

In the  
Indiana Supreme Court



IN THE MATTER OF )  
 )  
APPROVAL OF LOCAL RULES )  
 )  
FOR HUNTINGTON COUNTY )

Cause No. 35S00-1411-MS- 723

ORDER APPROVING REVALIDATED CASELOAD ALLOCATION PLAN

Pursuant to Ind. Administrative Rule 1, the Judges of the Huntington Circuit and Superior Courts, request this Court to approve their caseload allocation plan based upon their revalidation of the plan.

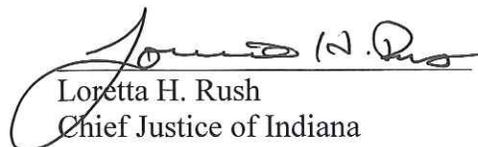
And this Court being duly advised, now finds that the revalidated caseload allocation plan for Huntington County should be approved.

IT IS, THEREFORE, ORDERED by this Court that the Huntington County revalidated caseload allocation plan is approved.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Thomas A. Hakes, Huntington Circuit Court, 201 North Jefferson Street, #301, Huntington, IN 46750-2800; to the Hon. Jeffrey R. Heffelfinger, Huntington Superior Court, 201 North Jefferson Street, #302, Huntington, IN 46750-2867; to the Clerk of the Huntington Circuit and Superior Courts; and to the Division of State Court Administration.

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

DONE at Indianapolis, Indiana, on November 27, 2014.

  
Loretta H. Rush  
Chief Justice of Indiana

**LR 35-00-16**  
**CASELOAD ALLOCATION PLAN**

1. Criminal, Infraction and Ordinance Violation Cases

Criminal cases shall be filed pursuant to LR35-CR-2.2-27. All infraction and ordinance violation cases not associated with a felony charge required to be filed in the Huntington Circuit Court shall be assigned to Huntington Superior Court.

2. Probate and Related Cases

All estate, guardianship, paternity, adoption and trust cases shall be assigned to the Huntington Circuit Court

3. Juvenile Cases

All juvenile cases of every sort shall be assigned to Huntington Circuit Court.

4. Civil Cases

Except as otherwise specifically set out in this Rule, civil cases of all sorts, including domestic relations cases, shall be assigned to whichever court the attorney or the self-represented litigant filing the case designates to the clerk. Petitions for dissolution of a marriage filed by a self-represented litigant shall be filed in either the Huntington Circuit or Superior Court.

5. Small Claims and Protective Order Cases

All small claims and protective orders (including workplace violence protective order) cases, except protective orders associated with a case previously assigned to the Huntington Circuit Court, shall be assigned to the Huntington Superior Court.

6. Mental Health

Mental health cases shall be assigned to the Huntington Circuit Court.

7. Re-filed Cases

Except when a change of venue is necessary, whenever a case is dismissed by action of the originating party, the case, if re-filed, must be assigned to the same court that received the original case.

8. Continuing Monitoring

Not later than October 1 of each year, all judges of the courts of record in Huntington County shall meet and shall evaluate each court's caseload data as reported to the Division of State Court Administration.

If, in a given year, the weighted caseload statistics from the Division of State Court Administration indicate that a caseload variance among these courts exceeds forty percent (40%), the courts of record in Huntington County shall submit a revised Caseload Allocation Plan pursuant to the Indiana Supreme Court Division of State Court Administration's "Schedule for Submission of Caseload Plans Pursuant to Administrative Rule 1(E)".

**LR 35-CR-2.2-27**  
**ASSIGNMENT OF CRIMINAL CASES**

Pursuant to CR 2.2, assigned Criminal Cases shall be assigned, transferred or appointed as special judge as follows:

1. **CASE ASSIGNMENT.** All cases involving murder or wherein the most serious charge is a Class A felony, a Class B felony or a Class C felony, shall be assigned to the Huntington Circuit Court except that all cases filed under Title 9 or cases involving controlled substances shall be filed in the Huntington Superior Court. All cases involving allegations of child molesting or battery on a child shall be assigned to the Huntington Circuit Court regardless of classification.  
All misdemeanors, Class D felonies, offenses relating to controlled substances, and offenses set forth under Title 9 of the Indiana Code shall be assigned to the Huntington Superior Court.
2. **TRANSFER.** A Judge of the Huntington Circuit or Superior Court, by appropriate order entered in the record of Judgments and Orders, may transfer and reassign to the other Court of record any pending case subject to acceptance by the receiving Court.
3. **APPOINTMENT OF SPECIAL JUDGE.** In the event no Judges are available for assignment or reassignment of a felony or a misdemeanor case the appointment shall be given on a random basis to a judge in a contiguous county from a list maintained by the clerk of the circuit court.