STATE OF INDIANA – COUNTY OF STEUBEN
IN THE STEUBEN CIRCUIT AND SUPERIOR COURTS

Notice of Proposed Amendments to Local Court Rules
October 20, 2026

In accordance with Trial Rule 81 of the Indiana Court Rules, the Steuben Circuit and Superior Courts hereby give notice to the bar and the public that the Courts propose to amend the Local Rule(s) on LR76-AR00-3, LR76-AR1-4, LR76-AR(1)(E)-5, and LR76-AR00-8 for the courts of record of Steuben County, effective January 1, 2027.

All new text is shown by underlining and deleted text is shown by ~~strikethrough~~. Supreme Court approval is required for Local Rules concerning caseload allocation and will not take effect until approved by the Supreme Court.

Notice has been given to the public by posting on the website of the Steuben County Clerk and at the Indiana Judiciary webpage for Local Rules (https://www.in.gov/courts/publications/local-rules/), and by furnishing a copy to the officers of the Steuben County Bar Association. A paper copy of the proposed amended local rules will be made available for viewing in the office of the Clerk of Steuben County, 305 S. Martha St., Angola, IN 46703, during normal business hours.

The time period for the bar and the public to comment shall begin on October 22, 2026, and shall close on November 25, 2026. The proposed amendments to the rule will be adopted, modified or rejected before November 25, 2026, and the final version of the caseload allocation plan rules will be submitted to the Indiana Supreme Court for review and approval not later than December 1, 2026.

Comments by the bar and the public should be made in writing to:

Hon. Jeremy T. Musser, Judge of the Steuben Circuit Court, Attn: Public Comment on Local Rules, Steuben County Judicial Center, 305 S. Martha St., Angola, IN 46703.

DATED this 20th day of October 2026 on behalf of the Judges of Steuben County.

/s/ Jeremy T. Musser
Jeremy T. Musser, Judge
Steuben Circuit Court

Steuben Caseload Allocation Plan

LR76-AR00-3 Case Filings

By mutual agreement between the Courts the following cases shall be filed ~~in the Steuben Circuit Court~~ as designated:

A. All probate, estate, and adoption ~~or juvenile~~ cases ~~not involving the appointment of a prosecutor~~ shall be filed in the Steuben ~~Circuit~~ Superior Court.

B. All other civil cases of any type including domestic relations, mental health, and protective orders shall be filed in the Steuben Superior Court.

C. All small claim and EV cases shall be filed in the Steuben ~~Circuit~~ Superior Court. ~~All EV cases shall be filed in the Steuben Circuit Superior Court.~~

~~**C.**~~**D.** All expungement cases shall be filed in the Circuit Court.

~~**D.**~~**E.** To the extent permitted by law, all new cases not set forth above shall be assigned a Court by the Clerk through the Odyssey system on a random draw basis.

~~**E.**~~**F.** The presiding judge in advance of the filing of any case in the Circuit or Superior Court may consent to the filing of that case only in his Court upon good cause shown.

G. In the event that an existing criminal case exists in either the Circuit or Superior Court, subsequent cases shall be filed in the same court.

~~**F.**~~**H.** In accordance with Ind. Code § 33-29-1-9, the Judge of the Steuben Circuit Court, with consent of the Judge of the Steuben Superior Court, may transfer any action or proceeding from the Circuit Court to the Superior Court, and the Judge of the Steuben Superior Court, with consent of the Judge of the Steuben Circuit Court, may transfer any action or proceeding from the Superior Court to the Circuit Court.

LR76-AR1-4 Caseload Allocation Plan

A. Criminal, Infraction and Ordinance Violation Cases. Criminal cases shall be filed pursuant to LR76-AR(1)(E)-5. All infraction and ordinance violation cases shall be assigned to the Steuben ~~Superior~~ Circuit Court.

B. Probate and Related Cases. Estate, Guardianship, Adoption and Trust cases shall be assigned to the Steuben ~~Circuit~~ Superior Court.

C. Juvenile Cases. juvenile cases shall be assigned to the Steuben Circuit Court ~~with the exception of JD, JS, JM and JP cases~~.

D. Small Claims Cases. All small claims cases shall be filed to the Steuben ~~Circuit~~ Superior Court.

~~**E. Civil Case Types**. 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.~~

E. On or before May 1 of each year the Judge of the Circuit Court and the Judge of the Superior Court shall meet to review the Weighted Caseload Measures statistics as calculated by the Office of Judicial Administration for the preceding calendar year. The utilization of the two Courts shall be compared and adjustments made as necessary.

F. Refiled Cases. Except when a change of venue is necessary or when a conflict exists, 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.
In cases in which no judge is eligible to serve as special judge or the particular circumstances of a case warrants selection of a special judge by the Indiana Supreme Court, the regular sitting judge may certify the case to the Supreme Court for appointment of a special judge.

G. Consent to Hear Cases. The judge of the Steuben Circuit Court may serve as judge of the Steuben Superior Court and vice versa, with consent of the presiding judge of each respective court.

LR76-AR(1)(E)-5 Criminal Case Filings and Special Judge Appointments

A. All criminal cases shall be filed in the Steuben ~~Superior~~ Circuit Court. Where a conflict of interest exists, or other good cause is shown, the presiding judge of either court may permit the filing of that case so as to avoid the conflict.

B. All cases requiring the appearance of a prosecuting attorney shall be filed exclusively in the Steuben ~~Superior~~ Circuit Court (examples: Title IV-D, RD, JD).

C. The Magistrate of Steuben County is assigned exclusively to the Steuben ~~Superior~~ Circuit Court.

D. Pursuant to Ind. Administrative Rule 1(E)(6) and Ind. Administrative Rule 21, in the event a change of judge is granted or a disqualification or recusal is entered, the case shall be reassigned as follows:

(1) **Circuit Court**: In the event a change of Judge is granted where it becomes necessary to assign another Judge in any felony or misdemeanor proceeding in the Steuben Circuit Court, the case shall be reassigned to the Steuben Superior Court.

(2) **Superior Court**: In the event a change of Judge is granted where it becomes necessary to assign another Judge in any felony or misdemeanor proceeding in the Steuben Superior Court, the case shall be reassigned to the Steuben Circuit Court.

(3) **Alternative**: In the event a reassignment cannot be accomplished pursuant to the rules set forth above, then the case will be reassigned on a rotating basis to a Judge or Magistrate in District 6.

E. Pursuant to Ind. Administrative Rule 21, in the event no judge is available for assignment or reassignment of a felony or misdemeanor case, such case shall be certified to the Indiana Supreme Court for the appointment of a Special Judge.

LR76-AR00-8 Removal of Records – Law Library

A. Consistent with the intent of Administrative Rule 10, neither the Case File, Chronological Case Summary, nor contents of the Record of Judgments and Orders shall be removed from the custody of the Court or Clerk.

~~**B. Books located in the law library maintained in the Courthouse shall not be removed from the Courthouse, and shall be promptly re-shelved following use.**~~