In the
Indiana Supreme Court

FILED
JUL 14 2014
CLERK OF THE INDIANA SUPREME COURT COURT OF APPEALS AND TAX COURT

IN THE MATTER OF THE	)	
	)	
APPROVAL OF LOCAL RULES	)	Case No. 60S00-1407-MS- 466
	)	
FOR OWEN COUNTY	)	

ORDER APPROVING AMENDED LOCAL RULES

The Judge of the Owen Circuit Court request the approval of amended local rules for caseload allocation in accordance with Ind. Administrative Rule 1(E). Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Owen Circuit Court, this Court finds that the proposed rule amendments, LR60-AR 1(E)-1, -2 and -3 comply with the requirements of Ind. Administrative Rule 1(E), and, accordingly, should be approved and posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules LR60-AR 1(E)-1, -2 and -3 for Owen Circuit Court, set forth as an attachment to this Order, is approved effective January 1, 2015. The Clerk of this Court is directed to forward a copy of this Order to the Hon. Lori Thatcher Quillen, Owen Circuit Court, P.O. Box 86, Spencer, IN 47460-0086; to the Clerk of the Owen Circuit Court; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Owen Circuit Court is directed to enter this Order and attachment in the Record of Judgments and Orders for the Court, 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, on July 14, 2014.

Brent E. Dickson
Chief Justice of Indiana

LR60-AR 1 (E)-1___ CASELOAD ALLOCATIONS (to be effective on January 1, 2015)

A. **PROCEDURE.** The Presiding Judge and Vice Presiding Judge shall:

1. Review and comply with current caseload allocation Orders of the Indiana Supreme Court.
2. Review and assess literature from the Indiana State Bar Association, the American Bar Association and the National Center for State Courts.
3. Review and consider suggestions made by the Owen County Bar Association, the Prosecuting Attorney and Public Defenders.
4. Review and analyze the statistics on current workload and case flow within the Owen Circuit Court.
5. Analyze whether the current allocation is providing quality public service. There shall be a presumption in favor of the current allocation in order to preserve the public confidence in the system, promote stability for employees of the Court system and avoid inefficient use of personnel, time and resources to effectuate change. Caseload allocation shall be determined by Judicial seniority.

B. **IMPLEMENTATION.** The Clerk of Owen County shall maintain a filing system, by computer or otherwise, implementing the caseload allocation approved by the Board of Judges. If the caseload allocation is changed by Order of the Board of Judges, the Presiding Judge shall forward the amended allocation to the Clerk of the Supreme Court and the Court of Appeals, the State Court Administrator, the Clerk of the Owen Circuit Court and the President of the Owen County Bar Association. The current allocation will be as follows:

1. **CASE ASSIGNMENT.**

   The Clerk shall assign cases as directed by the Presiding Judge and Vice Presiding Judge.

   a. The Clerk shall assign all Criminal and Traffic cases to Circuit Court 1.
   b. The Clerk shall assign all Domestic Relation, Juvenile Paternity, Reciprocal Support, Protective Orders, CHINS, Juvenile Miscellaneous filed by the Department of Child Services and Juvenile Terminations, Small Claims, Ordinance Violations and all Civil cases to Circuit Court 2.
   c. The Clerk shall assign all Juvenile Delinquencies, Juvenile Status, Juvenile Miscellaneous resulting from delinquent acts, Adoptions, Mental Health, Guardianship and Estates to Circuit Court 1.
   d. Circuit Court 1 will be assigned any cases referred to the Owen County Drug Court. Circuit Court 2 will be assigned any request made by the Drug Court team regarding any individuals for termination from the Drug Court.

e. Circuit Court 2 will be assigned any cases referred to the Owen County Juvenile Problem Solving Court. Circuit Court 1 will be assigned any requests made by the Juvenile Problem Solving team regarding any juveniles for termination from the Juvenile Problem Solving Court.
f. Circuit Court 1 will be assigned all defendants and juveniles terminated from the Drug Court or Juvenile Problem Solving Court for sentencing and disposition.
g. The Clerk shall assign to Circuit Court 1 all MC and MI cases (excluding tax warrants). The Clerk shall assign to Circuit Court 2 only the MI cases involving tax warrants.

C. EMERGENCY CASE MANAGEMENT

1. Nothing in these Rules shall preclude Circuit Court 1 and Circuit Court 2 from agreeing with each other to preside over and handle any type of case only for emergency purposes while the other Judge is unavailable.

LR60-AR1 (E)-2 EVALUATION OF WORKLOAD INFORMATION

The Judges of the Owen Circuit Court shall meet and evaluate their respective caseloads on January 10th of each year and June 10th of each year to determine whether any disparity in their respective caseloads requires adjustment and allocation of judicial resources.

LR60-AR1 (E)-3 REMEDIES IN REGARD TO DISPROPORTIONATE CASELOAD

1. If the Judges of the Owen Circuit Court determine a disparity in caseload, the Courts will address the issue in the following fashion:
   a. The Courts will use appointments of Judges Pro-tempore to allow time for research and disposition of cases not otherwise available due to congestion in the docket.
   b. The Courts will request assistance of a Senior Judge to allow the Circuit Court Judges time to address matters under advisement and otherwise reduce the delay in case backload.
   c. In the event that provisions (a) and (b) are not adequate to address the problem, the Courts will proceed under the regional plan approved for Administrative District 10 and request the services of another Judge in said District.

(This rule has been modified. The original rule was approved by the Indiana Supreme Court on September 30, 1999.)