

Court Rules

District and Local Court Rules

Primer for District & Local Rule Adoption, Repeal, or Amendment

Trial Rule 81

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Background

The Indiana Supreme Court, at the request of its Committee on Rules of Practice and Procedure, initiated a project designed to take district and local court rules from courthouse bulletin boards to the official website of the Indiana Judiciary. District and local court rules are now readily available to practitioners, litigants, and the public.

Ind. Trial Rule 81 provides a process, schedule, and format for adopting new, repealing, or amending existing district and local court rules. Every district and county court system now has [district and local court rules](#). T.R. 81 provides a numbering system and designated times for adopting or amending district and local court rules. This process promotes transparency with notice and wide distribution of proposed rule changes, with an opportunity for comments to be submitted to the local courts.

Courts may no longer use standing orders (generic orders not entered in an individual case) to regulate court practice. T.R. 81(A). Courts adopt new, repeal, or amend existing district or local rules using a legislative-style procedure.

Local Rules Format

Under T.R. 81(E), IOJA publishes a standard format for local rules. A county designates letters and numerical sequences to correspond with the Indiana Rules of Court. For example, LR01-TR79-1 represents:

LR	01	TR	79	1
Local Rule Designation	County Identification Number	State Rule Set	State Level Rule Set Number	Local Sequence Number

The Process

The first step is to prepare the proposed new or amended rule and public notice. Show changes to the existing rule by **striking through** language to be deleted and **underlining** language to be added. ***Courts are strongly encouraged to use the Track Changes feature in Word.*** The public notice includes the proposed effective date of the rule or amendment and designates the name and address of the person to whom comments should be directed. A sample public notice can be found at: <https://www.in.gov/courts/publications/local-rules/>. **Courts then send the draft notice and proposed rules or rule amendments to IOJA for review in both Word and PDF formats with full digital ADA accessibility. T.R. 81(B).**

Upon approval from IOJA, the second step is to publish the notice and the proposed rule change(s). Publication of the notice and rule amendment(s), as approved by IOJA, is considered complete when the courts send the notice and text of the proposed new or amended rule(s) ***in an ADA-accessible digital format*** (in both Word and PDF formats) to IOJA and the county clerk and the proposal is simultaneously posted at the state and local levels for public comment on or about June 1. Courts must also send the proposed new rule or amendment(s) to the officers of the impacted county bar association. The

public comment period shall be a minimum of thirty (30) days. Step three is to **obtain Supreme Court approval** if changes are proposed to the following **required** local rules:

1. special judge selection in civil cases pursuant to T.R. 79(H);
2. special judge selection in criminal cases pursuant to Ind. Administrative Rule 21;
3. regulation of court reporter services pursuant to Admin. R. 15; and
4. caseload allocation plans pursuant to Admin. R. 1(E).

Once approval is obtained from the Supreme Court, local courts must place the **adopted** rules and amendments in the **Record of Judgments and Orders (RJO)**. Courts must email IOJA and the county clerk a complete set of the current local rules in a single document file in full ADA accessibility for posting on their websites.

District and Local Rule Adoption or Amendment Schedule

TRIAL RULE 81 SCHEDULE DEADLINES

DATE	EVENT
Before June 1	Review by IOJA; Notice of Proposed Rule Adoption or Amendment
June 1	Thirty-day comment period begins
July 2 - July 31	Final approval by local courts, including consideration of all public comments received
August 1 - October 1	IOJA will review proposals and make a recommendation to the Supreme Court for approval, modification, or rejection, as required
October 1 or before	Supreme Court review and decision, if necessary

January 1 the following year	Effective date of the amended district or local rules
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