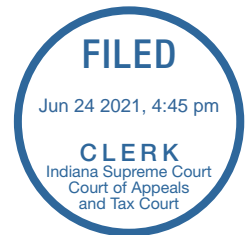


In the
Indiana Supreme Court

In the Matter of the Approval of Local
Rules for Marshall County

Supreme Court Case No.
21S-MS-317



Order Approving Amended Local Rule

The Judges of the Marshall Circuit and Superior Courts request the approval of amended local rule for caseload allocation in accordance with Indiana Administrative Rule 1(E). Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendments requested by the Marshall Circuit and Superior Courts, this Court finds that the proposed rule amendments at LR50 – TR81 & AR1 (E) – MLR-010 comply with the requirements of Indiana Administrative Rules 1(E), and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule, LR50 – TR81 & AR1 (E) – MLR-010, for Marshall Circuit and Superior Courts, set forth as an attachment to this Order, is approved effective July 1, 2021.

Done at Indianapolis, Indiana, on 6/24/2021.

A handwritten signature in black ink, appearing to read "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

LR50 – TR81 & AR1 (E) – MLR-010
Local Caseload Allocation Plan

In order to meet the statistical requirements mandated by the Indiana Supreme Court, except as noted below in the paragraphs entitled “Exceptions”, original case filings shall be made into the following Courts as listed below effective July 1, 2021:

Marshall Circuit Court

All CT, GU, GM, JC, JD, JS, JP, JM, JQ, JT, PL, MF, RS, TR, TS, TP case types

Marshall Superior Court #1

All Capital Murder, Murder, F1, F2, F3, F4, LP, DP

Marshall Superior Court #2

All CM, IF, OV, OE, traffic related F5 and F6 case types

Marshall Superior Court #3

All non-traffic related F5 and F6 case types, MH, PO*, SC and EV

Exceptions:

1. If a person is on probation, or has a criminal case pending in any Marshall County Court, any new criminal case filing against that person regardless of its classification may be filed in the same or any other Marshall County Court at the State’s discretion.
2. * new PO cases which relate to a previously filed JP, DR, DC or DN case type shall be filed in the court where the previous case already exists.

In addition:

The following shall be filed in either the Marshall Circuit Court or Marshall Superior Court #1:

All AD, DC, DN, EM, ES, EU and RS case types.

The following shall be filed in either the Marshall Circuit Court or Marshall Superior Court #3:

All CC case types where the amount in controversy is more than \$10,000.00 shall be filed in Circuit Court.

All CC case types where the amount in controversy is less than \$10,000.00 shall be filed in Superior Court #3.

CB, PC, MI, MC and XP filings shall be made in the most appropriate Court for the matter that needs to be addressed.

Transfers shall be permitted between Courts with the approval of the participating judges.

Judicial officers shall be authorized to act and conduct trials and hearings of all types in any of the courts of Marshall County in the event the presiding judge is unavailable or requests assistance.

In addition to the new filings on and after July 1, 2021, the following case types in each Court shall be transferred to Marshall Superior Court No. 3:

Pending non-traffic related F5, F6,

All Superior Court #2 CC (under \$10,000), and all SC and EV

50D02-2004-MI-33

50D02-2005-MI-36

Any pending Motion to Revoke Probation regardless of case type shall remain with the Court where it is now pending.

Upon approval by the Supreme Court, this rule shall remain in effect until further order.