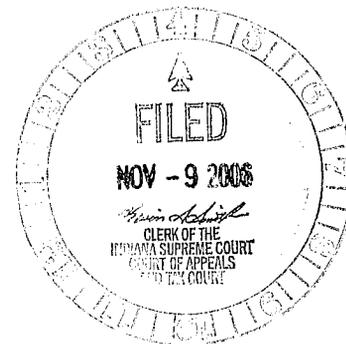


In the  
Indiana Supreme Court



IN THE MATTER OF THE )  
 ) Case No. 73S00-0611-MS-461  
APPROVAL OF LOCAL RULES )  
 )  
FOR SHELBY COUNTY )

**ORDER APPROVING AMENDED LOCAL RULE**

The judges of the Shelby Circuit and Superior Courts request the approval of an amended local rule for caseload allocation in accordance with Ind. Administrative Rule 1(E). Attached to this Order is the proposed amended local rule

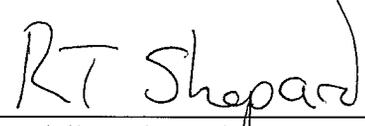
Upon examination of the proposed rule amendment requested by the Shelby Circuit and Superior Courts, this Court finds that the proposed rule amendment, "Shelby County Proposed Caseload Allocation Plan" complies with the requirements of Ind. Administrative Rule 1(E), and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that the Shelby County Proposed Caseload Allocation Plan, set forth as an attachment to this Order, is approved effective January 1, 2007, provided further that the rule shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website not less than thirty (30) days prior to the effective date.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Charles D. O'Connor, Jr., Shelby Circuit Court, 407 South Harrison Street, Shelbyville, IN 46176-2170; the Hon. Jack A. Tandy, Shelby Superior Court, 407 South Harrison Street, Shelbyville, IN 46176-2170; the Hon. Russell J. Sanders, Shelby Superior Court, 407 South Harrison Street, Shelbyville, IN 46176-2170, and to the Clerk of the Shelby Circuit and Superior Courts.

The Clerk of the Shelby Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 9<sup>th</sup> day of November, 2006.

  
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Randall T. Shepard  
Chief Justice of Indiana



## Shelby County Proposed Caseload Allocation Plan

The Judges of the Shelby Circuit Court, Shelby Superior court No. 1, and the Shelby Superior Court No. 2 hereby submit their proposed Caseload Allocation Plan pursuant to administrative Rule 1.

### Criminal Cases

a) All pool felonies as defined in Local Rule 73-CR2.2-1, shall be filed in the respective courts in the following percentages:

30% in Shelby Circuit Court

60% in Shelby Superior Court No. 1

10% in Shelby Superior Court No. 2.

b) All misdemeanor and non-pool Class D felonies shall be filed in Shelby Superior court No. 2.

### Civil Cases

a) Small claims and Infractions shall be filed in Shelby Superior Court No. 2.

b) Protective orders shall be filed in Shelby Circuit Court unless there is a related case in one of the other courts in which case the Protective Order case would be filed in the other court along with the related case.

c) Mortgage Foreclosure (MF), Plenary (PL), Civil Collections (CC), and Domestic Relations (DR) cases shall be filed on an alternate basis between Shelby Circuit Court and Shelby Superior Court No. 1.

d) All other civil actions shall be filed in the court chosen by the initiating party.

### Juvenile Cases

All juvenile cases shall be filed in Shelby Superior Court No. 1.

The proposed Caseload Allocation Plan is the current caseload plan. The Shelby County Courts are within the forty (40%) percent variance based on the weighted caseload measures system.

Comments by the bar and public will be received until July 1, 2006. Comments should be directed to Judge Jack Tandy, Shelby Superior Court No.1, 407 S. Harrison St., Shelbyville, IN 46176.

The Judges of the Shelby County Courts shall consider public comment and adopt, modify, or reject the plan by July 31, 2006. The plan will be submitted to the Indiana Supreme Court by August 1, 2006. The plan will not be effective until approved by the Indiana Supreme Court. The effective date of the plan will be January 1, 2007.

  
Judge, Shelby Circuit Court

  
Judge, Shelby Superior Court No. 1

  
Judge, Shelby Superior Court No. 2

## Caseload Allocation Plan

### Recommendation for Shelby County

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Recommendation: Approve

A preliminary analysis of Shelby County's Caseload Allocation Plan revealed that the projected utilization variation between Shelby Circuit Court, Superior Court 1, and Superior Court 2 is less than the 0.40 allowable variation (see Figure 1).

	Projected Need	Actual Have	Projected Utilization
Circuit	1.16	1.00	1.1573
Superior 1	1.50	1.00	1.4958
Superior 2	1.32	1.00	1.3212
		<i>Difference</i>	<b>0.3385</b>

Figure 1

Method:

The projected utilization calculations displayed above are based on an analysis of Shelby County's 2005 historical allocation data. Please see Appendix A and Appendix B for a detailed analysis.

In 2005, Shelby County's utilization variation was only 0.34, which is within the allowable variation. During our phone conversation on June 28, 2006, Judge Tandy said that the judges of the county did not edit the caseload allocation plan they used in 2005 and will continue to use that same caseload allocation plan in the future.



