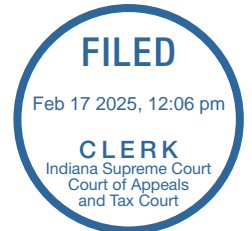


In the Indiana Supreme Court

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

Supreme Court Case No.
25S-MS-38



Order Approving Amended Local Rules

The Judges of the Knox Circuit and Superior Courts request the approval of amended local rules for caseload allocation and criminal case assignment in accordance with Administrative Rule 1(E), for civil special judge assignments in accordance with Trial Rule 79, and for criminal special judge assignments in accordance with Administrative Rule 21. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Knox Circuit and Superior Courts, this Court finds that the proposed amendments to LR42-AR-3.1, LR42-AR-3.6, and LR42-AR00-5 comply with the requirements of Administrative Rule 1(E), the amendments to LR42-TR79-1.0 comply with Trial Rule 79, and the amendments to LR42-AR00-3.09 comply with Administrative Rule 21, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR42-AR-3.1, LR42-AR-3.6, LR42-AR00-5, LR42-TR79-1.0, and LR42-AR00-3.09, for the Knox Circuit and Superior Courts, set forth as attachments to this Order, effective on the date of this Order.

Done at Indianapolis, Indiana, on 2/17/2025.

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

Loretta H. Rush
Chief Justice of Indiana

LR42-TR79-1.0 - SPECIAL JUDGES (Civil Matters)

A. APPOINTMENT OF SPECIAL JUDGE IN CIVIL CASES: If a motion for change of judge is granted or an order of disqualification is entered in a civil case, and a special judge is not appointed and qualified as provided in Indiana Trial Rule 79(D), pursuant to Indiana Trial Rule 79(H), the presiding judge shall reassign the case to another full-time judicial officer in Knox County on a rotating basis and when, and if, that process is exhausted, then the presiding judge shall reassign the case by selecting the next full-time judge in sequence from the applicable counties pursuant to the Indiana Trial Rules.

In the event no judge from the list set forth above is available for appointment, or the particular circumstances in a case warrant selection of a special judge by the Indiana Supreme Court, the presiding judge may request, pursuant to Indiana Trial Rule 79(H)(3), that the Indiana Supreme Court appoint a special judge.

**LR42-AR00-3.09 - ASSIGNMENT OF CRIMINAL CASES; SPECIAL JUDGES
(Criminal Matters)**

This rule is adopted pursuant to Indiana Administrative Rule 214 for the assignment of cases and selection of a Special Judge in criminal matters.

A. ASSIGNMENT OF CRIMINAL CASES:

See Knox County Caseload Allocation Plan.

B. TRANSFER OF CRIMINAL CASES:

After a criminal charge has been filed according to the rules set forth herein, a judge may refer the defendant to a Problem Solving Court, and if accepted by the Problem Solving Court, the Judge may transfer the defendant's case to the Problem Solving Court for admission and disposition in accordance with I.C. 33-23-16-13, 14 or 15 and the Problem Solving Court policies and procedures.

C. ASSIGNMENT OF SPECIAL JUDGES:

If the judge before whom a case is pending in the Knox Circuit Court, Knox Superior Court No. 1 or Knox Superior Court No. 2 becomes disqualified from jurisdiction of a case pursuant to the Administrative Rules, Rules for Post-Conviction Relief, or the Code of Judicial Conduct, then the presiding judge shall reassign the case to the another full-time judicial officer in Knox County on a rotating basis and when, and if, that process is exhausted, then the presiding judge shall reassign the case by selecting the next full-time judge in sequence from the list of full-time judicial officers from the applicable counties pursuant to the Indiana Administrative Rules.

In the event a judge is ineligible for assignment from the list or the particular circumstances of the case warrant selection of a special judge by the Indiana Supreme Court, the presiding judge shall certify the case to the Indiana Supreme Court for the appointment of a special judge pursuant to Administrative Rule 21(B).

LR42-AR-3.1 - CONSENT TO HEAR CASES

The Judges of the Knox Circuit Court, Knox Superior Court I and Knox Superior Court No. 2 may in accordance with I.C. 33-29-1-10, sit as Judge of the other courts in any matter as if that Judge were elected to that Court.

