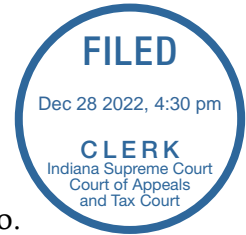


In the  
**Indiana Supreme Court**



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

Supreme Court Case No.  
22S-MS-451

**Order Approving Amended Local Rule**

The Judges of the Warrick County 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 amendments requested by the Warrick County Circuit and Superior Courts, this Court finds that the proposed rule amendments at LR87-AR-7 comply 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, LR87-AR-7, for the Warrick County Circuit and Superior Courts, set forth as an attachment to this Order, is approved effective January 1, 2023.

Done at Indianapolis, Indiana, on 12/28/2022 .

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

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Loretta H. Rush  
Chief Justice of Indiana

**COUNTY PLAN FOR ALLOCATION OF JUDICIAL RESOURCES  
JOINT LOCAL RULE**

Pursuant to the Indiana Supreme Court's order for development of local caseload plans, the judges of the Warrick County Courts hereby adopt, subject to the approval of the Indiana Supreme Court, this joint local rule entitled Warrick County Plan for Allocation of Judicial Resources.

This joint rule has been adopted by the Warrick County Courts after reviewing and considering the weighted caseload results as determined by the Indiana Office of Judicial Administration, local custom and practice in Warrick County, the preference of the local bar to maintain the current discretionary filing system, and other relevant factors.

1. The disparity between caseloads in the three courts of general jurisdiction in Warrick County indicates to the three local judges that substantial changes need to be made in the current civil filing system that permits discretionary filing of civil proceedings in any of the three courts having general jurisdiction in Warrick County.

2. The local judges believe that either a mandatory filing system for certain cases in one of the three courts, or a random filing system, such as a random draw or assignment system to be maintained by the clerk of the courts, would result in significant increases in motions requesting the appointment of a special judge, with resulting administrative burdens, delays and expenses should out of county special judges be selected to serve in these cases.

3. Although the Judges have reviewed the weighted caseload statistics from the previous years and have determined that disparity in caseloads exist between the three courts at this time, the present discretionary filing system should be maintained in Warrick County, subject to the following:

A. All JC, JT, JP, PO, RS, ES, EU, CC and GU cases and any other type of civil case (other than SC and EV) filed by an attorney-at-law shall be assigned by the Clerk to the three Warrick County Courts in seriatim order, in the order of Circuit, Superior 1 and Superior 2, unless a specific court is requested by the filing party or the case is otherwise required to be filed in a specific court by statute. In the event multiple cases are being filed simultaneously which involve substantially the same parties or factual circumstances, those cases shall be filed in one court.

B. All civil cases (other than SC and EV) filed by an unrepresented litigant shall be assigned by the Clerk to the three Warrick County Courts in seriatim order, in the order of Circuit, Superior 1 and Superior 2, unless a specific court is requested by the filing party or the case is otherwise required to be filed in a specific court by statute. In the event multiple cases

are being filed simultaneously which involve substantially the same parties or factual circumstances, those cases shall be filed in one court.

4. On or before May 1 of each year, the judges in Warrick County shall review the weighted caseload statistics from the prior year as calculated by the Indiana Office of Judicial Administration. Should, upon this review, the presiding judges of the Warrick County Courts determine that a disparity in caseloads between the courts then exists that requires a change in the current discretionary filing system for civil cases, the local judges shall agree upon a reasonable plan to address the disparity in caseload and, if no such agreement between the judges is possible, each of the judges may propose and submit a plan to the Indiana Supreme Court to reduce the caseload disparity at that time. Any such plan submitted by any presiding judge in Warrick County shall be served upon all other judges in Warrick County at the time it is sent to the Indiana Supreme Court, so the remaining judges will know the proposal made by the submitting judge.

5. Should the Indiana Supreme Court direct the Warrick County judges to address a disparity in caseloads between the Warrick County Courts, the local judges shall meet with one another to formulate a plan to reduce this disparity and, once again, if the judges are unable to agree to such a plan, each of the judges may submit his plan or proposal to the Indiana Supreme Court, and once again serve upon the other presiding judges a copy of the plan or proposal when the same is mailed to the Supreme Court for its review.

6. As part of the Warrick County Plan for Allocation of Judicial Resources, the judges, the magistrate and senior judges in the Warrick County Courts shall be reasonably available for the assignment of cases in District 26 consistent with the comparative utilization levels for the courts within the district as provided in the Administrative District 26 Plan for Allocation of Judicial Resources, when such plan is adopted.

7. This Plan for Allocation of Judicial Resources in Warrick County, Indiana, and this joint local rule shall become effective upon approval of the same by the Indiana Supreme Court.