

**STATE OF INDIANA – COUNTY OF OWEN
IN THE OWEN CIRCUIT COURTS**

**Notice of Proposed Local Rule Amendment and Finding Good Cause to
Deviate from Established Schedule
March 14, 2023**

The judges of the Owen Circuit Courts, pursuant to Trial Rule 81(B), hereby give notice to the bar and the public that the Courts propose to amend the Local Rule(s) on Caseload Allocations, LR60-AR1(E)-1 for the courts of record of Owen County and find good cause to deviate from the schedule for amending local rules under Trial Rule 81(D).

All new text is shown by underlining and deleted text is shown by ~~striketrough~~. Supreme Court approval is required for Local Rules concerning Caseload Allocations, LR60-AR1(E)-1 and will not take effect until approved by the Supreme Court.


Notice has been given to the public by posting on the website of the Owen County Clerk and at the Indiana Judiciary webpage for Local Rules (<https://www.in.gov/courts/publications/local-rules/>), and by furnishing a copy to the officers of the Owen County Bar Association. A paper copy of the proposed amended local rule(s) will be made available for viewing in the office of the Clerk of Owen County, 60 S. Main St., Spencer, IN 47460 during normal business hours.

The time period for the bar and the public to comment shall begin on March 17, 2023 and shall close on April 17, 2023. These rule amendments will be effective on May 1, 2023, and after approval of the Indiana Supreme Court for those rules requiring approval.

Comments should be made in writing to:

Hon. Kelsey B. Hanlon
Judge of the Owen Circuit Court II
Attn: Public Comment on Local Rules
Owen County Courthouse
60 S. Main St., 2nd Floor, Spencer, IN 47460.

DATED this 14th day of March, 2023 on behalf of the Judges of Owen County.



Kelsey B. Hanlon, Judge
Owen Circuit Court II

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 1 ~~2~~ will be assigned any cases referred to the Owen County Juvenile Problem Solving Court. Circuit Court 2 ~~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 cases. The Clerk shall assign to Circuit Court 2 all MI cases.

C. ADDITIONAL AUTHORITY

1. The Judicial Officers of Owen Circuit Courts, may sit as acting Judge in any matter as if the Judge were the elected or appointed Judge in the Owen Circuit Court I or Owen Circuit Court II upon the unavailability of the elected or appointed Judges and shall denominate their authority as "Acting Judge", as provided in Ind. Administrative Rule 1.
2. As both courts have original and concurrent jurisdiction in all civil and criminal cases pursuant to Ind. Code 33-28-1-2, nothing in these rules prevent the Judge of one Court from transferring any case to be redocketed in another Court, if the

Judge of the receiving Court consents to the transfer.

~~D. 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.~~

(Amended effective January 1, 2018)