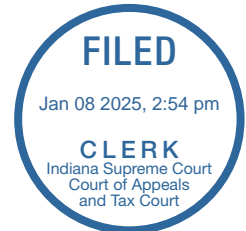


In the Indiana Supreme Court

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

Supreme Court Case No.
25S-MS-4



Order Approving Amended Local Rules

The Judges of the Johnson 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) and for court reporter services in accordance with Administrative Rule 15. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Johnson Circuit and Superior Courts, this Court finds that the proposed amendments to LR41-AR-58, LR 41-AR-60, LR41-AR-63, LR41-CR-65, and LR41-CR-68, comply with Administrative Rule 1(E) and that the amendments to LR41-AR-30 and LR41-AR-31 comply with Administrative Rule 15, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR41-AR-58, LR 41-AR-60, LR41-AR-63, LR41-CR-65, LR41-CR-68, LR41-AR-30, and LR41-AR-31 for the Johnson Circuit and Superior Courts, set forth as attachments to this Order, are approved effective upon the date of this Order.

Done at Indianapolis, Indiana, on 1/8/2025.

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

Loretta H. Rush
Chief Justice of Indiana

Rules for Court Reporters

LR41 - AR - 030: Scope.

These rules apply in the Johnson County Circuit Court; the Johnson County Circuit Court, Juvenile Division; Johnson Superior Court 1; Johnson Superior Court 2; Johnson Superior Court 3; Johnson Superior Court 4; and the Johnson County Magistrate Court.

LR41 - AR - 031: Compensation.

- A. Salary. Court Reporters shall be paid an annual salary for time spent working under the control, direction and direct supervision of their supervising Judge during any Regular Work Hours, Gap Hours Worked, or Overtime Hours. The supervising Judge shall enter into a written agreement with the Court Reporters which outlines the manner in which the Court Reporter is to be compensated for Gap and Overtime Hours; i.e. monetary compensation or compensatory time off regular work hours.
- B. Charges for Transcript Preparation:
1. Unless otherwise noted in this rule, or otherwise provided by specific, written order of the Judge, the per page fee for the preparation of a Certified Transcript is \$5.00.
 2. The Court Report shall submit a claim directly to the County for the preparation of any County Indigent Transcripts.
 3. At the Judge's discretion, a per page fee exceeding \$5.00, but not more than \$6.25, may be charged for the preparation of a Transcript in cases of Emergency, Insufficient Notice, or Short Notice.
 4. The per page fee a Court Reporter may charge for an uncertified copy of a previously prepared Transcript shall be \$1.00.
- C. Charges in Addition to Transcript Preparation.
1. Preparation of the Additional Documents required by Indiana Rules of Appellate Procedure 28(A) and 29 shall be compensated at the standard per page fee of \$5.00.
 2. Preparation of the Transcript, Additional Documents, and Exhibits as required by Indiana Rules of Appellate Procedure 28(A) and 29 shall be compensated at the Court Reporter's hourly rate of the annual court reporter salary, as determined by the Johnson County Council annual salary ordinance. Such work shall be accounted for and billed in fifteen (15) minute increments.
 3. The Court Reporter shall charge for office supplies required and utilized for the preparation and electronic transmission of the Transcript, pursuant to Indiana Rules of Appellate Procedure 28 and 29.
 - a. At the direction of the Judge, the necessary supplies for County Indigent Transcripts may be provided by the Court.
- D. Payment Arrangements.
1. Pursuant to Indiana Rule of Appellate Procedure 9(H), the party requesting a Transcript shall make satisfactory payment arrangements with the Court Reporter prior to the commencement of the Transcript preparation.
 2. A deposit of at least one half (1/2) of the estimated cost of the completed Transcript will be required by the Court Reporter before beginning any Transcript.

Plan for Allocation of Judicial Resources (Caseload Allocation Plan)

LR41 - AR - 058: Remaining Civil Cases.

- A. Reciprocal Support. Reciprocal Support (RS) cases shall be filed in the Johnson Circuit Court and will be heard by the Magistrate of the Juvenile and Family Court.
- B. Probate. All Probate cases (AD, ES, EM, EU, GU, MH, and TR) shall be filed in the Johnson Superior Court No. 2.
- C. Domestic Relations.
 - 1. With Children. Domestic Relations with Children (DC) cases shall be filed in the Johnson Circuit Court, the Johnson Superior Court No. 1, and the Johnson Superior Court No. 4 on a random and even basis.
 - 2. Without Children. Domestic Relations without Children (DN) cases shall be filed in the Johnson Circuit Court, the Johnson Superior Court No. 1, and the Johnson Superior Court No. 4 on a random and even basis.
- D. Small Claims. Small Claims (SC) cases, including Evictions (EV), shall be filed in the Johnson Circuit and Superior Courts on a random and even basis. Small Claims cases shall be heard by the Magistrate of the Johnson Circuit and Superior Courts.
- E. Protection Order. Protection Order cases shall be filed in the Johnson Circuit and Superior Courts, on a random and even basis, unless involving the same parties in a pending Civil or Juvenile case (i.e., AD, DC, DN, GU, JC, JD, JM, JP, JS, JT, etc.).
 - 1. Not Associated with Other Cases. Protection Order (PO) cases not associated with other pending Civil or Juvenile case shall be heard by the Magistrate of the Johnson Circuit and Superior Courts.
 - 2. Associated with Other Cases. Protection Order (PO) cases associated with other pending Civil or Juvenile cases involving the same parties shall be opened in the courts wherein such associated cases are pending and may, at the discretion of the presiding Judge, be heard by the Magistrate of the Johnson Circuit and Superior Courts.
- F. Tax Sale Cases. Application for Judgment in Tax Sale (TS) and Verified Petition for Tax Deed (TP) cases shall be filed in Johnson Superior Court No. 2.
- G. Civil Cases. Unless a specific provision of this rule provides otherwise, all remaining civil case types (CC, CT, EV, MF, MI, PC, PL, RF, and XP) shall be filed in the Johnson Superior Court No. 2 and the Johnson Superior Court No. 4 on a random and even basis.
 - 1. Post-Conviction Relief.
 - a. Post-Conviction Relief (PC) cases shall be filed in the court which sentenced the Petitioner.
 - b. Post-Conviction Relief cases may be assigned to the Magistrate of the Johnson Circuit and Superior Courts.
 - 2. Expungement / Sealing (pursuant to I.C. 35-38-9-1, et seq.). Expungement (XP) cases shall be heard by the Magistrate of the Johnson Circuit and Superior Courts.
 - 3. Special Driving Privileges (pursuant to I.C. 9-30-16-1, et seq.). Civil Miscellaneous (MI) cases filed to petition for Special Driving Privileges shall be heard by the Magistrate of the Johnson Circuit and Superior Courts.

