - i. Murder
 - ii. Voluntary Manslaughter
 - iii. Involuntary Manslaughter
 - iv. Reckless Homicide
 - v. Dealing in a controlled substance resulting in death
 - vi. Causing suicide/assisting suicide
 - vii. Human trafficking/sexual trafficking
 - viii. Sex crimes listed in 35-42-4 except sexual battery
 - ix. Neglect of a Dependent
 - x. Dealing in Methamphetamine, Cocaine, Controlled Substance, or Narcotic Drug or Schedule 1-4 controlled substance.
 - B. All felonies relating to Operating a Motor Vehicle While Intoxicated filed under I.C. § 9-30-5, and felonies in conjunction with and arising out of Operating a Motor Vehicle While Intoxicated, shall be assigned to Superior Court Division Five.
 - C. All other Felony offenses shall be assigned on a rotating basis beginning with Superior Court Division One, then Circuit/Superior Court Division Three, and then Superior Court Division Six, and then Superior Court Division Five, and is based upon the time of the occurrence of the offense.
 - i. Offenses occurring between 12:01 A.M. on the 1st day of each month through midnight on the 10th day of each month shall be assigned to Superior Court Division One.

- ii. Offenses occurring between 12:01 A.M. on the 11th day of each month through midnight on the 20th day of each month shall be assigned to Circuit/Superior Court Division Three.
- iii. Offenses occurring between 12:01 A.M. on the 21st day of each month through midnight on the 29th day of each month shall be assigned to Superior Court Division Six.
- iv. Offenses occurring between 12:01 A.M. on the 30th day of each month through midnight on the last day of that month shall be assigned to Superior Court Division Five.

D. Notwithstanding the above rule, no Superior Court Judge shall have more than one capital murder case pending at any one time, except where multiple Defendants are charged with capital murder arising out of a single episode.

2. All criminal misdemeanor cases shall be assigned as follows:

- A. Offenses for Operating a Vehicle While Intoxicated shall be assigned to Superior Court Division Five.
- B. All criminal misdemeanors arising out of domestic violence shall be assigned to Superior Court Division Four.
- C. Criminal Misdemeanor cases that have routinely been filed in Terre Haute City Court will be filed in the Vigo County Courts beginning October 1, 2025. Criminal Misdemeanor actions shall be filed in Superior Court Division Five
- D. All other misdemeanor offenses shall be assigned to Superior Court Division One, and Superior Court Division Six based upon the time of the occurrence of the offense.
 - i. Offenses occurring between 12:01 A.M. of the first day of each month through midnight of the 15th day of that month will be assigned to Superior Court Division One.
 - ii. Offenses occurring between 12:01 on the 16th day of each month through the end of the month will be assigned to Superior Court Division Six.

3. In the case of multiple offenses, the date of the earliest offense alleged in the charging document shall assign the rotation date and assignment of the court. If a case involves both felony and misdemeanor charges, the case shall be considered a felony for application of this rule.
4. A judge of the Circuit or Superior Courts, by appropriate order entered in the record of judgments and orders, may transfer and reassign a case to any other court of record in the county with jurisdiction to hear the charged offense subject to acceptance by the receiving court.
5. When the State of Indiana dismisses a case and chooses to re-file that case, the case shall be assigned to the court from which the dismissal was taken, except for cases dismissed and transferred to Drug Court.
6. When a new felony cause of action is filed pursuant to 1(C) against a Defendant who has an existing felony proceeding originally filed or which would have been filed under subsection 1(C) the new cause of action shall be assigned to the Court where the existing cause of action is pending.
7. When a new felony cause of action is filed pursuant to 1(C) against a Defendant who is on probation or serving a direct commitment in a Community Corrections program as a result of a case originally filed or which would have been filed under 1(C) the new cause of action shall be filed in the Court in which the probation or Commitment is being supervised.
8. Change of Judge.
 - A. In the event a change of judge is granted or it becomes necessary to assign another judge in any criminal proceeding in Superior Court Division One, the case shall be reassigned first to Superior Court Division Three, then to Superior Court Division Five, then to Superior Court Division Six; if the receiving judge cannot accept jurisdiction the case shall be reassigned to the alternative court in the order indicated. If the judges of Superior Court Division Three, Superior Court Division Five, or Superior Court Division Six cannot accept jurisdiction, the case will be reassigned to Superior Court Division Four.
 - B. In the event a change of judge is granted or it becomes necessary to assign another judge in any criminal proceeding in Superior Court Division Three, the case shall be reassigned first to Superior Court Division Five, then to Superior Court Division Six then to Superior Court Division One; if the receiving judge cannot accept jurisdiction the case shall be reassigned to the alternative court in the order indicated. If the judges of Superior Court

