

# In the Indiana Supreme Court

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

Supreme Court Case No.  
25S-MS-317



## Order Approving Amended Local Rules

The Judges of the Clinton Circuit and Superior Courts request the approval of amended local rules for caseload allocation in accordance with Administrative Rule 1(E), for special judge assignments in accordance with Trial Rule 79, and for court reporter services in accordance with Administrative Rule 15. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Clinton Circuit and Superior Courts, this Court finds that the proposed amendments to LR12-CR2.2-Rule 01 and LR12-AR1(E)-Rule 03 comply with the requirements of Administrative Rule 1(E), the amendments to LR12-TR79-Rule 04 comply with Trial Rule 79, and the amendments to LR12-AR15-Rule 08 comply with Administrative Rule 15, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR12-CR2.2-Rule 01, LR12-AR1(E)-Rule 03, LR12-TR79-Rule 04, and LR12-AR15-Rule 08, for the Clinton Circuit and Superior Courts, set forth as attachments to this Order, are approved effective January 1, 2026.

Done at Indianapolis, Indiana, on 11/25/2025.

Loretta H. Rush  
Chief Justice of Indiana

**LR12 - CR 2.2 - RULE 01**  
**FILING OF CRIMINAL CASES**

**1.10** As required by Criminal Rule 2.2 and subject to approval by the Indiana Supreme Court, Clinton Circuit Court and Clinton Superior Court adopt the following Local Rule by which felony and misdemeanor cases are assigned to each court:

**1.20 General Provisions.** Except as provided by LR12 - CR2.2 - Rule 1.30, misdemeanor cases shall be assigned on a monthly rotating basis according to the month in which the crime is alleged to have occurred, with cases occurring in odd-numbered months assigned to Superior Court and cases occurring in even-numbered months assigned to Circuit Court. Except as provided by LR12 - CR2.2 - Rule 1.30, felony cases shall be assigned on a monthly rotating basis according to the month in which the crime is alleged to have occurred, with cases occurring in even-numbered months assigned to Superior Court and cases occurring in odd-numbered months assigned to Circuit Court.

**1.30 Exceptions.**

a. Cases involving crimes at I.C. 20-33-2 (compulsory school attendance) shall be assigned to Circuit Court.

b. Cases involving crimes at I.C. 35-46-1-5, I.C. 35-46-1-6, and I.C. 35-46-1-7 (non support) shall be assigned to the Court that issued the support order. If the case will be filed based on multiple support orders, or if the support order was issued in another jurisdiction, or if the case will be filed based on any other basis, the case shall be assigned to Circuit Court.

**1.40 Application of Assignment Rules.** Where multiple offenses are filed, the most serious offense shall control the court assignment. Where multiple offenses are filed, the date of the earliest offense shall control the court assignment. Should the month of the offense be unknown, the case shall be assigned according to the year of the offense, with odd-numbered cases assigned to Circuit Court and even-numbered cases assigned to Superior Court. Where the foregoing rules still do not define a court for assignment, a felony case shall be assigned to Circuit Court and a misdemeanor case shall be assigned to Superior Court.

**1.50 Added Charges.** In the event additional related charges are filed against a defendant after a court has been assigned, such additional charges shall be filed in the same court where the case is pending.

**LR12 - AR 1(E) - RULE 03**  
**FILING OF CIVIL CASES**

**3.10 General Provisions.** All small claims cases, infraction cases, eviction cases, and ordinance violations shall be filed in the Superior Court. All juvenile cases (Child in Need of Services, Termination of Parental Rights, and miscellaneous) shall be filed in the Circuit Court. Unless governed separately by statute or Indiana Rules of Court, other civil cases, including dissolutions of marriage and paternity cases, shall be filed in the Court designated by the filing party, except as provided in LR12 - AR1(E) - Rule 3.20.

**3.20 Exceptions.**

a. A petition to expunge or seal a Clinton County criminal conviction shall be filed in the court where the conviction order was issued; however, if the petitioner seeks to expunge more than one conviction, the petition shall be filed in the Court where the most recent conviction occurred.

b. A petition for issuance of a Protection Order shall be filed in the court having jurisdiction over a divorce or paternity case involving the same parties.

c. A petition for issuance of a Protection Order filed against a respondent who is under the age of eighteen (18) years shall be filed in the Clinton Circuit Court.

d. Any other petition for issuance of a Protection Order shall be filed in the Clinton Superior Court.

e. A petition for issuance of specialized driving privileges shall be filed in the Clinton Superior Court.

f. A petition to waive BMV reinstatement fees shall be filed in the Clinton Superior Court.

g. A petition for Tax Sale and any Petition for Issuance of a Tax Deed shall be filed in the Clinton Superior Court.

**LR12 - TR79 - RULE 04**  
**COORDINATED LOCAL RULE ON**  
**SELECTION OF SPECIAL JUDGE IN CIVIL CASES**

**4.10.** Pursuant to Trial Rule 79(H) of the Indiana Rules of Trial Procedure, the Circuit and Superior Courts of Clinton County, in conjunction with the other Courts of Administrative

District 12 (Boone County, Hamilton County, and Tipton County, Indiana), have adopted the following rule to establish procedures for the selection of special judges in civil cases:

**4.20.** A change of judge or an order of disqualification in a small claims case, protection order case, infraction case, or juvenile delinquency case shall first be addressed through LR12 - TR79 - Rule 05.

