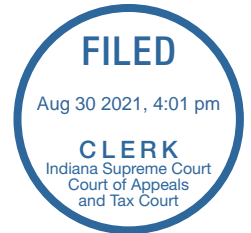


In the Indiana Supreme Court

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

Supreme Court Case No.
21S-MS-407



Order Approving Amended Local Rule

The Judges of the Decatur Circuit and Superior Courts request the approval of amended local rules for caseload allocation in accordance with Indiana Administrative Rule 1(E) and for criminal case assignments and special judge assignments in accordance with Indiana Criminal Rules 2.2 and 13. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Decatur Circuit and Superior Courts, this Court finds that the proposed rule amendments at LR16-CR2.2-1 and LR16-AR00-1 comply with the requirements of Indiana Administrative Rules 1(E) and LR16-CR2.2-1 comply with Criminal Rules 2.2 and 13, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR16-CR2.2-1 and LR16-AR00-1, for Decatur Circuit and Superior Courts, set forth as an attachment to this Order, are approved effective September 1, 2021.

Done at Indianapolis, Indiana, on 8/30/2021.

A handwritten signature in black ink that reads "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

LR16-CR2.2-1 Criminal Case Filings and Reassignment

- (A) If the highest offense level charged is a misdemeanor, then the case shall be filed in the Decatur Superior Court.
- (B) If the highest offense level charged is a felony, then the case shall be filed according to the following rules, to be applied in order:
- (i) If the highest offense level charged is a felony arising under Title 9 of the Indiana Code, then the case shall be filed in the Decatur Superior Court.
 - (ii) If the defendant has a pending criminal case charging a felony offense in either the Decatur Circuit Court or the Decatur Superior Court, then the case shall be filed in the court where the pending case is. In the event that the defendant has pending criminal cases charging felony offenses in both courts, then case assignment shall be done by random selection.
 - (iii) All other criminal cases charging felony offenses shall be assigned by random selection with one-half (1/2) of the cases assigned to each court.
- (C) Judges of the Decatur Circuit Court and the Decatur Superior Court may transfer any pending case to the other Decatur County Court or may appoint the other Decatur County Judge as special judge.
- (D) In the event that a change of judge is granted or a judge is disqualified or recuses, then reassignment shall be made on a rotating basis to one of the judges/magistrates of the following courts: Jennings Circuit Court, Jennings Superior Court, Bartholomew Circuit Court, Bartholomew Superior Court No. 1, Bartholomew Superior Court No. 2, Rush Circuit Court, Rush Superior Court, Franklin Circuit Court No. 1, Franklin Circuit Court No. 2, Ripley Circuit Court, Ripley Superior Court, Shelby Circuit Court, Shelby Superior Court No. 1, Shelby Superior Court No. 2, Jackson Circuit Court, Jackson Superior Court No. 1, Jackson Superior Court No. 2, and Brown Circuit Court.
- (E) When, under these rules, no judge is available for appointment, or when, in the discretion of the regular presiding judge, the particular circumstance warrants selection of a special judge by the Indiana Supreme Court, the presiding judge shall certify these facts to the Indiana Supreme Court and request an appointment of a special judge under the applicable procedural rules.

LR16-AR00-1 Civil Case Filings

Civil cases with the following case types shall be filed in the Decatur Circuit Court: DC, DN, AD, ES, EU, EM, GU, GM, TR, JC, JD, JS, JT, JP, JM, JQ, RS, TS, and TP. Civil cases with the following case types shall be filed in the Decatur Superior Court: PL, CT, MI, IF, OV, OE, CC, MF, SC, EV, and PO. All civil cases with case types not specified herein may be filed in either court. A case with any case type may be transferred from one court to the other court, subject to acceptance by the receiving court.