

**STATE OF INDIANA – COUNTY OF VANDERBURGH
IN THE VANDERBURGH CIRCUIT AND SUPERIOR COURTS**

**Notice of Proposed Case Allocation Plan
June 17, 2026**

In accordance with Trial Rule 81 of the Indiana Court Rules, the Vanderburgh Circuit and Superior Courts hereby give notice to the bar and the public that the Courts propose to amend the Local Case Allocation Plan for the courts of record of Vanderburgh 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 Vanderburgh County 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 Vanderburgh 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 Vanderburgh County Bar Association. A paper copy of the proposed Case Allocation Plan will be made available for viewing in the office of the Clerk of Vanderburgh County, 1 NW Martin Luther King Jr. BLVD, Evansville, IN 47708, during normal business hours.

The time period for the bar and the public to comment shall begin on June 22, 2026, and shall close on July 22, 2026. The proposed case allocation plan to the rule will be adopted, modified or rejected before August 16, 2026, and, if required, the final version of the rule will be submitted to the Indiana Supreme Court for review and approval not later than August 17, 2026.

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

Hon. Ryan D. Hatfield Judge of the Vanderburgh Circuit Court or Hon. Jillian N. Kratochvil, Judge of Vanderburgh Superior Court No. 6, Attn: Public Comment on Local Rules, Vanderburgh County Courthouse, 825 Sycamore St., Evansville, IN 47711.

DATED this 17th day of June 2026 on behalf of the Judges of Vanderburgh County.

/S/ Ryan D. Hatfield
Hon. Ryan D. Hatfield, Judge
Vanderburgh Circuit Court

/S/ Jillian N. Kratochvil
Hon. Jillian N. Kratochvil, Judge
Vanderburgh Superior Court No. 6

LR82-CR2.2-2.01

Assignment of Criminal Cases

(A) All cases in Vanderburgh County, Indiana in which the highest crime charged is a D felony and at least one charge filed is an alcohol or controlled substance crime shall be assigned to Division II of Superior Court. The remaining felony charges shall be randomly assigned (by the Clerk of Vanderburgh County) to the Circuit and Superior Courts of Vanderburgh County in the following ratio: two (2) cases are to be assigned to the Vanderburgh Circuit Court for each one (1) case assigned to Vanderburgh Superior Court. Each felony cause number shall be deemed a case within the meaning of this rule, regardless of the number of counts or defendants charged in said case.

(B) All cases assigned to the Vanderburgh Circuit Court shall be tried by the Circuit Court Judge or the Magistrate of the Court as determined in the discretion of the Court.

(C) All felony cases assigned to the Vanderburgh Superior Court shall be tried in accordance with the rules of that Court.

(D) All cases reassigned from the Circuit Court Judge of Vanderburgh County or the Magistrate of that Court shall be reassigned to the Senior Judge of the Vanderburgh Circuit Court and/or the Judges of Division I and II of the Vanderburgh Superior Court.

(E) All cases reassigned within the Vanderburgh Superior Court shall be reassigned in accordance with the rules of that Court.

(F) All criminal cases filed in the County in which the highest crime charged is a misdemeanor, shall be assigned to the Misdemeanor/Traffic Division of the Vanderburgh Superior Court.

(G) A dismissed criminal action may only be refiled in the same Court to which the case was originally assigned.

(H) The Circuit Court Judge and or the Judge of Division I or the Judge of Division II of the Vanderburgh Superior Court may by agreement, order transfer of any felony case pending in either Court to provide consolidated legal defense for those defendants facing multiple criminal charges. Such cases shall be consolidated unless efficient case disposition may be adversely affected by transfer.

LR82-CR00-2.02

Transfer of Cases between Vanderburgh Circuit and Superior Courts

If a defendant has a pending case in the Vanderburgh Superior Court prior to the filing of a case in Circuit Court, the Circuit Court case will be transferred to Superior Court. Similarly, if a defendant has a prior pending case in Circuit Court, any newer case in Superior Court will be transferred to Circuit Court. The Judges of the Vanderburgh Circuit Court and Divisions I and II of the Vanderburgh Superior Court may, by agreement, transfer a pending case out of Division II of Superior Court or Vanderburgh Circuit Court in their discretion to satisfy the requirements of these rules. The Judges of the Vanderburgh Circuit Court and Divisions I and II of the Vanderburgh Superior Court may, by agreement, transfer a pending case into Division II of the Superior Court or Vanderburgh Circuit Court in their discretion to satisfy the requirements of this rule. Judges of the Vanderburgh Circuit Court and Divisions I and II of the Vanderburgh Superior Court may, by agreement, transfer any criminal case to Division II of the Vanderburgh Superior Court if justice requires.