Division One, Superior Court Division Five, or Superior Court Division Six cannot accept jurisdiction, the case will be reassigned to Superior Court Division Four.

- C. In the event a change of judge is granted or it becomes necessary to assign another judge in any criminal proceeding in Superior Court Division Four, the case shall be reassigned first to the judge of Superior Court Division Five. If the judge of Superior Court Division Five cannot accept jurisdiction, the case will be reassigned first to Superior Court Division Six, then to Superior Court Division One, then to Superior Court Division Three; if the receiving judge cannot accept jurisdiction the case shall be reassigned to the alternative court in the order indicated.
 - D. In the event a change of judge is granted or it becomes necessary to assign another judge in any misdemeanor criminal proceeding in Superior Court Division Five, the case shall be reassigned first to the judge in Superior Court Division Four. In the event a change of judge is granted or it becomes necessary to assign another judge in any felony criminal proceeding in Superior Court Division Five, the case shall be reassigned first to Superior Court Division Six, then to Superior Court Division One, then to Superior Court Division Three; if the receiving judge cannot accept jurisdiction the case shall be reassigned to the alternative court in the order indicated. If the judges of Superior Court Division One, Superior Court Division Three, or Superior Court Division Six cannot accept jurisdiction, the case will be reassigned to Superior Court Division Four.
 - E. In the event a change of judge is granted or it becomes necessary to assign another judge in any criminal proceeding in Superior Court Division Six, the case shall be reassigned to Superior Court Division One, then to Superior Court Division Three, then to Superior Court Division Five; if the receiving judge cannot accept jurisdiction the case shall be reassigned to the alternative court in the order indicated. If the judges of Superior Court Division One, Superior Court Division Three, or Superior Court Division Five cannot accept jurisdiction, the case will be reassigned to Superior Court Division Four.
9. If this process does not result in the selection of a special judge, the Clerk shall select a special judge in rotating order from the judges of the following courts, comprising courts contiguous to, or within the same administrative district as, Vigo County:

Clay Circuit
Clay Superior
Sullivan Circuit
Sullivan Superior
Putnam Circuit
Putnam Superior
Parke Circuit
Vermillion Circuit

The Clerk shall maintain the list of special judges, and shall select from the list on a rotating basis when appointment under this local rule is required. If a judge is skipped in the rotation because of ineligibility or disqualification, he or she shall be selected first for the next eligible case.

10. 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 appointment of a Special Judge. In the event the judge presiding in a felony or misdemeanor case concludes that special circumstances presented in such proceeding require appointment by the Indiana Supreme Court of a Special Judge, the presiding judge may request the Indiana Supreme Court make such appointment.

1. CIVIL CASES

A. DISSOLUTION ACTIONS (DN) & (DC)

The filing of dissolution actions shall be filed in the following proportionate rotation:

Vigo Superior Court Division Two	60%
Vigo Superior Court Division One	13.33%
Vigo Superior Court Division Three	13.33%
Vigo Superior Court Division Six	13.33%

B. PROBATE

The filing of probate matters shall be filed in the following proportionate rotation:

Vigo Superior Court Division One	33.33%
Vigo Superior Court Division Two	33.33%
Vigo Superior Court Division Three	33.33%

C. CIVIL TORT (CT)

The filing of civil tort actions shall be filed in the following proportionate rotation:

Vigo Superior Court Division Six	20%
Vigo Superior Court Division One	20%

Vigo Superior Court Division Two: 40%
Vigo Superior Court Division Three: 20%

D. CIVIL PLENARY (PL)

The filing of civil plenary actions shall be filed in the following proportionate rotation:

