In the
Indiana Supreme Court

FILED
JUN 25 2014
CLERK OF THE INDIANA SUPREME COURT COURT OF APPEALS AND TAX COURT

IN THE MATTER OF THE	)	
	)	
APPROVAL OF LOCAL RULES	)	Case No. 85S00-1406-MS-432
	)	
FOR WABASH COUNTY	)	

ORDER APPROVING AMENDED LOCAL RULE

The Judges of the Wabash Circuit and Superior Courts 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 Wabash Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR85-AR1E-7, LR85-FL00-1 and LR85-CR2.2-1 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 LR85-AR1E-7, LR85-FL00-1 and LR85-CR2.2-1 for Wabash Circuit and Superior Courts, set forth as an attachment to this Order, are approved effective July 1, 2014. The Clerk of this Court is directed to forward a copy of this Order to the Hon. Christopher M. Goff, Wabash Superior Court, 59 West Hill Street, Wabash, IN 46992-3151; the Hon. Robert R. McCallen, III, Wabash Circuit Court, 49 West Hill Street, Wabash, IN 46992-3151; to the Clerk of the Wabash Circuit and Superior Courts; 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 Wabash 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, on June 25, 2014.

Brent E. Dickson
Chief Justice of Indiana

Wabash Caseload Allocation Plan

LR85-AR1E-7 Caseload Allocation Plan

(A) Civil cases may be filed in either court in Wabash County with the following exceptions:

1. All protection order cases are filed in Superior Court. This is true unless the parties to the protection order case are also parties to a case pending in Circuit Court. In such cases, pursuant to I.C. § 31-14-16-1, the protection order case is also filed in Circuit Court.
2. All small claims cases are filed in Superior Court, or in City Court if appropriate.
3. All original dissolution proceedings are filed according to LR85-FL00-1.

(B) Criminal cases will be assigned according to LR85-CR2.2-1.

LR85-FL00-1 Allocation of Dissolution Proceedings between Circuit and Superior Courts

All original dissolution proceedings shall be filed on an alternate basis between the Wabash Circuit and Wabash Superior Courts. The first such filing annually shall be filed in the Wabash Circuit Court and then to the Wabash Superior Court and alternating thereafter with each case filed.

Criminal Rules (CR)

LR85-CR2.2-1 Allocation of Criminal Proceedings between Circuit and Superior Courts I – Case Allocation

(A) Felony Cases

1. All cases wherein the most serious charge filed is a Class A, Class B, or Class C felony or murder shall be filed in the Wabash Circuit Court.
2. All cases wherein the most serious charge filed is a Level 1, Level 2, Level 3 or Level 4 felony or murder shall be filed in the Wabash Circuit Court.
3. All cases wherein the most serious charge filed is a Class D felony shall be assigned on an alternating basis, first to the Wabash Superior Court and then to the Wabash Circuit Court and alternating thereafter with each case filed, with the exception of those cases listed in Section Five below.
4. All cases wherein the most serious charge filed is a Level 6 felony shall be assigned on an alternating basis, first to the Wabash Superior Court and then to the Wabash Circuit Court and alternating thereafter with each case filed, with the exception of those cases listed in Section Six below.
5. All cases charged as a Class D felony and which involve the operation of a motor vehicle or watercraft shall be filed in the Wabash Superior Court.
6. All cases charged as a Level 6 felony and which involve the operation of a motor vehicle or watercraft shall be filed in the Wabash Superior Court.

7. All cases wherein the most serious charge filed is a Level 5 felony may be filed in either the Wabash Circuit or Wabash Superior Court. This flexibility, with respect to the filing of Level 5 felonies, is intended to mitigate the impact of new felony classifications, resulting from the enactment of H.E.A. 1006, on the relative caseloads between the Wabash Circuit and Superior Courts.

(B) Misdemeanor Cases

1. All cases wherein the most serious charge is a Class A, Class B, or Class C misdemeanor shall be filed in the Wabash Superior Court.

(C) Infractions

1. All cases wherein the most serious charge is an infraction shall be filed in the Wabash Superior Court.