Case Allocation Plan

(A) Balance within Superior Court. The Vanderburgh Superior Court is divided into seven Divisions as follows:

1. Division I—Civil, Domestic Relations, Misdemeanor/Traffic, Small Claims
2. Division II—Criminal
3. Division III—Criminal
4. Division IV—Juvenile & Probate
5. Division V—Civil, Domestic Relations, Misdemeanor/Traffic, Small Claims
6. Division VI—Civil, Domestic Relations, Misdemeanor/Traffic, and Small Claims
7. Division VII—Civil, Domestic Relations, Misdemeanor/Traffic, and Small Claims

Each Division is presided over by a Judge. The Division II Judge, shall handle the Class D and Level 6 Felonies as assigned in LR82-CR2.2-2.01. The Division III Judge handles the other Felonies assigned to Superior Court pursuant to LR82-CR2.2-2.01. Division IV is presided over by a Judge. This assignment is a one year minimum assignment.

All Felony criminal cases (MR, FA, FB, FC, and FD) are assigned pursuant to LR82-CR2.2-2.01 and civil cases with exception of expungements (PL, MF, CC, CT, MI) are assigned to one of the four remaining Judges by blind lot in the order presented for filing. The MI cases are evenly divided to the four Judges with the expungement cases going to Division I. PO cases are evenly divided amongst the six Superior Court Judges not assigned to Juvenile Court. The County utilizes Odyssey which evenly distributes the cases among the Judges. This software also adjusts the new case assignments to account for recusals so that every attempt is made to evenly distribute the case load among the Judges.

All miscellaneous felony criminal matters (MC) are assigned to Division III. The Judge serving in Division I, V, VI, or VII also serves as a backup for Division II and III.

All Domestic Relations (DR), Juvenile Paternity (JP), and Reciprocal (RS) matters are assigned to Division I, V, VI, or VII. Four Judges rotate through this Division for a one month period. Each Judge serves six non-consecutive months a year in this Division. The four Magistrates rotate through this Division. Two Judges and one Magistrate are assigned each month to this Division. Cases over which Juvenile Court has concurrent original jurisdiction involving adults charged with the crime of contributing to delinquency (IC 35-46-1-8) or adults charged with violating the compulsory school attendance law (IC 20-8.1-3) shall be assigned to the Juvenile Division of the Vanderburgh Superior Court and presided over by the Judge assigned to Juvenile Court or the Magistrate assigned thereto. All remaining Misdemeanor and Traffic (CM, IF) cases shall be assigned to Division I, V, VI, or VII. These cases are presided over by four Magistrates subject to the supervision of one of the Judges. The Magistrates rotate through on a monthly basis. The presiding Judge in Division III supervises Misdemeanor/Traffic Court.

All Small Claims (SC) and Ordinance Violation (OV, OE) cases are assigned to Division I, V, VI, or VII. These cases are presided over by four Magistrates subject to the supervision of one of the Judges. The Magistrates rotate through on a monthly basis. There is an assignment of one Magistrate to hear all OE cases in a court set up and named "Housing Court". The presiding Judge in Division VI supervises Small Claims.

Mental Health cases are also assigned to Division I, V, VI, or VII and are heard by the presiding Judge or Magistrate presiding in Small Claims for that month.

All Probate and Juvenile matters with exception of JP cases (JS, JT, JM, AD, AH, ES, EU, GU, TR, JC, JD) are assigned to Division IV. This Court is presided over by the Judge who does not participate in the rotation schedule set out in paragraph one. There is one Magistrate assigned to Juvenile Court

permanently and other Magistrates as needed. This Magistrate assignment is a one year minimum assignment. The rotating DR schedules and the use of Odyssey creates a nearly as is possible an even distribution of the work load within Superior Court.

