

In the
Indiana Supreme Court

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

Supreme Court Case No.
25S-MS-319



Order Approving Amended Local Rules

The Judges of the Tippecanoe Circuit and Superior Courts request the approval of amended local rules for caseload allocation in accordance with Administrative Rule 1(E) 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 Tippecanoe Circuit and Superior Courts, this Court finds that the proposed amendments to LR79-AR1-1 comply with the requirements of Administrative Rule 1(E) and the proposed amendments to LR79-AR21-3 comply with Administrative Rule 15, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR79-AR1-1 and LR79-AR21-3 for the Tippecanoe Circuit and Superior Courts, set forth as attachments to this Order, are approved effective January 1, 2026.

Done at Indianapolis, Indiana, on 11/26/2025.

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

Loretta H. Rush
Chief Justice of Indiana

LR79-AR1-1. County Caseload.

1. Criminal

- a. All cases wherein the most serious charge alleged is Murder, a Class A, B, or C felony or a Level 1, 2, 3, or 4 felony shall be assigned to Tippecanoe Circuit Court, Tippecanoe Superior Court No. 1, and Tippecanoe Superior Court No. 2 of Tippecanoe County, on a random basis according to the following ratio:

Court	Ratio
Tippecanoe Circuit Court	1
Tippecanoe Superior Court 1	2
Tippecanoe Superior Court 2	2

- b. For any defendant who has a Class A, B, or C felony or a Level 1, 2, 3, or 4 felony case pending or who is serving a Class A, B, or C felony or a Level 1, 2, 3, or 4 felony sentence, whether executed or suspended, any new case in which the most serious charge alleged is a Class A, B, or C felony or a Level 1, 2, 3, or 4 felony shall be filed in the court having jurisdiction of the oldest such prior case. Upon learning that such a case has been filed in the wrong court, the prosecutor shall within 14 days move to transfer the case to the proper court.
- c. All cases wherein the most serious charge alleged is a Level 5 felony filed under I.C. 35-42-2-1.3 (Domestic Battery) shall be assigned to Tippecanoe Superior Court No. 1.
- d. All Class D felonies, Level 6 felonies, misdemeanors, and infractions alleging a violation of Indiana Code Title 9, Traffic Code, except cases in which the lead charge is Operating While Suspended with Prior Conviction, a Class A misdemeanor, shall be assigned to Superior Court No. 6 of Tippecanoe County.
- e. All traffic infractions or misdemeanors alleging a violation of Indiana Code Title 9, Traffic Code ONLY filed against an individual sixteen (16) or seventeen (17) years of age shall be filed in Superior Court No. 6 of Tippecanoe County.
- f. All other Level 5 felonies, Class D felonies, Level 6 felonies, misdemeanors, and infractions alleging a violation of Indiana Code not specifically set forth in these rules shall be assigned to Superior Court No. 4, Superior Court No. 5 and Superior Court No. 7 of Tippecanoe County in accordance with the defendant's date of birth as follows:

Court	Date of Birth
Tippecanoe Superior Court 4	1-10
Tippecanoe Superior Court 5	11-20
Tippecanoe Superior Court 7	21-31