LR41 - AR - 060: Evaluation of Workload Information.

- A. Future Review. Future review of the Caseload Allocation Plan shall be conducted in compliance with the Schedule for the same established pursuant to Administrative Rule 1.
- B. Caseload Evaluation. The caseload evaluation shall factor in the disparate allocation of

administrative duties among the judicial officers, as well as any special circumstances such as death penalty cases.

- C. Special Service. Special service by: 1) Johnson County judicial officers outside their own courts; or, 2) special, senior judges, or transfer Judges serving in the Johnson 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 Division of State Court Administration, to the nearest half day of service.
- D. Caseload Allocation Plan Schedule. Pursuant to the evaluation of factors outlined in steps 1-3 above, changes necessary to ensure that the Johnson County Courts remain in compliance with the Order for Development of Local Caseload Plans shall be developed and approved by a majority vote of the judicial officers and shall become effective on January 1 of the following year, unless good cause is shown pursuant to Indiana Trial Rule 81.
- E. Bi-annual Review. Pursuant to Indiana Administrative Rule 1, the Johnson County Caseload Allocation Plan is subject to review in odd-numbered years.

LR41 - AR- 063: Random Case Assignment.

- A. Murder and Level 1 Felonies. All cases involving Murder (MR) and Level 1 Felonies (F1) shall be assigned on a random and equal basis among the Johnson Circuit Court, Johnson Superior Court No. 1, and Johnson Superior Court No. 3.
- B. All Other Felonies. In conjunction with the Amended Johnson County Plan for Allocation of Judicial Resources, and subject to the provisions of LR41 - CR - 064 and LR41 - CR - 065, all other cases involving Felonies shall assigned on a random and equal basis among the Johnson Circuit Court, Johnson Superior Court No. 1, and Johnson Superior Court No. 3.
- C. Misdemeanors, Infractions, and Ordinance Violations. In conjunction with the Amended Johnson County Plan for Allocation of Judicial Resources, and subject to the provisions of LR41 - CR - 063 and LR41 - CR -64, Misdemeanors (CM), Infraction (IF), and Ordinance Violation (OV) cases shall be assigned to the Johnson Superior Court No. 3.
- D. Miscellaneous Criminal Cases.
 - 1. Search Warrants. Miscellaneous Criminal cases opened for Search Warrants shall be assigned based upon the annual Judges' On-Call Schedule.
 - 2. Grand Jury. Miscellaneous Criminal cases opened for Grand Jury proceedings shall be opened in the court of the supervising Judge, pursuant to Rule LR41-CR-068.
 - 3. General.
 - a. Miscellaneous Criminal cases opened for rights advisements shall be filed in the Johnson Circuit and Superior Courts on a random and even basis;
 - b. Miscellaneous Criminal cases opened for rights advisements and extraditions shall be heard by the Magistrate of the Johnson County Circuit and Superior Courts; and,
 - c. Miscellaneous Criminal cases opened for probation transfers shall be assigned to the Johnson Circuit Court.
 - d. Criminal Red Flag (RF) cases shall be assigned on a random and equal basis between Johnson Circuit Court, Johnson Superior Court No. 1, and Johnson Superior Court No. 3.

LR41 - CR- 065: Non-support of Dependents.

Charges of Nonsupport of a Dependent Child shall be assigned to the Johnson Superior Court 1.

LR41 - CR - 068: Grand Jury Supervision.

- A. Grand Jury supervision shall rotate among the Johnson Circuit Court, Johnson Superior Court No. 1, and Johnson Superior Court No. 3 in the following manner:
 - 1. Requests for a Grand Jury filed between January 1 and April 30 shall be supervised by the Johnson Circuit Court.
 - 2. Requests for a Grand Jury filed between May 1 and August 31 shall be supervised by the Johnson Superior Court No. 1.
 - 3. Requests for a Grand Jury filed between September 1 and December 31 shall be supervised by the Johnson Superior Court No. 3.
- B. The Court's Bailiff shall, at the time of the creation of the Quarterly Venire List pursuant to the Amended Local Rules Regarding Selection of Procedures for Juror Selection, randomly draw the names of twelve (12) Grand Jurors to serve as such.
- C. Any new criminal case filings which result from Grand Jury Proceedings shall be filed in the Court in which the Grand Jury Proceedings were held, as an exception to LR41 - CR - 063.