~~LR82-AR00-S1.04~~

~~Assignment and Disposition of Civil Cases in Superior Court~~

~~All Civil cases shall, upon being filed in the office of the Clerk, be assigned in the following manner:~~

~~(A) Assignment. Each Civil Case shall be assigned to one of the four (4) rotating Judges by blind lot in the order presented for filing. The Judge assigned to each case shall have responsibility for all proceedings in that case including hearings of all motions, arguments and petitions. All emergency matters shall be heard by the assigned judge unless he/she is unable to do so, in which case he/she may refer the matter to another Judge. Where the assigned Judge is unavailable to refer the matter, such emergency matter may be heard by any other Judge.~~

~~(B) Transfer within County. Where a case originates in the Small Claims, Juvenile or Probate Divisions and is transferred to the Civil Division, the clerk shall assign such case to a specific Judge in the same manner as in other Civil Cases.~~

~~(C) Transfer from another County. All Civil cases transferred to this Court from another County shall be assigned by the Clerk as provided by the rules stated herein for the assignment of Civil Cases.~~

~~LR82-SC00-S1.05~~

~~Superior Court Small Claims~~

~~All Small Claims matters are assigned to Division Six.~~

LOCAL CASELOAD ALLOCATION PLAN

Transfer, Refiling, and Reassignment

SECTION ONE. LOCAL CASELOAD ALLOCATION PLAN

In order to meet the statistical requirements mandated by the Indiana Supreme Court, and except as otherwise provided below, original case filings shall be made into the following Courts as listed below effective January 1, 2027:

I. Criminal, Expungement, and Red Flag Cases

(A) Felony Criminal Cases. (MR & F*)

All MR, FA, FB, FC, FD, F1, F2, F3, F4, F5, and F6 cases, except those assigned to Vanderburgh Superior Court Division II under the exception below, shall be assigned to the Vanderburgh Circuit Court and Vanderburgh Superior Court Division III as follows: two (2) cases to the Vanderburgh Circuit Court for each one (1) case assigned to Vanderburgh Superior Court Division III.

EXCEPTION – Alcohol or Controlled-Substance Lower-Level Felony Cases.

(FD & F6 drug cases): All cases in which the highest crime charged is a Class D felony or Level 6 felony, and at least one charge filed is an alcohol or controlled-substance offense, shall be assigned to Vanderburgh Superior Court Division II.

(B) Misdemeanor and Infraction Cases. (CM & IF)

All CM and IF cases shall be divided equally by blind lot among Vanderburgh Superior Court Division I, Vanderburgh Superior Court Division V, Vanderburgh Superior Court Division VI, and Vanderburgh Superior Court Division VII. Misdemeanor jury trials shall be assigned for trial

equally by alternating assignment between Vanderburgh Superior Court Division II and Vanderburgh Superior Court Division III.

(C) Miscellaneous Criminal Cases. (MC)

MC cases shall be assigned to the Court in which a related criminal case is pending.

If no related criminal case is pending, MC cases involving felony-level matters, search warrants, investigatory subpoenas, probable-cause determinations, grand jury matters, extradition or fugitive complaints, special prosecutor petitions, or other miscellaneous criminal matters shall be assigned to the Vanderburgh Circuit Court and Vanderburgh Superior Court Division III as follows: two (2) cases to the Vanderburgh Circuit Court for each one (1) case assigned to Vanderburgh Superior Court Division III, unless otherwise ordered or stated herein.

MC matters involving misdemeanor-level proceedings shall be assigned in the same manner as CM cases.

EXCEPTION – BMV Fees: MC cases related to BMV reinstatement-fee waivers shall be divided equally by blind lot among Vanderburgh Superior Court Division I, Vanderburgh Superior Court Division II, Vanderburgh Superior Court Division III, Vanderburgh Superior Court Division V, Vanderburgh Superior Court Division VI, and Vanderburgh Superior Court Division VII.

Probation Transfers: MC cases related to interstate and/or intrastate transfers of probation cases shall be assigned to the Vanderburgh Circuit Court.

(D) Expungement Cases. (XP)

XP cases shall be assigned to Vanderburgh Superior Court Division I.

(E) Red Flag Cases. (RF)

All RF cases shall be assigned to the Court in which a related criminal case involving the same respondent is pending. If more than one related criminal case is pending, the RF case shall be assigned to the Court with the highest-level pending criminal offense.

If no related criminal case is pending, RF cases shall be divided equally by alternating assignment between the Vanderburgh Circuit Court and Vanderburgh Superior Court Division III.