Vigo Superior Court Division One: 25%
Vigo Superior Court Division Two: 25%
Vigo Superior Court Division Three: 25%
Vigo Superior Court Division Six: 25%

E. CIVIL COLLECTIONS (CC)

The filing of civil collection actions shall be filed in the following proportionate rotation:

Vigo Superior Court Division One: 20%
Vigo Superior Court Division Two: 20%
Vigo Superior Court Division Three: 20%
Vigo Superior Court Division Four: 20%
Vigo Superior Court Division Six: 20%

F. MORTGAGE FORECLOSURES (MF)

The filing of mortgage foreclosures shall be filed in the following proportionate rotation:

Vigo Superior Court Division Three: 40%
Vigo Superior Court Division One: 15%
Vigo Superior Court Division Two: 15%
Vigo Superior Court Division Four: 15%
Vigo Superior Court Division Six: 15%

G. SMALL CLAIMS (SC) & EVICTIONS (EV)

The filing of small claims and eviction actions shall be in the following proportionate rotation:

Vigo Superior Court Division Four: 66%
Vigo Superior Court Division Five: 34%

H. PROTECTIVE ORDERS (PO)

Petitions for protection orders and workplace restraining orders shall be filed in Vigo Superior Court Division Four except for protection order petitions filed by a party:

- i. To a pending marriage dissolution case or to a marriage dissolution case in which a decree has been entered and there are minor children to the parties. These petitions shall be filed in the Court presiding over the dissolution action.
- ii. To a pending paternity case or who is a juvenile or naming a juvenile as respondent. These cases shall be filed in Juvenile Court. Division of the Vigo Circuit Court.

I. MENTAL HEALTH CASES (MH)

All mental health cases filed shall be in Vigo Superior Court Division Two.

J. JUVENILE COURT

To the extent of its jurisdiction, all juvenile matters shall be filed in the Vigo Circuit Court. and will be handled by the Magistrate Judges. These include, but are not limited to juvenile paternity (JP), juvenile CHINS (JC), juvenile delinquency (JD), juvenile status (JS), juvenile miscellaneous (JM), juvenile termination of parental rights (JT), child protection order (JQ), Guardianships (GU), and Protection Orders (PO).

K. MISCELLANEOUS (MI)

- i. All miscellaneous civil filings relating to the waiving of Indiana Bureau of Motor Vehicle reinstatement fees shall be filed in Vigo Superior Court Division Five.
- ii. All miscellaneous civil filings relating to the issuance of motor vehicle titles shall be filed in Vigo Superior Court Division Four.
- iii. All miscellaneous civil filings relating to name changes shall be filed in Vigo Circuit Court.
- iv. All other miscellaneous civil filings, except as provided in (v), shall be divided equally between Division One, Division Two, and Division Six on a rotating basis.

- v. The annual MI filing for Vigo County Tax Sales shall be rotated among the courts as follows so that no court receives the filing two (2) years in a row:

- 2024 – Division One
- 2025 – Division Four
- 2026 – Division Five
- 2027 – Division Two
- 2028 – Division Six
- 2029 - Division Three, and so on

L. EXPUNGEMENTS FILED UNDER I.C. 35-38-9 (XP)

- i. All expungement matters required by statute to be filed in a particular Court shall be filed in such Court.
- ii. All other expungement matters shall be filed in the following proportionate rotation:

- Vigo Superior Court Division One: 20%
- Vigo Superior Court Division Three: 20%
- Vigo Superior Court Division Four: 20%
- Vigo Superior Court Division Five: 20%
- Vigo Superior Court Division Six: 20%

M. COMMERCIAL COURT ELIGIBLE (CE)

All Civil cases that are eligible for the Commercial Court Docket shall be filed in Vigo Superior Court Division Two or whichever Vigo Superior Court is approved to preside over a Commercial Court.

N. GRANDPARENT VISITATION (GV)

The filing of Grandparent Visitation actions shall be filed in the following proportionate rotation:

- Vigo Superior Court Division Two: 60%
- Vigo Superior Court Division One: 13.33%
- Vigo Superior Court Division Three: 13.33%
- Vigo Superior Court Division Six: 13.33%

However, if there is an existing dissolution action (DC), paternity action (JP), guardianship action (GU), CHINS action (JC), or termination action (JT), the grandparent visitation case shall be filed and/or transferred to the Court already presiding over the DC, JP, GU, JC, or JT case.

