

**STATE OF INDIANA – COUNTY OF JENNINGS  
IN THE JENNINGS CIRCUIT AND SUPERIOR COURTS**

**Notice of Proposed Amendment to Jennings County Local Court Rules and Finding Good Cause to Deviate from  
Established Schedule**

Notice is hereby given, pursuant to Trial Rule 81(B), to the local bar and the public of proposed amendments and additions to Jennings County Local Rule 40-AR8-01, Local Rule 40-TR79-03, and Local Rule 40-AR21-02. The judges of the Jennings Circuit and Superior Courts 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 some Local Rule amendments and may not take effect until approved by the Supreme Court.

These proposed amendments are available for review in the Office of Jennings Circuit Court and Jennings Superior Court during regular business hours. Additionally, a copy of this notice shall be posted in the Jennings County Clerk's Office, a public place within the Jennings County Courthouse, on the Jennings County Government website, and the Indiana Office of Judicial Administration website.

Any comments can be mailed to Judge Bright in Circuit Court at PO Box 386, Vernon, IN 47282, emailed to [msbright@jenningscounty-in.gov](mailto:msbright@jenningscounty-in.gov) or calling 812-352-3082 and/or mailed to Judge Smith in Superior Court at PO Box 490, Vernon, IN 47282 or calling 812-352-3087. Comments may be made until December 19, 2025.

The amended rule shall be effective January 1, 2026 and after approval of the Indiana Supreme Court for those rules requiring approval.

Dated this 5<sup>th</sup> day of November, 2025.

/s/ Murielle S. Bright  
Murielle S. Bright,  
Judge, Jennings Circuit Court

/s/ Gary L. Smith  
Gary L. Smith,  
Judge, Jennings Superior Court

**LR 40-AR8-01 - INITIAL CASE ASSIGNMENT AND LOCAL CASELOAD PLAN**  
(See Indiana Administrative Rules 1(E) and 8)

Unless otherwise required by statute, the Clerk of Courts and the Prosecuting Attorney of Jennings County, to the extent applicable, shall file the following cases in the following Court:

**Jennings Circuit Court**

- 1.) All Level 1, 2, 3, 4, 5, and 6 felonies and Murder (MR), EXCEPT those filed alleging a Level 6 felony under IND. CODE §9-30-5-3 or §9-30-5-4 and related Post Conviction Relief proceedings.
- 2.) Mental Health (MH)
- 3.) All Adoption or Adoption History Petitions (AD and AH)
- 4.) All Estates and Trust (EU, ES, EM and TR)
- 5.) All Guardianships (GU and GM)
- ~~6.) All family law matters (new filings and previously filed cases DC, DN, DR, and RS)~~
- 7.) All juvenile matters ~~(new filings and previously filed~~ (JC, JT, JD, JM, JS, JO and JP)
- 8.) All ~~Grandparent visitation cases and~~ pre-filing motions where the underlying case would be heard in Jennings Circuit Court.

~~All causes listed in paragraphs 6 and 7 above will routinely be assigned to and heard by the Magistrate of the Jennings Circuit Court. There may be instances in which the Magistrate may need to be assigned to and hear other types of cases or instances in which Circuit Court may maintain jurisdiction of cases listed in 6 and 7 above. However, the routine expectation will be that the Magistrate of Jennings Circuit Court is assigned and hears all previously existing and new DC, DN, DR, RS, JC, JT, JD, JM, JS, JO and JP cases after July 1, 2021.~~

**Jennings Superior Court**

- 1.) All Level 6 felonies alleging a violation of IND. CODE §9-30-5-3 or §9-30-5-4
- 2.) All Infractions (IF)
- 3.) All Misdemeanors (CM)
- 4.) All Local Ordinance and Exempted Ordinance Violations (OV and OE)
- 5.) All Small Claims (SC)
- 6.) All Protection Orders (PO)
- 6-7.) All family law matters (new filings DC, DN, DR, GV and RS)
- 7-8.) All civil actions unless otherwise assigned (CP, CT, PL, CE, CC, EV, MF, ~~MI~~, RA, TP and TS)
- 8-9.) All Miscellaneous (MI) cases except for grandparent visitation and pre-filing motions that would be heard by Jennings Circuit Court.