II. **Civil Cases (PL, MF, CC, CT, CP, TS, TP, DC, DN, DR, JP, GV, RS, SC, OV, OE, EV, & MH)**

(F) Non-Family Civil Cases. (PL, MF, CC, CT, CP, TS, & TP)

PL, MF, CC, CT, CP, TS, and TP cases may be filed in either Vanderburgh Circuit Court or Vanderburgh Superior Court. The initiating party may designate the requested Court at the time of filing. Cases specifically designated for Vanderburgh Circuit Court shall be assigned to the Vanderburgh Circuit Court. Cases specifically designated for Vanderburgh Superior Court shall be divided equally by blind lot among Vanderburgh Superior Court Division I, Vanderburgh Superior Court Division V, Vanderburgh Superior Court Division VI, and Vanderburgh Superior Court Division VII.

If no Court is specifically designated at the time of filing, the Clerk shall assign the case by blind lot so that such undesignated filings are divided equally between the Vanderburgh Circuit Court and the Vanderburgh Superior Court. Cases assigned to the Vanderburgh Superior Court under

this paragraph shall then be divided equally by blind lot among Vanderburgh Superior Court Division I, Vanderburgh Superior Court Division V, Vanderburgh Superior Court Division VI, and Vanderburgh Superior Court Division VII.

(G) Domestic Relations, Family-Related, Small Claims, Ordinance, and Mental Health Cases. (DC, DN, DR, JP, GV, RS, SC, OV, OE, EV, & MH)

All DC, DN, DR, JP, GV, RS, SC, OV, OE, EV, and MH cases shall be divided equally by blind lot among Vanderburgh Superior Court Division I, Vanderburgh Superior Court Division V, Vanderburgh Superior Court Division VI, and Vanderburgh Superior Court Division VII.

(H) Miscellaneous Cases. (MI)

All MI cases, except for “Name Change” and “Specialized Driving Privilege” cases, shall be divided equally by blind lot among the Vanderburgh Circuit Court, Vanderburgh Superior Court Division I, Vanderburgh Superior Court Division V, Vanderburgh Superior Court Division VI, and Vanderburgh Superior Court Division VII.

The MI case type cannot be used for matters covered by an existing case type.

EXCEPTIONS – SDPs & Name Changes.

SDPs: MI Petitions for Specialized Driving Privileges shall be filed in the Court that ordered the suspension. When the petition relates to a Court-ordered suspension, the caption shall include the cause number of the case in which the suspension was ordered.

If the license suspension was imposed only by the Bureau of Motor Vehicles, the petition shall be filed in the Vanderburgh Circuit Court. If the license suspension was imposed by both the Bureau of Motor Vehicles and by Court order, the petition shall be filed in the Court that ordered the suspension.

Name Changes: All MI Petitions for Name Change shall be filed in Vanderburgh Circuit Court.

(I) Protective Order Cases. (PO)

All PO cases shall be divided equally by blind lot among Vanderburgh Superior Court Division I, Vanderburgh Superior Court Division II, Vanderburgh Superior Court Division III, Vanderburgh Superior Court Division V, Vanderburgh Superior Court Division VI, and Vanderburgh Superior Court Division VII.

(J) Review of Administrative Agency Decisions and Court Business Cases. (RA & CB)

RA and CB cases shall be divided equally by alternate assignment between the Vanderburgh Circuit Court and the Vanderburgh Superior Court division presided over by the Vanderburgh Superior Court Chief Judge.

(K) Post-Conviction Cases. (PC)

PC cases shall be assigned to the Court in which the conviction or sentence challenged was entered, except that a petition challenging the revocation of parole shall be filed and assigned as required by Indiana Post-Conviction Rule 1.

(L) Commercial Court. (CE)

CE cases shall be assigned in accordance with the Indiana Commercial Court Rules. If a CE case is not assigned to, or is removed from, the Commercial Court Docket, the case shall be assigned in accordance with the applicable non-family civil case allocation under this rule.

III. Juvenile and Probate Cases. (JS, JT, JM, AD, AH, ES, EU, GU, TR, JC, JD, EM, GM, & JQ)

(M) Juvenile and Probate Cases.

All JS, JT, JM, AD, AH, ES, EU, GU, TR, JC, JD, EM, GM, and JQ cases shall be assigned to Vanderburgh Superior Court Division IV.