P. JUDICIAL REVIEW (RA)

All Petitions filed under Indiana Code Section 4-1.5-5 which seek judicial review of administrative agency decisions shall be filed in the following proportionate rotation:

Vigo Superior Court Division One: 16.66%
Vigo Superior Court Division Two: 16.66%
Vigo Superior Court Division Three: 16.66%
Vigo Superior Court Division Four: 16.66%
Vigo Superior Court Division Five: 16.66%
Vigo Superior Court Division Six 16.66%

As in the past, Vigo County Judges shall continue to cooperate to ensure the effective and efficient administration of justice by assisting one another with hearings, should they be available to do so.

LR84-TR79-18 Local Reassignment Rules

1. The Presiding Judge in Administrative District 19 shall administer reassignment of cases pursuant to T.R. 79(H). The Presiding Judge shall be selected from the sitting Judges and Magistrates in District 19. The initial Presiding Judge's term shall commence April 1, 2013, and terminate December 31, 2013. All subsequent terms shall be for a calendar year. Should the Presiding Judge leave the bench during the term, a successor Judge shall be selected to fulfill the balance of that term as well as the entirety of the next term. A Judge may not refuse to serve as Presiding Judge.
2. During his or her term of service, the Presiding Judge shall maintain a record of the cause number of each case certified for reassignment and appointment of a special judge, the Judge who certified the case, and the Judge to whom the case was reassigned. The Presiding Judge shall submit a written semi-annual report to all District 19 Judges and Magistrates no more than ten (10) days following the end of the first and third quarters of each calendar year. The Presiding Judge may assign administrative duties to local court support staff to assist in fulfilling these responsibilities. The Presiding Judge shall transfer the records maintained during his or her term of service to the succeeding Presiding Judge.
3. Pursuant to T.R. 79(H), the District Judges and Magistrates shall certify to the Presiding Judge cases for reassignment and special judge appointment. The certification shall include a prepared order of appointment, as exhibited in [TR79 Appointment Order](#). When the Presiding Judge receives a certification requiring reassignment, the Presiding Judge shall appoint a Judge or Magistrate in the following manner:
 - A. At the beginning of each calendar year, the Presiding Judge shall create a list of all judicial officers in District 19. The District will follow the principle that each Judge or Magistrate will receive a new case for each case from which he or she has been removed – a one-off, one-on formula. Upon receiving a certification, the

Presiding Judge shall assign the case to the first eligible Judge or Magistrate on the list.

The order of appointment shall be filed in the court where the case originated. The order of appointment shall constitute acceptance, and neither oath nor additional evidence of acceptance is required.

4. A Senior Judge may elect to participate in District 19 special judge selection by submitting a written petition to the Presiding Judge no later than January 15 of any calendar year indicating that the Senior Judge wishes to participate during the year.
5. When a Judge or Magistrate vacates the bench and is certified as a Senior Judge, that Judge is not required to continue to serve in all Special Judge cases in which the person who is certified was serving as a Special Judge at the time the person left office, but upon continuing to serve in such Special Judge assignments will receive Senior Judge credit for such service; provided however, if the circumstances that led to the person who is certified being appointed as a Special Judge no longer exist, and no other disqualification exists, then the case may be returned to the regular Judge of the court where the case is pending. In the event the Judge or Magistrate vacates the bench and is not certified as a Senior Judge, is unavailable as indicated under Trial Rule 79 (L) or declines to continue to serve in all Special Judge cases, then the successor Judge shall assume jurisdiction over all previous Special Judge cases of the vacating Judge or Magistrate. The county's judicial personnel shall first attempt to absorb conflicts of interest of the Successor Judge within the county without undue hardship.
6. If no Judge or Magistrate is eligible to serve as a Special Judge, or if the Presiding Judge determines the selection of a Special Judge by the Indiana Supreme Court is warranted under the particular circumstances of a case, the Presiding Judge shall certify the case to the Indiana Supreme Court for appointment of a Special Judge.