**4.30.** Within seven (7) days of the notation in the Chronological Case Summary of an order granting a change of judge or an order of disqualification, the parties pursuant to Trial Rule 79(D) may agree to any judge eligible under Trial Rule 79 (J).

**4.40.** If a special judge is required to be selected under Trial Rule 79(H) then the special judge shall be selected as follows:

**4.40.10.** If the case was originally filed in a court of record in Hamilton County, then the judge will be selected randomly from among the regular judges and full time judicial officers of Hamilton County subject to all existing local rules regarding case allocation and transfer.

**4.40.20.** If the case was originally filed in a court of record in Boone, Clinton, or Tipton County, then the judge will be selected on a rotating basis from among the regular judges of those counties subject to all local rules in each individual county regarding case allocation and transfer.

**4.40.30.** If for any reason a judge cannot be selected by the above methods then the special judge shall be selected on a rotating basis from among all the regular judges of the District not already disqualified.

**4.50.** A special judge selected under 4.40 must accept jurisdiction unless disqualified pursuant to The Code of Judicial Conduct or excused from service by the Indiana Supreme Court. The Administrator of Courts for Hamilton County shall maintain a list of the judges eligible for selection under 4.40.20 and a list of the judges eligible for selection under 4.40.30 and shall be contacted by the selecting court each time a judge must be selected from one of those lists. The Administrator of Courts shall provide the name of the next judge on the appropriate list upon a request from the selecting court and then strike the name of the judge selected from that list. The judge selected in this manner shall not be eligible to be selected again from the same list until all other judges have been selected from that list except as required to avoid certification to the Supreme Court.

**4.60.** In the event that no judicial officer within Administrative District 12 is eligible to serve as special judge or the particular circumstance of the case warrants selection of a special judge by the Indiana Supreme Court, the judge of the Court in which the case is pending shall certify the matter to the Indiana Supreme Court for appointment of a special judge.

**LR12 - AR 15 - RULE 08**  
**COURT REPORTER SERVICES**

**8.10 General Provisions.** The Clinton Circuit Court and Clinton Superior Court comprise all of the courts of record of Clinton County, Indiana and hereby adopt the following local rule by which court reporter services shall be governed.

**8.20 Definitions.** The following definitions shall apply under this local rule:

a. *Court Reporter* is a person who is specifically designated by a court to perform the official court reporting services for the court, including preparing a transcript of the record.

b. *Equipment* means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporter services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other devices used for recording and storing, and transcribing electronic data.

c. *Work space* means that portion of the court's facilities dedicated to each court reporter, including but not limited to actual space in the courtroom and any designated office space.

d. *Page* means that page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.

e. *Recording* means the electronic, mechanical, stenographic, or other recording made as required by Indiana Rule of Trial Procedure 74.

f. *Regular hours worked* mean those hours which the court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court within the county but remain the same for each work week.

g. *Gap hours worked* means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per work week.

h. *Overtime hours worked* means those hours worked in excess of forty (40) hours per work week.

i. *Work week* means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year; i.e., Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.

j. *Court* means the particular court for which the court reporter performs services. Court may also mean all of the courts in Clinton County.

k. *County indigent transcript* means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.

l. *State indigent transcript* means a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a court.

m. *Private transcript* means a transcript, including but not limited to a deposition transcript, that is paid for by a private party.

**8.30 Salaries.** Court reporters shall be paid an annual salary for time spent working under the control, direction, and direct supervision of their supervising court during any regular work hours, gap hours, or overtime hours. Salary does not include transcription fees. The supervising court shall enter into a written agreement with the court reporter which outlines the manner in which the court reporter is to be compensated for gap and overtime hours by monetary pay or compensatory pay. Should court reporters work over (forty) 40 hours in one week on regular court business, they should be paid time and a half or receive and one and one-half times overtime worked. The Council has requested a 35 hour work week.

**8.40 Fees for Private Transcript.** The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be as follows:

- a. \$6.00 generally.
- b. \$7.00 for transcription of older cases. Older cases are those cases in which the hearing was held in excess of four (4) years prior to the date the transcription is requested.
- c. \$8.00 for expedited transcripts. Expedited transcripts are those transcripts which are requested to be completed within seven (7) days.

**8.50 Fees for County Indigent Transcript.** The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript shall be \$6.00; the court reporter shall submit a claim directly to the county for the preparation of county indigent transcripts.

**8.60 Fees for State Indigent Transcript.** The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be \$6.00.

**8.70 Reporting.** Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of county indigent, state indigent, or private transcripts to the Indiana Office of Judicial Administration. The reporting shall be made on forms prescribed by the Indiana Office of Judicial Administration.

**8.80 Private Practice.** If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing a deposition transcript, and the court reporter desires to utilize the court's equipment and work space, and the court agrees to the use of the court equipment for such purpose:

- a. The court reporter shall provide his/her own supplies; and
- b. The court reporter shall maintain records regarding use.
- c. Preparation of a private practice deposition transcript shall be conducted outside of regular working hours.
- d. The court reporter may charge a \$25.00 deposition sit fee while engaged in private practice, and such fee shall be waived by the court reporter if the deposition begins not later than thirty (30) minutes after the date and time for the scheduled deposition. The sit fee will remain due and owing if the deposition is canceled by either party without advance notice to the court reporter.