- i. Escape. Where it is alleged a defendant committed the offense of Escape or Failure to Return to Lawful Detention (I.C. 35-44.1-3-4) in violation of an order issued by a Tippecanoe County Court, the charge of Escape or Failure to Return to Lawful Detention shall be filed in the court which issued the order.
 - ii. Where it is alleged a defendant committed the offense of Escape or Failure to Return to Lawful Detention (I.C. 35-44.1-3-4) in violation of an order issued by a court in any other county, state or jurisdiction, the charge of Escape or Failure to Return to Lawful Detention shall be filed in Tippecanoe Superior Court No. 5.
 - g. When it is alleged that defendants jointly commit a crime or crimes and the most serious charge alleged is Murder, the cases shall be assigned together to Tippecanoe Circuit Court, Tippecanoe Superior Court No. 1 or Tippecanoe Superior Court No. 1 Superior Court No. 2 of Tippecanoe County on a random basis in the ratio of 1:2:2 set forth above.
 - h. Where it is alleged that defendants jointly commit a crime or crimes, and the most serious charge alleged is a Class A, B or C felony or a Level 1, 2, 3, or 4 felony, their cases shall be filed together in the same court. In any such cases where one or more of the defendants has a Class A, B or C felony or a Level 1, 2, 3, or 4 felony case pending or is serving a Class A, B, or C felony or a Level 1, 2, 3, or 4 sentence, whether executed or suspended, all the cases shall be filed in the court having jurisdiction of the oldest such prior case. Any case in which the most serious charge is a Level 5 felony, Class D felony, Level 6 felony, misdemeanor or infraction shall be filed as specified above, notwithstanding any charges against co-defendants.
 - i. When the State of Indiana dismisses a case and chooses to re-file that case, the case shall be assigned to the court from which dismissal was taken.
- 2. Civil
 - a. Commercial Court Eligible. All CE case types shall be assigned to Tippecanoe Superior Court No. 7.

- b. Orders of Protection. All petitions for civil orders of protection shall be initially filed in Tippecanoe Superior Court No. 5.
- c. Collections. All CC case types in which the amount in controversy is greater than \$10,000.00 shall be assigned to Tippecanoe Superior Court No. 1. All CC case types in which the amount in controversy is less than \$10,000.00 shall be assigned to Tippecanoe Superior Court No. 4 and Tippecanoe Superior Court No. 5 on a random basis in accordance with the following ratio:

Court	Ratio
Tippecanoe Superior Court No. 4	1
Tippecanoe Superior Court No. 5	1

- d. All MF case types shall be assigned to Superior Court No. 2 of Tippecanoe County.
- e. All RF case types shall be assigned to Superior Court No. 5 of Tippecanoe County.
- f. Expungements.
 - i. Petitions to expunge records under I.C. 35-38-9-1 shall be filed in the court in which the charges were filed under a new expungement (XP) cause without the payment of court costs, and if no charges were filed or the petition includes Section 1 requests from multiple courts, then said petitions shall be filed in Tippecanoe Superior Court No. 2 under a new expungement (XP) cause without the payment of court costs.
 - ii. Petitions to expunge misdemeanor convictions under I.C. 35-38-9-2, Class D or Level 6 felony convictions under I.C. 35-38-9-3, less serious felony convictions under I.C. 35-38-9-4, and certain serious felony convictions under I.C. 35-38-9-5 shall be filed under a new expungement (XP) cause with the payment of court costs. Said petitions shall be filed in the court in which conviction was entered, unless the petition seeks to expunge causes from multiple courts, then the petition shall be filed in Tippecanoe Superior Court No. 2. The payment of court costs is required so long as the petition includes a request to expunge at least one conviction.
- g. Petitions for Specialized Driving Privileges seeking to stay a court ordered driver's license suspension shall be filed in the court that imposed the driver's license suspension under an MI cause number with payment of filing fees. All other Petitions for Specialized Driving Privileges shall be filed in Superior Court No. 6 under an MI cause number with payment of filing fees.

- h. Petitions for Change of Name. All petitions seeking change of name for adults and children shall be initially filed in Tippecanoe Superior Court No. 5.
- i. All civil matters not otherwise assigned in these rules, including PL, CT, and RA case types, may be filed in Tippecanoe Circuit Court, Tippecanoe Superior Court No. 1, or Tippecanoe Superior Court No. 2 unless the court assignment is otherwise determined by statute or rule.

3. Small Claims/Evictions

- a. Civil cases intended to be subject to the small claims rules and jurisdictional limits, whether filed as SC or EV cases, shall be divided between Tippecanoe Superior Court No. 4 and Tippecanoe Superior Court No. 7, as follows:
 - i. All SC cases involving landlord/tenant issues and EV case types shall be filed in Tippecanoe Superior Court No. 7.
 - ii. All SC cases involving other than landlord/tenant issues shall be filed in Tippecanoe Superior Court No. 4.
- b. Civil cases involving landlord/tenant issues exceeding the small claims jurisdictional limit, whether filed as EV (civil) or other case type, shall be filed in Tippecanoe Circuit Court, Tippecanoe Superior Court No. 1, or Tippecanoe Superior Court No. 2.