**OTHER**

Court Business (CB) cases shall be filed in the court where any related matters are filed. If the matters are concerning both Circuit and Superior Courts, it shall be filed in Circuit Court.

Expungement petitions (XP) filed under IND. CODE §35-38-9 shall be filed in the court where the conviction occurred or was filed if no conviction occurred. If the Petition for

Expungement involves convictions in both Circuit and Superior Courts, the petition shall be filed in the court with the highest level case.

If a petition is filed under IND. CODE §35-38-9-1(a) (arrest with no charges ever having been filed), the Petition shall be filed in the Court which would have handled the most serious charge not filed.

Any action involving a land contract, as defined in IND. CODE §24-4.4-1-301(36), shall be filed as a civil action and not as small claim.

In criminal cases, the most serious charge filed shall determine the proper Court.

If an information alleges a violation of IND. CODE §9-30-5-3 or 9-30-5-4 and any other Level 6 felony, the case shall be filed in the Jennings Circuit Court.

All existing Domestic Relations (DR), Domestic Relations without Children (DN), and Domestic Relations with Children (DC) cases will be heard in the court where they were originally filed.

All Red Flag (RF) cases will be heard in the court where any related matters are filed. In the event there are no other related matters filled, the RF case shall be filed in the Jennings Circuit Court.

*(Amendment effective ~~October 24, 2024~~ January 1, 2026)*

#### **LR\_40-TR79-03 - SPECIAL JUDGE APPOINTMENT IN CIVIL CASES**

(See Indiana Rule of Civil Procedure 79(H))

In the event a special judge needs to be appointed under Indiana Rule of Trial Procedure 79(H), the Court may reassign the case first ~~to the Jennings Magistrate, secondly~~ to the Jennings Circuit Judge ~~and, secondly~~ thirdly to the Jennings Superior Judge. In the event a reassignment cannot be accomplished pursuant to the rules set forth above, then the case will be reassigned in consecutive order on a rotating basis from a list of full-time judicial officers from the counties below in Administrative District 21 and from contiguous counties who have agreed to serve as a special judge

Bartholomew County

Brown County

Decatur County

Jackson County

Jefferson County

Ripley County

Scott County

Or, any Senior Judge who has agreed to serve as a special judge in the Jennings Circuit or Jennings Superior Court.

In the event that no judge is available for assignment or reassignment, such case shall be certified to the Indiana Supreme Court for the appointment of a special judge.

*(Amended effective ~~October 24, 2024~~ January 1, 2026)*

#### **LR\_40-AR21-02 - REASSIGNMENT IN CRIMINAL CASES**

(See Indiana Administrative Rules 1(E) and 21))

In the event it becomes necessary to reassign a felony or misdemeanor case in the Jennings Circuit or Superior Court, the court may reassign the case first to the ~~Jennings Magistrate, secondly to the Jennings~~ Circuit Judge ~~and, secondly thirdly~~ to the Jennings Superior Judge. In the event a reassignment cannot be accomplished pursuant to the rules set forth above, then the case will be reassigned on a rotating basis from a list of full-time judicial officers from the following contiguous counties and counties within Administrative District 21:

Bartholomew County  
Brown County  
Decatur County  
Jackson County  
Jefferson County  
Ripley County  
Scott County

Or, any Senior Judge who has agreed to serve as a special judge in the Jennings Circuit or Jennings Superior Court.

In the event no Judge is available for assignment or reassignment of a felony or misdemeanor case, such case shall be certified to the Indiana Supreme Court for the appointment of Special Judge. In the event the Judge presiding in a felony or misdemeanor case concludes that the unique circumstances presented in such proceeding require appointment by the Indiana Supreme Court of a Special Judge, this presiding Judge may request the Indiana Supreme Court for such appointment.

*(Amended effective ~~October 24, 2024~~ January 1, 2026)*