

In the
Indiana Supreme Court

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

Supreme Court Case No.
23S-MS-328



Order Approving Amended Local Rule

The Judges of the Harrison County Circuit and Superior Courts request the approval of an amended local rule for caseload allocation in accordance with Indiana Administrative Rule 1(E) and for criminal case assignments in accordance with Indiana Criminal Procedure 2.2. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendments requested by the Harrison County Circuit and Superior Courts, this Court finds that the proposed rule amendments to LR31-AR-1(E)-19 comply with the requirements of Administrative Rule 1(E) and Indiana Criminal Procedure 2.2, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended local rule, LR31-AR-1(E)-19, for the Harrison County Circuit and Superior Courts, set forth as an attachment to this Order, is approved effective January 1, 2024.

Done at Indianapolis, Indiana, on 11/20/2023.

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

Loretta H. Rush
Chief Justice of Indiana

LR31-AR-1(E)-19

CASELOAD ALLOCATION PLAN

The Harrison County Caseload Allocation Plan shall be as follows:

A. Cases of the following case types shall be filed in Harrison Circuit Court:

- AD-- Adoption
- CC-- Civil Collection (new CC case numbers shall not be used for residential and commercial evictions after 12/31/2020)
- CP-- Civil Plenary (New CP case numbers shall not be issued after 12/31/2001. CP cases filed before 1/1/2002 shall continue to bear the CP case type.)
- CT-- Civil Tort
- DC-- Domestic Relations with Children (to be used for cases filed on or after 1/1/2017)
- DN-- Domestic Relations No Children (to be used for cases filed on or after 1/1/2017)
- DR-- Domestic Relation (includes Dissolution of Marriage, Annulment, and Legal Separation) (New DR case numbers shall not be issued after 12/31/2016. DR cases filed before 1/1/2017 shall continue to bear the DR case type.)
- MF-- Mortgage Foreclosure
- MH-- Mental Health
- MI-- Miscellaneous (Civil cases other than those specifically identified--i.e. change of name, appointment of appraisers, marriage waivers, etc.)
- PL-- Civil Plenary (Civil Plenary cases filed after 1/1/2002--All Civil cases except those otherwise specifically designated)
- PO-- Order of Protection
- RS-- Reciprocal Support
- TP-- Verified Petition for Issuance of a Tax Deed
- TS-- Application for Judgment in a Tax Sale
- XP-- Expungement Petition (for petitions filed under I.C. 35-38-9)
- JC-- Juvenile CHINS
- JD-- Juvenile Delinquency
- JM-- Juvenile Miscellaneous
- JP-- Juvenile Paternity
- JQ-- Child Protection Order
- JS-- Juvenile Status
- JT-- Juvenile Termination of Parental Rights
- EM-- Estate, Miscellaneous
- ES-- Estate, Supervised
- EU-- Estate, Unsupervised
- GM-- Guardianship Miscellaneous (for petitions filed under I.C. 29-3-4 (concerning protected proceedings or ratification of transactions) on or after 1/1/2020).
- GU-- Guardianship (shall not use for petitions filed under I.C. 29-3-4 (concerning protected proceedings or ratification of transactions) on or after 1/1/2020).
- TR-- Trust
- CB-- Court Business record--i.e. court orders that refer to non-case matters such as the appointment of judge pro tem, drawing the jury, etc.

B. Cases of the following case type shall be filed in Harrison Superior Court:

- CF-- Criminal Felony (New CF case numbers shall not be issued after 12/31/2001. CF cases filed prior to 1/1/2002 shall continue to bear the CF case type designation.)
- CM-- Criminal Misdemeanor
- F1-- Level 1 Felony (to be used for crimes committed on or after 7/1/2014)
- F2-- Level 2 Felony (to be used for crimes committed on or after 7/1/2014)
- F3-- Level 3 Felony (to be used for crimes committed on or after 7/1/2014)
- F4-- Level 4 Felony (to be used for crimes committed on or after 7/1/2014)
- F5-- Level 5 Felony (to be used for crimes committed on or after 7/1/2014)
- F6-- Level 6 Felony (to be used for crimes committed on or after 7/1/2014)
- FA-- Class A Felony (to be used for crimes committed on or before 6/30/2014)
- FB-- Class B Felony (to be used for crimes committed on or before 6/30/2014)
- FC-- Class C Felony (to be used for crimes committed on or before 6/30/2014)
- FD-- Class D Felony (to be used for crimes committed on or before 6/30/2014)
- MC-- Miscellaneous Criminal
- MR-- Murder
- RF-- Warrant to search for and seize a firearm in possession of dangerous individual (for affidavits filed under I.C. 35-47-14-2 Indiana's "red flag" law)
- RF-- Warrantless seizure of firearm from individual believed to be dangerous (for affidavits filed under I.C. 35-47-14-3 Indiana's "red flag" law)
- IF-- Infraction
- OE-- Exempted Ordinance Violation
- OV-- Local Ordinance Violation
- SC-- Small Claim (new SC case numbers shall not be used for residential and commercial evictions after 12/31/2020)
- EV-- Petition for Eviction (to be used for residential and commercial evictions filed on or after 1/1/2021—including claims for related damages; however other landlord/tenant disputes such as damages without request for eviction, suits regarding habitability, and other contract breaches, shall, depending on the amount in controversy, continue to be filed using the small claims (SC) or civil collections (CC) case types.)
- PC-- Post Conviction Relief Petition
- CB-- Court Business record--i.e. court orders that refer to non-case matters such as the appointment of judge pro tem, drawing the jury, etc.

C. All revocation of probation and post conviction relief cases shall be filed in the court where the original case is or was last pending.

D. The Judge of either the Harrison Circuit Court or the Harrison Superior Court may allow the filing of any case in such court on a case-by-case basis unless another local rule, rule of the Indiana Supreme Court or a statute prohibits the filing of such cases in the court.

E. Cases already filed in either court shall remain in that court and this case allocation plan shall apply to new cases filed on and after the effective date of this caseload allocation plan.