4. Juvenile

- a. Tippecanoe Superior Court No. 3 County exercises juvenile jurisdiction only. All juvenile case types shall be filed in Tippecanoe Superior Court No. 3.
- b. JM cases involving Collaborative Care under I.C. 31-28-5.8 shall be filed in Tippecanoe Superior Court No. 3 without payment of filing fees. MI cases involving Petitions for Order Granting Minor Approval to Marry under I.C. 31-11-1-7 shall be filed as a confidential case in Tippecanoe Superior Court No. 3 with payment of civil filing fees. JM cases involving Petitions for Waiver of Parental Consent to Abortion under I.C. 16-34-2-4 shall be filed in Tippecanoe Superior Court No. 3 as a confidential case without payment of filing fees.
- c. Petitions for Establishment of Paternity, Establishment/Enforcement of Child Support, Legal Separation to Establish Child Support, Reciprocal Support, Reciprocal Enforcement of Child Support (UIFSA), Modification of Support under Uniform Child Custody Jurisdiction Act, and/or Enforcement or Registration of Foreign Child

Support Order initiated by State of Indiana IV-D Child Support Office shall be filed in Superior Court No. 3.

- d. Petitions for Establishment of Paternity that are not initiated by the State of Indiana IV-D Child Support Office may be filed in Tippecanoe Circuit Court, Tippecanoe Superior Court No. 1, and Tippecanoe Superior Court No. 2; however, petitions initiated by a pro se party shall be assigned on a random basis according to the following ratio:

Court	Ratio
Tippecanoe Circuit Court	1
Tippecanoe Superior Court No. 1	1
Tippecanoe Superior Court No. 2	1

- e. Petitions to expunge court records concerning a delinquent child or a child in need of services under I.C. 31-39-8 shall be filed in Tippecanoe Superior Court No. 3 in the original cause without payment of filing fees. Petitions to expunge substantiated reports of the Department of Child Services under I.C. 31-33-27-5 shall be filed in Tippecanoe Superior Court No. 3 under a JM cause with payment of filing fees. Petitions to expunge juvenile delinquency records under I.C. 35-38-9-1 shall be filed in the original cause without payment of filing fees. Petitions to expunge juvenile delinquency arrests under I.C. 35-38-9-1, without an existing juvenile delinquency case, shall be filed in Tippecanoe Superior Court No. 3 under a JM cause without payment of filing fees.

5. Family Law

- a. Petitions for dissolution of marriage, with or without children, in which a fee waiver is requested shall be filed in Tippecanoe Superior Court No. 2.
- b. All other petitions for dissolution of marriage with or without children and petitions for separation may be filed in Tippecanoe Circuit Court, Tippecanoe Superior Court No. 1, or Tippecanoe Superior Court No. 2. Petitions initiated by a pro se party shall be assigned on a random basis according to the following ratio:

Court	Ratio
Tippecanoe Circuit Court	1
Tippecanoe Superior Court No. 1	1
Tippecanoe Superior Court No. 2	1

- c. Petitions for grandparent visitation shall be filed in the Court with jurisdiction over any custody/parenting time orders for the child who is the subject of the request for grandparent visitation. If no prior custody/parenting time orders have been issued, the petition may be

filed in Tippecanoe Circuit Court, Tippecanoe Superior Court No. 1, or Tippecanoe Superior Court No. 2. Petitions initiated by a pro se party shall be assigned on a random basis according to the following ratio:

Court	Ratio
Tippecanoe Circuit Court	1
Tippecanoe Superior Court No. 1	1
Tippecanoe Superior Court No. 2	1

- d. If it is later discovered that a petition for grandparent visitation was filed in a court other than the court with jurisdiction over existing custody/parenting time orders, the matter shall be transferred to the court with appropriate jurisdiction.

