

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

**Notice of Proposed New Rule or Amendment(s) to Local Court Rule(s)
January 8, 2025**

In accordance with Trial Rule 81 of the Indiana Court Rules, the Circuit and Superior Courts hereby give notice to the bar and the public that the Courts propose to amend the Local Rule(s) on **LR17-AR1-1** for the courts of record of DeKalb County, effective January 1, 2025.

All new text is shown by underlining and deleted text is shown by ~~striketrough~~. Supreme Court approval is required for Local Rules concerning **LR17-AR1-1** and will not take effect until approved by the Supreme Court. (*if necessary*)

Notice has been given to the public by posting on the website of the DeKalb 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 DeKalb 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 DeKalb County, 100 S. Main Street, Auburn, Indiana during normal business hours.

The time period for the bar and the public to comment shall begin on January 13, 2025, and shall close on February 14, 2025. The proposed amendments to the rule will be adopted, modified or rejected before February 31, 2025, and, if required, the final version of the rule will be submitted to the Indiana Supreme Court for review and approval not later than March 3, 2025.

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

Hon. Adam C. Squiller, Judge of the DeKalb Superior Court I
Attn: Public Comment on Local Rules, DeKalb County Courthouse, 100 S. Main Street
Auburn, Indiana 46706

DATED this 8th day of January, 2025 on behalf of the Judges of DeKalb County.

/s/ Adam C. Squiller

The Honorable Adam C. Squiller, Judge
DeKalb Superior Court I

**STATE OF INDIANA
CIRCUIT AND SUPERIOR COURTS**

**REQUEST FOR APPROVAL OF REVISED
CASE ALLOCATION PLAN**

The Judges of the Courts of record of DeKalb County, Indiana, have met and reviewed the current weighted caseload statistics for the Courts and propose that the Caseload Allocation Plan be revised pursuant to the attached plan after publication for public comment as required by Trial Rule 81.

Submitted this 18th day of November, 2024.

/s/ Adam C. Squiller

The Honorable Adam C. Squiller, Judge
DeKalb Superior Court I
100 S. Main Street
Auburn, Indiana 46706

11-18-24

Date

/s/ Monte L. Brown

The Honorable Monte L. Brown, Judge
DeKalb Superior Court II
100 S. Main Street
Auburn, Indiana 46706

11-18-24

Date

/s/ Kurt B. Grimm

The Honorable Kurt B. Grimm, Judge
DeKalb Circuit Court
100 S. Main Street
Auburn, Indiana 46706

11-18-24

Date

LR17-AR1-1 Caseload Allocation Plan for DeKalb County Courts

(A) Cases to be filed exclusively in the DeKalb Circuit Court:

JC*, JD, JS, JP, JM, JT, JQ, RS, and Nonsupport of a child cases filed under I.C.35-46-1-5 shall be filed exclusively in DeKalb Circuit Court.

*JC - When the Judge of DeKalb Circuit Court has a conflict, the case shall be filed in DeKalb Superior Court II.

(B) Cases to be filed exclusively in the DeKalb Superior Court I:

FD, F6 (except Nonsupport of child cases), CM, MC**, ~~IF~~, OV-based on moving traffic violations, and specialized driving privileges filed as MI cases.

** In the event DeKalb Superior Court I is unable to hear a search warrant when requested, the warrant may be requested of and issued by any of the Judges or Courts.

** Probation transfer cases shall be filed in the same manner as criminal cases, i.e., Misdemeanor and FD and F6 probation cases shall be filed in Superior Court I. MR, FA, FB, FC, F1, F2, F3, F4 and F5 probation cases shall be filed on a rotating basis between Superior I and Superior II.

(C) Cases to be filed exclusively in the DeKalb Superior Court II:

SC, EM, ES, TR, IF, ~~XP (unless otherwise required by statute)~~, PL, MF, CT, EV, CC

(D) Cases to be filed on a rotating basis between DeKalb Circuit Court and DeKalb Superior Court II:

DN, DC, MH, AD, EU, GU, PO, RF, MI-except specialized driving privilege cases, TP, TS

(E) Cases to be filed on a rotating basis between DeKalb Superior Court I and DeKalb Superior Court II:

MR, FA, FB & FC, OE, OV-other than moving traffic violations, CB***, F1, F2, F3, F4, F5

(F) XP cases shall be filed in the Court with the underlying criminal case. Where an XP applies to cases in multiple courts, it shall be filed in the Court with the highest level offense. Where an XP applies to cases in multiple courts with the same highest level, the case shall be filed in the Court with the most recent highest level case.

*** CB cases involving the appointment of Special, Pro Tem, and Senior Judges shall be filed in the Court making the appointment.

Resolutions Spread of Record may be filed in any Court.

When additional criminal charges are filed against a Defendant with a pending ~~MR, FA, FB, FC, F1, F2, F3, F4 or F5~~ criminal case, the new charges shall be filed in the same Court as the pending case.

In the event the Judge of DeKalb Superior Court I or II ~~has a conflict~~ enters a recusal in a criminal case due to a conflict, the case shall be filed in or transferred to DeKalb Circuit Court.

For all other conflicts, and except as otherwise provided by this Plan, the Judge of the Court where the case was originally filed shall transfer the case to either of the other Courts in DeKalb County.

PC - The case is to be filed in the court in which the underlying conviction was entered. After hour search warrants may be requested of and authorized by any of the judges.

This caseload allocation plan shall be effective until modified. The DeKalb County Judges shall meet as necessary to review the caseload allocation. Nothing in these rules or case allocation plan shall restrict or impair a Court's ability to transfer cases pursuant to IC 33-29-1-9.