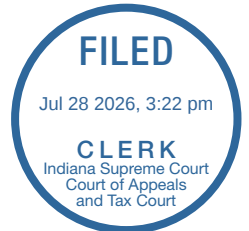


In the
Indiana Supreme Court

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

Supreme Court Case No.
26S-MS-253



Order Approving Amended Local Rules

The Judges of the Kosciusko Circuit and Superior Courts request the approval of amended local rules for caseload allocation 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 Kosciusko Circuit and Superior Courts, this Court finds that the proposed amendments to LR43-AR1E-1 and LR43-AR1E-2 comply with the requirements of Administrative Rule 1(E) and that the amendments to LR43-AR15-3 comply with Administrative Rule 15, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED that amended Local Rules, LR43-AR1E-1, LR43-AR1E-2, and LR43-AR15-3, for the Kosciusko Circuit and Superior Courts, set forth as attachments to this Order, are approved effective January 1, 2027.

Done at Indianapolis, Indiana, on 7/28/2026.

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

Loretta H. Rush
Chief Justice of Indiana

- (1) MH, TS, and TP cases shall be filed in the Kosciusko Circuit Court.
- (2) JC, JD, JS, JM, JQ and JT cases shall be filed in the Kosciusko Superior Court No. 1. JP cases shall be filed in the Kosciusko Superior Court No. 4, and any such matters on the active docket of the Kosciusko Superior Court No. 1 as of January 1, 2027 and thereafter are transferred to the active docket of the Kosciusko Circuit Court.
- (3) PL and CT cases shall be filed fifty percent (50%) in the Kosciusko Circuit Court, ten percent (10%) in the Kosciusko Superior Court No. 3, and forty percent (40%) in the Kosciusko Superior Court No. 4, on an alternating basis, and any such matters on the active docket of the Kosciusko Superior Court No. 1 as of January 1, 2027 and thereafter are transferred to the active docket of the Kosciusko Superior Court No. 4.
- (4) Seventy-five percent (75%) of MI cases shall be filed in the Kosciusko Superior Court No. 3 and twenty-five percent (25%) shall be filed in either the Kosciusko Circuit Court or the Kosciusko Superior Court No. 1, on an alternating basis.
- (5) IF cases shall be filed in the Kosciusko Superior Court No. 3.
- (6) OV, OE, PO (except PO cases where a JP, DC or DN case is in existence involving the same parties, which shall then be filed in the court having the JP, DC or DN case), EV and SC cases shall be filed in Kosciusko Superior Court No. 3.
- (7) Sixty percent (60%) of DC and ninety percent (90%) of DN cases shall be filed in the Kosciusko Superior Court No. 4.
- (8) Ten percent (10%) of DN and forty percent (40%) of DC cases shall be filed in the Kosciusko Circuit Court.
- (9) CC cases shall be filed forty percent (40%) in the Kosciusko Superior Court No. 3 and sixty percent (60%) in the Kosciusko Superior Court No. 4. Any such matters on the active docket of the Kosciusko Circuit Court, Kosciusko Superior Court No. 1, or Kosciusko Superior Court No. 2 as of January 1, 2027 and thereafter are transferred to the active docket of the Kosciusko Superior Court No. 4.
- (10) ES, EM, EU and TR cases and matters not otherwise described herein, shall be filed fifty percent (50%) in the Kosciusko Circuit Court and fifty percent (50%) in the Kosciusko Superior Court No. 1.
- (11) AD cases shall be filed thirty-three percent (33%) in the Kosciusko Circuit Court and sixty-seven percent (67%) in the Kosciusko Superior Court No. 1.

- (12) GU and GM cases shall be filed twenty percent (20%) in the Kosciusko Circuit Court and eighty percent (80%) in the Kosciusko Superior Court No. 1.
- (13) MF cases shall be filed fifty percent (50%) in the Kosciusko Superior Court No. 4 and fifty percent (50%) in the Kosciusko Superior Court No. 3, on an alternating basis, and any such matters on the active docket of the Kosciusko Circuit Court as of January 1, 2025 and thereafter are transferred to the active docket of the Kosciusko Superior Court No. 4.
- (14) XP cases may be filed in any court.
- (15) RS cases shall be filed fifty percent (50%) in the Kosciusko Circuit Court and fifty percent (50%) in the Kosciusko Superior Court No. 4, and any such matters on the active docket of the Kosciusko Superior Court No. 1 as of January 1, 2027 and thereafter are transferred to the active docket of the Kosciusko Circuit Court.
- (16) RF cases shall be filed fifty percent (50%) in the Kosciusko Superior Court No. 3 and fifty percent (50%) in the Kosciusko Superior Court No. 2.
- (17) GV cases shall be filed fifty percent (50%) in the Kosciusko Circuit Court and fifty percent (50%) in the Kosciusko Superior Court No. 4.
- (18) RA cases shall be filed in the Kosciusko Superior Court No. 3.
- (19) CE cases shall be filed in the Kosciusko Superior Court No. 3.
- (20) All civil cases shall be filed in a random manner and in the percentages as provided by these rules. The Judges of the Kosciusko Circuit Court and the Kosciusko Superior Courts shall periodically review the filing patterns of civil cases and the Judges of such Courts reserve the right to transfer cases in the event of a disproportionate distribution of cases in order to balance the caseload and to expedite dispositions of all pending civil cases.

