

IC 33-33-73

Chapter 73. Shelby County

IC 33-33-73-1

Judicial circuit

Sec. 1. Shelby County constitutes the sixteenth judicial circuit.
As added by P.L.98-2004, SEC.12.

IC 33-33-73-2

Establishment of standard superior courts

Sec. 2. (a) There are established two (2) courts of record to be known as the Shelby superior court No. 1 and the Shelby superior court No. 2.

(b) Except as otherwise provided in this chapter, each Shelby superior court is a standard superior court as described in IC 33-29-1.

(c) Shelby County comprises the judicial district of the courts.
As added by P.L.98-2004, SEC.12.

IC 33-33-73-3

Judges; location of court sessions

Sec. 3. Each Shelby superior court has one (1) judge who shall hold sessions in the Shelby County courthouse in Shelbyville.
As added by P.L.98-2004, SEC.12.

IC 33-33-73-4

Transcripts

Sec. 4. (a) This section does not apply to criminal cases.

(b) If the transcript of the original papers in a civil action or proceeding received by the clerk of the Shelby circuit court and Shelby superior courts on change of venue from another county contains an order of the court from which venue was changed designating the court to which the case is to be transferred, the clerk shall file the action or proceeding on the docket of the designated court.

(c) If the transcript of the original papers in a civil action or proceeding does not contain an order designating the court to which the case is to be transferred, the clerk shall alternately file each action or proceeding on the docket of the Shelby circuit court and the docket of the Shelby superior courts depending on the order and sequence in which the papers of the cases reach the clerk.

As added by P.L.98-2004, SEC.12.

IC 33-33-73-5

Change of venue

Sec. 5. (a) This section does not apply to criminal cases.

(b) Notwithstanding IC 33-29-1-9, after any action or proceeding is docketed in a Shelby superior court or the Shelby circuit court on change of venue, all parties who have appeared in the case in person or by counsel may agree on and request a transfer from a superior court to the circuit court or from the circuit court to a superior court.

(c) Upon the agreement of all parties, the court in which the action is pending shall order the case transferred to the other court. The clerk shall transmit the original papers of the case to the other court and docket the case in the other court without any transcript being required.

(d) All further proceedings in the case shall take place in the court to which the case is transferred. If the case is one in which the prosecuting attorney is required to appear and defend and a party fails to appear or to employ counsel, the prosecuting attorney has the right to agree to the transfer instead of the nonappearing party or counsel.

As added by P.L.98-2004, SEC.12.

IC 33-33-73-6 Version a

Jurisdiction

Note: This version of section effective until 1-1-2012. See also following repeal of this section, effective 1-1-2012.

Sec. 6. The Shelby superior courts have the same jurisdiction as the Shelby circuit court, except that Shelby superior court No. 1 has exclusive juvenile jurisdiction in the county.

As added by P.L.98-2004, SEC.12.

IC 33-33-73-6 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

Note: This repeal of section effective 1-1-2012. See also preceding version of this section, effective until 1-1-2012.

IC 33-33-73-7 Version a

Small claims and misdemeanor division

Note: This version of section effective until 1-1-2012. See also following repeal of this section, effective 1-1-2012.

Sec. 7. Shelby superior court No. 2 has a standard small claims and misdemeanor division.

As added by P.L.98-2004, SEC.12.

IC 33-33-73-7 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

Note: This repeal of section effective 1-1-2012. See also preceding version of this section, effective until 1-1-2012.