

In the
Indiana Supreme Court



In the Matter of the Approval of Local Rule
for LaGrange County

Supreme Court Case No.
22S-MS-433

Order Approving Amended Local Rule

The Judges of the LaGrange Circuit and Superior Courts request the approval of an 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 amendment requested by the LaGrange Circuit and Superior Courts, this Court finds that the proposed rule amendment at LR44-AR1-9 complies with the requirements of Indiana Administrative Rule 1(E), and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule, LR44-AR1-9, for the LaGrange Circuit and Superior Courts, set forth as an attachment to this Order, is approved effective January 1, 2023.

Done at Indianapolis, Indiana, on 12/20/2022.

A handwritten signature in black ink, appearing to read "Loretta H. Rush", written over a horizontal line.

Loretta H. Rush
Chief Justice of Indiana

A. Criminal, Infraction and Ordinance Violation Cases

Criminal cases shall be filed pursuant to LR44-CR2.2-10. All infraction and ordinance violation cases shall be assigned to the Superior Court.

B. Probate and Related Cases

Estate, Guardianship, and Trust cases shall be assigned to the LaGrange Circuit Court. Adoption cases shall be equally divided between the LaGrange Circuit and Superior Courts.

C. Juvenile Cases

All juvenile cases including paternity cases shall be assigned to the LaGrange Circuit Court.

D. Small Claims Cases and Evictions under EV cause numbers

All small claims and evictions under EV cause numbers cases shall be assigned to the LaGrange Superior Court.

E. Reciprocal Support Cases

All reciprocal support cases shall be assigned to the LaGrange Circuit Court.

F. All Other Civil Case Types

Cases other than those mentioned in the preceding paragraphs may be filed in either Circuit Court or Superior Court, at the discretion of the filing party. However, nothing in this rule shall prohibit a judge of said Court from transferring a case from that Court to the other as allowed by statute, or rule of trial procedure, or to ensure an even distribution of judicial workload between the courts of record in the county.

G. Sitting as Judge

A Judge of a Court in LaGrange County may sit as Judge of all other Courts in LaGrange County in any manner, as if the elected Judge of that Court, with the consent of the Judge of that Court.

H. Re-filed Cases

Except when a change of venue is necessary, whenever a case is dismissed by action of the originating party, the case, if re-filed, must be assigned to the same court that received the original case.

I. Caseload Review

The Judges of the LaGrange Circuit and Superior Court shall meet during the months of July and January, of each year to review the caseloads of the Courts. They shall, at those meetings, make and transfer of cases which they deem necessary to provide for the more expeditious handling of cases in LaGrange County and to help to alleviate any disparity in the Courts' caseload.

Further, the Judges shall meet to discuss caseloads and make transfers at such other times as either Judge may deem necessary.