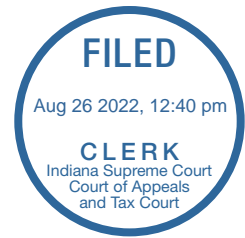


In the
Indiana Supreme Court

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

Supreme Court Case No.
22S-MS-296



Order Approving Amended Local Rule

The Judges of the Jackson 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 special judge assignments in accordance with Criminal Procedure Rules 2.2 and 13 and for civil special judge assignments in accordance with Trial Procedure Rule 79. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Jackson Circuit and Superior Courts, this Court finds that the proposed rule amendments at LR36-AR1(E)-1 comply with the requirements of Indiana Administrative Rule 1(E), LR36-CR2.2-1 comply with the requirements of Criminal Procedure Rules 2.2 and 13, and LR36-TR79(H)-1 comply with the requirements of Trial Procedure Rule 79 and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR36-AR1(E)-1, LR36-CR2.2-1, and LR36-TR79(H)-1, for Jackson Circuit and Superior Courts, set forth as an attachment to this Order, are approved effective September 1, 2022.

Done at Indianapolis, Indiana, on 8/26/2022.

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

Loretta H. Rush
Chief Justice of Indiana

LR 36-AR1 (E)-1: Case Allocation for Jackson County Courts.

- (a) Circuit Court.** All new case filings designated as MR, F1, F2, F3, F4, F5, F6, FA, FB, FC, FD, ES, EU, GU and TR shall be filed in the Circuit Court.
- (b) Superior Court 1.** All new case filings designated as PL, MF, CC, CT, EV, CM (except OWI), SC, OV and IF, and every other MI shall be filed in Superior Court 1.
- (c) Superior Court 2.** All new case filings designated as JC, JD, JS, JP, JM, DN, DC, RS, JT, MH, PO, XP, and AD, CM (OWI), and every other MI shall be filed in Superior Court 2.
- (d) Unequal Allocation.** All new case filings designated as MC and PC shall be given the cause number of the Court in which it is filed.
- (e) Transfer of Cases.** Except as provided in section (g), all active cases pending on January 1, 2008 or after of the types designated for filing in Superior Court 2 shall be transferred to Superior Court 2. Inactive cases shall be transferred at the time the case is re-docketed.
- (f) Retention of Cases.** The presiding judge of the Circuit Court or Superior Court 1 may retain any pending or re-docketed case if, in the discretion of that judge, the interests of justice are best served by such retention.

LR36-CR2.2-1: Criminal Case Reassignment

In any criminal proceeding in the Jackson Circuit or Superior Courts when a change of judge is granted, or it becomes necessary to assign another judge, the case shall be reassigned to a full-time judicial officer from either a contiguous county or from the judicial district. Each regular sitting judge shall maintain a list of all eligible special judges.

LR36-TR79(H)-1 Special Judge Appointment in Civil Case

In the event a special judge appointment is necessary under Trial Rule 79 (H), the Clerk or the Deputy Clerk of the court where the case is pending shall first assign the case to one of the other Jackson County Judges on a rotating basis, and if neither judge is able to serve due to reasons set forth in TR 79 (H), then the Clerk shall appoint on a rotating basis a special judge from the following list of presiding judges in the respective courts:

Bartholomew	Brown Circuit	Decatur	Jennings
Circuit Court	Circuit Court	Circuit Court	Circuit Court
Superior Court 1	Magistrate	Superior Court	Superior Court
Superior Court 2		Magistrate	Magistrate
Superior Court 2 Magistrate			
Juvenile Magistrate			

If the judge selected to serve is disqualified or is excused from service, then the sitting judge in cases other than recusal or disqualification, and the clerk of the court in cases where there is a recusal or disqualification by the sitting judge, shall appoint the next judge on the list. If no judge on the list is eligible to serve as special judge or the particular circumstances in the case so warrant, the then sitting judge in the case shall certify the matter to the Indiana Supreme Court for the appointment of a special judge pursuant to TR79(H)(3).