(N) Juvenile Concurrent-Jurisdiction Adult Cases.

All cases over which the juvenile court has concurrent original jurisdiction involving adults charged with contributing to delinquency or adults charged with violating the compulsory school attendance law shall be assigned to Vanderburgh Superior Court Division IV.

SECTION TWO. TRANSFER, REILING AND SUBSEQUENT FILINGS, AND REASSIGNMENT

(i) Transfer by Agreement.

By agreement, the Vanderburgh Circuit Court and the Vanderburgh Superior Court may order the transfer and reassignment of any felony case pending in those Courts, subject to acceptance by the judge of the receiving Court. Transfers may be ordered to promote judicial economy, avoid duplication, provide consolidated legal defense for defendants facing multiple criminal charges, equalize caseloads, or satisfy the requirements of this rule.

(ii) Pending Superior Court Case Before Circuit Court Filing.

If a defendant has a pending felony criminal case in the Vanderburgh Superior Court before the filing of a criminal case in Vanderburgh Circuit Court, the Circuit Court case shall be transferred to the Vanderburgh Superior Court, unless the affected judges agree that efficient case disposition, judicial economy, or the interests of justice require otherwise. A related felony transfer to Vanderburgh Superior Court shall be assigned to the Superior Court division authorized by Section One for that case type, unless the affected judges approve a different assignment by written order.

(iii) Pending Circuit Court Case Before Superior Court Filing.

If a defendant has a pending felony criminal case in the Vanderburgh Circuit Court before the filing of a criminal case in Vanderburgh Superior Court, the Superior Court case shall be transferred to the Vanderburgh Circuit Court, unless the affected judges agree that efficient case disposition, judicial economy, or the interests of justice require otherwise.

(iv) Refiling After Dismissal.

When the State of Indiana dismisses a criminal case and chooses to refile the case, the refiled case shall be assigned to the Court from which the dismissal was taken.

(v) Civil Assignment by Blind Lot.

Each civil case subject to blind-lot assignment under this rule shall be assigned in the order presented for filing. The assigned Judge shall have responsibility for all proceedings in that case, including hearings on all motions, arguments, and petitions. All emergency matters shall be heard by the assigned Judge unless the assigned Judge is unable to do so, in which case the assigned Judge may refer the matter to another Judge. If the assigned Judge is unavailable to refer the matter, the emergency matter may be heard by any other Judge in Vanderburgh County.

(vi) Civil Cases Transferred Within Vanderburgh County.

When a case originates in the Small Claims or Probate Division and is transferred to the Civil Division, the Clerk shall assign the case by blind lot among the Vanderburgh Circuit Court, Vanderburgh Superior Court Division I, Vanderburgh Superior Court Division V, Vanderburgh Superior Court Division VI, and Vanderburgh Superior Court Division VII.

When a case originates in Vanderburgh Superior Court Division IV as a JC, JT, or JM case and is transferred to the Civil Division, the Clerk shall assign the case, and any related cases transferred with it, by blind lot among Vanderburgh Superior Court Division I, Vanderburgh Superior Court Division V, Vanderburgh Superior Court Division VI, and Vanderburgh Superior Court Division VII.

When a JD matter is waived, transferred, or otherwise results in the filing of an adult criminal case, the resulting criminal case shall be assigned in accordance with the criminal case allocation provisions of Section One of this rule, including the alcohol or controlled-substance lower-level felony exception where applicable.

(vii) Civil Cases Transferred From Another County.

All civil cases transferred to Vanderburgh County from another county shall be assigned by the Clerk in the same manner as the assignment of civil cases under this rule.

(viii) General Transfer Authority.

Transfers shall be permitted between Courts when approved by the judge of the transferring Court and the judge of the receiving Court, provided the receiving Court has jurisdiction over the case type or matter to be adjudicated.

(ix) Reassignment and Special Judge Selection.

If a change of judge is granted, or if it otherwise becomes necessary to assign another judge, reassignment shall be made in accordance with the applicable Indiana Rules of Trial Procedure, Indiana Criminal Rules, Administrative Rules, and the Vanderburgh County/District 26 special judge selection rule. If no judge is available for assignment or reassignment, the case shall be certified to the Indiana Supreme Court for appointment of a special judge when required by rule.