LR42-AR-3.6 - CASE RELATION

The Clerk shall use the related case function in the Odyssey Case Management System in Protection Order (PO), Juvenile Paternity (JP), and Domestic Relations (DN/DC) cases involving the same parties to facilitate coordination, consistency, and efficiency within judicial orders.

LR-AR00-5

LOCAL RULE CONCERNING CASELOAD ALLOCATION PLAN

In conformance with the Order of the Indiana Supreme Court, the Judges of the Knox County Courts submit their proposed Knox County Caseload Allocation Plan as follows:

1. On or before April 1 of each year, the Judges of the Knox County Courts shall meet to review the Weighted Caseload Measures statistics as calculated by the Office of Judicial Administration from the preceding calendar year. The utilization percentage between the Courts shall be re-evaluated yearly to assess what actual disparities may exist.
2. Should action be required to reduce a disparity in caseload, the Judges may agree to accomplish the reduction in any reasonable manner.
3. All "LP/DP" (capital murder), "MR" (murder), "FA" (A Felony), "FB" (B Felony), "FC" (C Felony), "FD" (D Felony), "F1" (Level 1 Felony), "F2" (Level 2 Felony), "F3" (Level 3 Felony), "F4" (Level 4 Felony), cases shall be filed in the Knox Superior Court 1 and the Knox Circuit Court on an equal basis. All "F5" (Level 5 Felony) cases shall be filed in the Knox Circuit Court. Felony habitual traffic offender cases shall be filed in the Knox Superior Court 2. All "F6" (Level 6 Felony) cases shall be filed in the Knox Circuit Court and Knox Superior Court 2 on an equal basis.

4. All “JC” (juvenile CHINS), “JD” (juvenile delinquency), “JS” (juvenile status), “JP” (juvenile paternity), “JM” (juvenile miscellaneous), “JQ” (Child Protection Orders), and “JT” (juvenile termination of parental rights) cases shall be filed in the Knox Superior Court 1.
5. All “CM” (criminal misdemeanor), “IF” (infractions), “OV” (ordinance violations), “EV” (evictions), and “SC” (small claims) cases shall be filed in the Knox Superior Court 2.
6. All “PC” (post-conviction relief), “CC” (civil collections), “CT” (civil torts), “RS” (reciprocal support), “AD” (adoption), “MF” (mortgage foreclosure), “PL” (civil plenary), “ES” (estate supervised), “EU” (estate unsupervised), “EM” (estate miscellaneous), “TR” (trusts), “TS” (tax sale), “TP” (tax deed), “RF” (Red Flag) cases shall be filed in the Knox Circuit Court.
7. All “MI” (civil miscellaneous), “XP” (expungement), “MC” (miscellaneous criminal), and “MH” (mental health) cases may be filed in any court as allowed by law.
8. All “GU” and “GM” (guardianship) cases shall be filed in Knox Circuit Court, unless an existing “JC” (juvenile CHINS) case is pending then the “GU” (guardianship) shall be filed in the Knox Superior Court 1.
9. All “PO” (protective orders) cases shall be filed in Knox Circuit Court, unless an existing “JP” (juvenile paternity), “DR” (domestic relations), “DC” (domestic relations w/children), or “DN” (domestic relations no children) case is pending then the “PO” (protective orders) shall be filed in the court where the other matter pends.
10. All “DC” (domestic relations w/children) and “DN” (domestic relations no children)-cases shall be filed in the Knox Superior Court 1, Knox Superior Court 2, and the Knox Circuit Court on a random, equal basis determined by the Knox County Clerk.
11. Magistrate of the Knox Circuit and Superior Court: Certain case types will be assigned to Magistrate Judge which will keep weighted case load allocations within Indiana Supreme Court guidelines between the three (3) judicial officers. Magistrate Judge shall hear JC’s, DC’s, DN’s, DR’s EV’s, SC’s, PO’s and RS cases involving the Prosecuting Attorney’s Title IV-D Child Support Office. There may be instances where the Magistrate may be assigned and/or hear other types of cases in the discretion of the Circuit and Superior Court Judges.