

**STATE OF INDIANA – COUNTY OF KNOX
IN THE KNOX CIRCUIT AND SUPERIOR COURTS**

**Notice of Proposed New Rule or Amendment(s) to Local Court Rule(s)
[October 11, 2022]**

In accordance with Trial Rule 81 of the Indiana Court Rules, the Knox Circuit and Superior Courts hereby give notice to the bar and the public that the Courts propose to amend the Local Rule(s) on Caseload Allocation Plan for the courts of record of Knox County, effective January 1, 2023.

All new text is shown by underlining and deleted text is shown by ~~striketrough~~. Supreme Court approval is required for Local Rules concerning Caseload Allocation Plan and will not take effect until approved by the Supreme Court.

Notice has been given to the public by posting on the website of the Knox County Clerk and at the Indiana Judiciary webpage for Local Rules (<https://www.in.gov/courts/publications/local-rules/>), and by furnishing a copy to the officers of the Knox County Bar Association. A paper copy of the proposed amended local rule(s) will be made available for viewing in the office of the Clerk of Knox County, 111 North Seventh Street, Vincennes, IN 47591 during normal business hours.

The time period for the bar and the public to comment shall begin on October 11, 2022, and shall close on November 10, 2022. The proposed amendments to the rule will be adopted, modified or rejected before December 1, 2022, and, if required, the final version of the rule will be submitted to the Indiana Supreme Court for review and approval not later than December 9, 2022.

Comments by the bar and the public should be made in writing to:

Hon. Gara U. Lee, Judge of the Knox Superior Court 1, Attn: Public Comment on Local Rules, Knox County Courthouse, 111 N. 7th Street, Suite 20, Vincennes, IN 47591, or sup1@knoxcounty.in.gov.

DATED this 4th day of October, 2022 on behalf of the Judges of Knox County.

_____/S/ Gara U. Lee
Gara U. Lee, Judge
Knox Superior Court 1

LR42-AR00-3.4

LOCAL RULE CONCERNING CASELOAD ALLOCATION PLAN

(Effective January 1, 2023)

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 Division of State Court 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), “F5” (Level 5 Felony), and “F6” (Level 6 Felony) cases shall be filed in the Knox Superior Court 1 and the Knox Circuit Court on an equal basis with the exception of drug-related or alcohol-related Level 6 felony cases (all Level 6 felony cases where the single count of an information or even just one felony count of a multi-count information alleges a violation of either Ind. Code 7.1-5 et seq., 9-30-5 et seq., 16-42 et seq., or 35-48 et seq.), and felony habitual traffic offender cases. Those cases shall be assigned to the Knox Superior Court 2.
4. All “JC” (juvenile CHINS), “JD” (juvenile delinquency), “JS” (juvenile status), “JP” (juvenile paternity), “JM” (juvenile miscellaneous), 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. However, if a misdemeanor case is filed regarding the violation of a protective order, the matter shall be filed in the court where the protective order is pending. Further, if a felony case is pending against a particular defendant, all subsequently filed misdemeanor cases against that defendant shall be filed in the Court where the felony case is pending.

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), and “TP” (tax deed) cases shall be filed in the Knox Circuit Court.
7. All “MI” (civil miscellaneous), “XP” (expungement), “MC” (miscellaneous criminal), and “MH” (mental health), ~~“DC” (domestic relations w/children), filed with counsel, and “DN” (domestic relations no children), filed with counsel,~~ cases may be filed in any court as allowed by law.
8. All “GU” (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), ~~filed pro se,~~ and “DN” (domestic relations no children), ~~filed pro se,~~ cases shall be filed in the Knox Superior Court 1, Knox Superior Court 2, and the Knox Circuit Court ~~as determined by those courts. on a rotating basis determined by the Knox County Clerk.~~
11. All “MF” (mortgage foreclosure) cases and “PL” (civil plenary) shall be filed in Knox Circuit Court or Knox Superior Court 1.