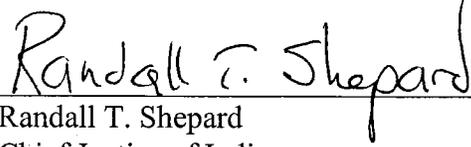




The Clerk of the DeKalb Circuit Court is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's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

DONE at Indianapolis, Indiana, this 13<sup>th</sup> day of January, 2006.

FOR THE COURT

  
\_\_\_\_\_  
Randall T. Shepard  
Chief Justice of Indiana

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**2006 CASELOAD ALLOCATION PLAN  
FOR DEKALB COUNTY COURTS**

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Cases to be filed exclusively in the DeKalb Circuit Court:

JC\*, JD, JS, JP, JM, JT, RS

Cases to be filed exclusively in DeKalb Superior Court I:

MR, FA, FB, FC, FD, CM, MC, IF, OV

Cases to be filed exclusively in DeKalb Superior Court II:

PL, MF, CC, CT, SC

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

DR, MH, AD, AH, ES, GU, TR, PO, MI

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

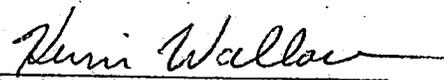
PC - The case to be filed in the court in which the underlying conviction was entered.

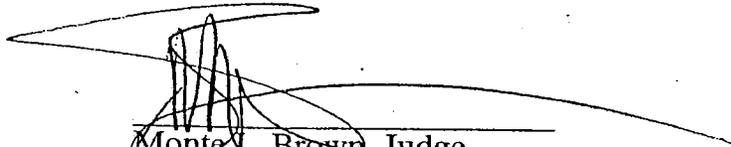
After hours search warrants, emergency mental health commitments and verbal CHINS detention orders may be requested of and authorized by any of the judges.

This caseload allocation plan is to be effective for one (1) year. The DeKalb County judges will meet annually, and more often, if necessary, to review the caseload allocations.

SO ORDERED THIS 28 DAY OF Dec., 2005.

  
\_\_\_\_\_  
Kirk B. Carpenter, Judge  
DeKalb Circuit Court

  
\_\_\_\_\_  
Kevin P. Wallace, Judge  
DeKalb Superior Court I

  
\_\_\_\_\_  
Monte L. Brown, Judge  
DeKalb Superior Court II

# DeKalb County Caseload Allocation Plan

## RECOMMENDATION:

It is my recommendation that the DeKalb County caseload plan be approved as currently submitted. Based upon preliminary calculations, the proposed caseload allocation plan meets the requirements set forth in Administrative Rule 1. The estimated weighted caseload utilization variance between DeKalb Circuit and Superior Courts is thirty-eight percentage points, which is below the maximum allowable variance of forty percentage points (see Table 1).

Another factor that supports the approval of this plan is the fact that it is being submitted with the corollary that it will be effective for just one year and that the caseload allocations will be reviewed annually (and more frequently if necessary). This is an important inclusion because DeKalb County will have a second Superior Court beginning in 2006.

	Circuit	Superior 1	Superior 2 (new court)	County Average
Total Actual Minutes:	107,667	92,353	99,477	299,496
Projected Need (year)	1.34	1.15	1.23	3.71
Actual Have:	1	1.2	1	3.2
Projected Utilization:	1.3352	0.9544	1.2336	1.1606

## PROCESS:

Weighted caseloads for each court were estimated based upon the proposed allocation of cases using the number of new cases filed in DeKalb County in 2004.

For a detailed breakdown of the calculations for each case type please see Appendix A.

## ASSUMPTIONS:

It was necessary to make certain assumptions in calculating the anticipated WCL. This was due to the fact that State Court Administration does not track cases to the level of detail described in the plan. Here is a list of the assumptions used in calculating the weighted caseload.

### Post Conviction Relief (PC):

- The PC case type does not have minutes associated with it and therefore was not included in calculations.

### Conflict of Interest:

- Cases filed in different courts due to a conflict of interest were not separated out in these calculations.

Kris Suthers  
12/30/2005

Appendix A

	Actual 2004 New Filings - DeKalb County				Assignment of cases based upon plan				Application of plan guidelines and assumptions to 2004 statistics			
	Circ. 1	Sup. 1	Sup 2	Total	Circ. 1	Sup. 1	Sup 2	Total	Circ. 1	Sup. 1	Sup 2	Total**
MR	0	0	0	0		100.00%		100.00%	0	0	0	0
CF	0	0	0	0				NA	0	0	0	
FA	2	13	0	15		100.00%		100.00%	0	15	0	15
FB	11	18	0	29		100.00%		100.00%	0	29	0	29
FC	29	41	0	70		100.00%		100.00%	0	70	0	70
FD	92	141	0	233		100.00%		100.00%	0	233	0	233
PC	4	3	0	7				0.00%	0	0	0	
CM	12	1,044	0	1,056		100.00%		100.00%	0	1,056	0	1,056
MC	17	136	0	153		100.00%		100.00%	0	153	0	153
IF	0	672	0	672		100.00%		100.00%	0	672	0	672
OV,OE	0	0	0	0		100.00%		100.00%	0	0	0	0
JC	215	165	0	380	100.00%			100.00%	380	0	0	380
JD	96	44	0	140	100.00%			100.00%	140	0	0	140
JS	13	19	0	32	100.00%			100.00%	32	0	0	32
JP	84	2	0	86	100.00%			100.00%	86	0	0	86
JM	7	4	0	11	100.00%			100.00%	11	0	0	11
JT	24	0	0	24	100.00%			100.00%	24	0	0	24
CP	0	0	0	0				NA				
PL	30	40	0	70			100.00%	100.00%	0	0	70	70
MF	71	114	0	185			100.00%	100.00%	0	0	185	185
CC	82	272	0	354			100.00%	100.00%	0	0	354	354
CT	36	22	0	58			100.00%	100.00%	0	0	58	58
SC	0	2,132	0	2,132			100.00%	100.00%	0	0	2,132	2,132
DR	163	129	0	292	50.00%		50.00%	100.00%	146	0	146	292
RS	13	0	0	13	100.00%			100.00%	13	0	0	13
MH	18	40	0	58	50.00%		50.00%	100.00%	29	0	29	58
AD	22	4	0	26	50.00%		50.00%	100.00%	13	0	13	26
AH	0	0	0	0	50.00%		50.00%	NA	0	0	0	
ES,EU	110	1	0	111	50.00%		50.00%	100.00%	56	0	56	111
GU	54	13	0	67	50.00%		50.00%	100.00%	34	0	34	67
TR	5	0	0	5	50.00%		50.00%	100.00%	3	0	3	5
PO	50	125	0	175	50.00%		50.00%	100.00%	88	0	88	175
MI	57	13	0	70	50.00%		50.00%	100.00%	35	0	35	70
CB								NA				
TOTAL	1,317	5,207	0	6,524					1,088	2,228	3,201	6,517

\*\* Totals may appear off because columns being added have been rounded to nearest whole number.