LR43-AR1E-2

Initial Criminal Case Assignment

(1) Felonies Under Title 35-42-1 (Homicide)

All felonies filed under Title 35, Article 42, Chapter 1 (Homicide) shall be filed in the Kosciusko Circuit Court.

(2) Felonies Under Title 35, Article 48 (Controlled Substances)

All felonies filed under Title 35, Article 48 (Controlled Substances) shall be filed in the Kosciusko Circuit Court.

(3) Felonies Under Title 9 (Traffic) and I.C. 35-46-1-5 through 35-46-1-7 (Non-Support)

All felonies filed under Title 9 (Traffic) and I.C. 35-46-1-5 through and including 35-46-1-7 (Non-Support) shall be filed in the Kosciusko Superior Court No. 3.

(4) Other F1, F2, F3 and F4 Felony Cases

All other F1, F2, F3 and F4 felonies shall be filed on an alternating basis to the Kosciusko Circuit Court and the Kosciusko Superior Court No. 1.

(5) All Other F5 and F6 Felony Cases

Sixty percent (60%) shall be filed in the Kosciusko Superior Court No. 3; twenty percent (20%) shall be filed in the Kosciusko Superior Court No. 2; twenty percent (20%) shall be filed in the Kosciusko Superior Court No. 1.

(6) All Misdemeanor Cases

All misdemeanors shall be assigned to the Kosciusko Superior Court No. 2.

(7) All Juvenile Delinquent Cases

All cases filed under Title 31, Article 37 (Juvenile Law: Delinquency) shall be initially assigned to Kosciusko Superior Court No. 1. In the event a child is waived into adult court, the case shall be reassigned to the appropriate court in accordance with the proceeding provisions of this rule.

(8) Combination of Felony and Misdemeanor Cases

In the event the case charges both felony and misdemeanor offenses, the case shall be considered a felony for the application of this rule.

(9) Post-Conviction Relief Cases

PC cases shall be filed in the court in which the related criminal case was filed.

LR43-AR15-3

COURT REPORTER SERVICES

(A) Definitions. The following definitions shall apply under this local rule:

- (1) A Court Reporter** is a person who is specifically designated by a court to perform the official court reporting services for the court including preparing a transcript of the record.
- (2) Equipment** means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording and storing, and transcribing electronic data.

- (3) **Work space** means that portion of the court's facilities dedicated to each court reporter, including but not limited to actual space in the courtroom and any designated office space.
- (4) **Page** means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.
- (5) **Recording** means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.
- (6) **Regular hours worked** means those hours which the court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court within the county but remain the same for each work week.
- (7) **Gap hours worked** means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per work week.
- (8) **Overtime hours worked** means those hours worked in excess of forty (40) hours per work week.
- (9) **Work week** means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.
- (10) **Court** means the particular court for which the court reporter performs services. Court may also mean all of the courts in Kosciusko County.
- (11) **County indigent transcript** means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.
- (12) **State indigent transcript** means a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a court.
- (13) **Private transcript** means a transcript, including by not limited to a deposition transcript that is paid for by a private party.
- (14) **Expedited transcript** means a transcript that is requested to be prepared from within 48 hours to five (5) days, depending upon the size of the transcript.

(B) Salaries and Per Page Fees.

- (1) Court Reporters shall be paid an annual salary for time spent working under the control, direction and direct supervision of their supervising court during any regular work hours, gap hours, or overtime hours. The supervising court 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.

- (2) The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript shall be \$6.00 per page until further order of the Courts. The court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts.
- (3) The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be \$6.00 per page until further order of the Courts.
- (4) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be \$6.00 per page.
- (5) The maximum per page fee a court reporter may charge for the preparation of an expedited transcript is \$6.50 per page.
- (6) A minimum fee up to \$40.00 is permissible.
- (7) The maximum per-page-fee a court reporter may charge for copies is \$2.00 per page.
- (8) An additional labor charge approximating the hourly rate based upon the court reporter's annual court compensation may be charged for the time spent binding the transcript and the exhibit binders pending on the size of the transcript.
- (9) Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of county indigent, state indigent or private transcripts to the Indiana Supreme Court Office of Judicial Administration. The reporting shall be made on forms prescribed by the Office of Judicial Administration.

(C) Private Practice.

- (1) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, and the court reporter desires to utilize the court's equipment, work space and supplies, and the court agrees to the use of the court equipment for such purpose, the court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:
 - (a) the reasonable market rate for the use of equipment, work space and supplies;
 - (b) the method by which records are to be kept for the use of equipment, work space and supplies; and
 - (c) the method by which the court reporter is to reimburse the court for the use of equipment, work space and supplies.
- (2) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.