6. Miscellaneous

- a. All search warrants and 72-hour holds approved by the Tippecanoe County Magistrate shall be filed in Tippecanoe Superior Court No. 7.
- b. A judge, by appropriate order, may transfer and reassign to any other court of record in the county, any pending case, subject to acceptance by the receiving court.

A case transferred to Tippecanoe County by reason of change of venue from another county may be assigned to a court by agreement of the parties. In the absence of such an agreement, the case shall be filed in accordance with this Local Rule on Case Assignments.

- c. Magistrates and Commissioners.
 - i. The Presiding Judge of Tippecanoe Superior Courts No. 4, 5, 6, and 7 shall assign the Magistrate to serve any of the Tippecanoe Circuit or Superior Courts in a manner which provides greater assistance to the courts with greater caseloads.
 - ii. The Presiding Judge of Tippecanoe Superior Court No. 3 shall assign the Juvenile Magistrate to serve Tippecanoe Superior Court No. 3 in a manner necessary to assist with the juvenile caseload.
 - iii. The Presiding Judge of Superior Court No. 3 of Tippecanoe County shall assign the IV-D Commissioner to serve Tippecanoe Circuit Court, Superior Court, Superior Court No. 2 and Superior Court No. 3 in a manner which provides assistance for caseloads involving the IV-D Child Support Office.

LR79-AR15-2. Court Reporter Services.

1. Definitions. For the purposes of this rule, all definitions listed in Ind. R. Admin. P. 15(B) shall apply.
2. Salaries and Per Page Fees.
 - a. 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. The supervising court shall enter into a written agreement with the court reporters which outlines the manner in which the court reporter is to be compensated for gap and overtime hours; i.e., monetary compensation or compensatory time off regular work hours.
 - b. Court reporters may contract to prepare transcripts outside the hours in which their attendance is required and outside hours they perform other work pursuant to their employment relationship.
 - i. The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript shall be \$5.00. The court reporter shall submit a claim to the court reporter of Superior Court 2, or as otherwise directed by their supervising Judge, who shall submit the claim to the county for the preparation of any county indigent transcripts. The ancillary court department shall have the responsibility of maintaining the budget for county indigent transcripts.
 - ii. The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be \$5.00. The court reporter shall submit the invoice for state indigent transcripts directly to the state.
 - iii. The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be \$5.00. The court reporter shall submit the invoice for private transcripts directly to the attorney or party requesting the transcription. A deposit in the amount of the estimated work shall be required from the attorney or party making a private transcript request.
 - iv. Request for expedited transcript to be prepared within 24 hours must be limited to 50 pages and shall be charged at the rate of \$8.50 per page. Request for expedited transcript to be prepared within 5 days must be limited to 150 pages and shall be charged at a rate of \$7.50 per page. Any request over 150 pages to be completed within 15 days shall be considered expedited and shall be charged at the rate of

\$10.00 per page. Any other expedited rates may be approved by the Judge of the Court in which the proceeding originates.

- v. An additional labor charge of \$25.00 may be assessed for preparation of each volume and or binder which includes the cost of all office supplies and electronic submission if required.
 - vi. The maximum per page fee a court reporter may charge for additional copies of a transcript (state indigent or private) shall be \$1.00. The court reporter shall submit the invoice for the additional transcript copy directly to the attorney or party requesting the copy.
- c. 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 Supreme Court Office of Court Administration. The reporting shall be made on forms prescribed by the Office of Court Administration.
 - d. A late fee of up to \$25.00 may be assessed against any private pay transcript in the event payment is not made within 10 days from the date of the Notice of Filing of Transcript.

3. Private Practice.

- a. If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, and the court reporter desires to utilize the court's equipment, work space and supplies, and the court agrees to the use of the court equipment for such purpose, the court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:
 - i. The reasonable market rate for the use of equipment, work space and supplies;
 - ii. The method by which records are to be kept for the use of equipment, work space and supplies; and
 - iii. If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.