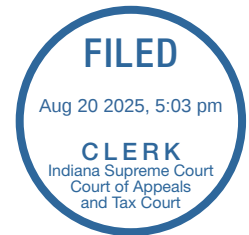


In the
Indiana Supreme Court



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

Supreme Court Case No.
25S-MS-213

Order Approving Amended Local Rules

The Judges of the Lawrence Circuit and Superior Courts request the approval of amended local rules for caseload allocation and criminal case assignments in accordance with Administrative Rule 1(E), for court reporter services in accordance with Administrative Rule 15, for criminal special judge assignments in accordance with Administrative Rule 21, and for special judge assignments in accordance with Trial Procedure Rule 79. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Lawrence Circuit and Superior Courts, this Court finds that the proposed amendments to LR47-AR00-002 comply with the requirements of Administrative Rule 1(E), the amendments to LR47-AR15-006 comply with Administrative Rule 15, the amendments to DR 20-AR21-000 comply with Administrative Rule 21, and the amendments to DR 20-TR79-000 comply with Trial Rule 79, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR47-AR00-002, LR47-AR15-006, DR 20-AR21-000, and DR 20-TR79-000, for the Lawrence Circuit and Superior Courts, set forth as attachments to this Order, are approved effective January 1, 2026.

Done at Indianapolis, Indiana, on 8/20/2025.

A handwritten signature in black ink, appearing to read "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

LR47-AR00-002: LOCAL CASELOAD ALLOCATION PLAN

A. Criminal Case Assignment.

1. All initial filing determinations shall be on the basis of the most serious offense charged.

MURDER, LEVEL I TO IV FELONY, CLASS A TO C FELONY

All felonies classified as Murder, Level I to IV, and Class A to C, shall be blind filed in the Superior Courts through the Office of the Lawrence County Clerk. The Lawrence County Clerk shall assign 2/3 of those cases to Lawrence Superior Court, Division I and 1/3 to Lawrence Superior Court, Division II.

LEVEL VI and V, MISDEMEANORS, INFRACTIONS, AND ORDINANCES

All Level VI and V felonies and misdemeanors charging an alcohol, traffic, or controlled substance offense, and all infraction and ordinance violations, shall be filed in the Lawrence Superior Court, Division II. All other Level VI and V felonies and misdemeanors shall be filed in the Lawrence Superior Court, Division I.

2. New and Pending Cases: Any criminal case filed regarding a Defendant who is under a probation sentence or has a pending felony case shall be filed in the court exercising jurisdiction over the prior proceedings. If a Defendant has a probation sentence or a pending felony case in multiple courts in this county, any new charges shall be filed in the court first having jurisdiction. A case may be transferred under this Rule by motion of the parties or by the Court.

3. Co-Defendants: When two or more Defendants are charged under separate case numbers, but the offenses charged arise from the same factual allegations, the cases of all co-defendants shall be assigned to one of the Superior Courts by the Clerk of Lawrence County as follows:

- a. If any Defendant has a probation sentence or pending felony case, the new charge shall be filed in the Court where a probation sentence or pending felony case exists, and the other Defendants shall follow that case;
- b. If more than one Defendant has a probation sentence or pending felony case, the new case shall be filed where each defendant has a probation sentence or pending case. This may result in co-defendants being charged in different Courts.
- c. If there are more than two co-defendants and the additional co-defendants (s) do not have a probation sentence or pending case, the additional co-defendant(s) case shall be filed in the Court in which the highest level charge exists. If the charges are equal, the additional co-defendant(s) case shall be filed in the same Court in alphabetical order of the Defendants that have a probation sentence or pending felony case.

- d. If neither situation exists, all defendants shall be charged in the same Court pursuant to LR47-AR00-002 A 1.

- B. Transfer of Criminal and Civil Cases.** The Judges of the Lawrence Circuit and Superior Courts, by appropriate order, may transfer and reassign to the other Courts any pending case, subject to acceptance by the receiving Court.
- C. Re-Filing and Subsequent Filing of Criminal Cases.** Upon dismissal of a case by the State of Indiana and a subsequent re-filing of the case based on the same occurrence, such newly filed case shall be re-filed in the Court from which the dismissal was taken. Further, in the event additional criminal charges are filed against a felony defendant at any time prior to sentencing, the additional charges shall be filed in the Court in which the other charges are already pending.
- D. Change of Judge in Criminal Case.** In the event the regular Judge of the Court recuses himself/herself, the case shall be assigned as follows: from the Judge of the Superior Court, Division I, to the Judge of the Superior Court, Division II; from the Judge of the Superior Court, Division II, to the Judge of the Superior Court, Division I. If the Superior Courts are unable to accommodate the assignment, the case may be assigned to the Judge of the Lawrence Circuit Court. When it is necessary to appoint a special judge pursuant to Administrative Rule 21, it shall be done in accordance with District 20 Rule on appointment of special judge in criminal cases at **DR20-CR13-000**.
- E. Civil and Other Case Assignment.** All small claims shall be filed in the Lawrence Superior Court, Division II. All civil proceedings which are assigned a CP, PL, CT, RS, MF, CC, MI, CE, GV, RA, RF (criminal and civil), EV, TP, or TS case number shall be filed in the Lawrence Circuit Court through the Clerk of Lawrence County. Additionally, all proceedings regarding dissolution of marriage shall be filed in the Lawrence Circuit Court and the Lawrence Superior Court, Division I, on a rotating basis, through the Clerk of Lawrence County. All mental health proceedings shall be filed in the Lawrence Superior Court, Division I. All protective order requests shall be filed in the Lawrence Circuit Court, subject to statutory exceptions and any exception specified by these rules. Additionally, if a dissolution action has been filed in the Lawrence Circuit or Superior Court, Division I, a subsequently filed protective order, with the same parties, shall be filed in that Court. Any Protective Order in which there is a companion criminal case shall be filed in the court that has jurisdiction over the criminal cause. All probate juvenile, guardianship, trust, adoption, or Title IV-D support collection matters, excepting those where the original dissolution was in Superior Court, Division I, shall be filed in the Lawrence Circuit Court. All expungement petitions shall be filed in the court that adjudicated the underlying matter. If two or more courts adjudicated separate criminal cases, the expungement petition shall be filed in the Lawrence Circuit Court.
- F. Modification.** The Courts of Lawrence County may, from time to time, modify the above rules regarding local assignment of cases to meet the needs of the Courts in circumstances deemed necessary by agreement of the Judges of the Courts of Lawrence County. Some instances that may necessitate temporary modification of this assignment of cases rule are as follows: temporary extended absence or disability of a Judge; a case of size or complexity to overburden a particular Court; temporary case load disparities.

LR47-AR15-006: PROVISION OF COURT REPORTER SERVICES

- A. Definitions.** The Definitions contained in Administrative Rule 15(B) are adopted herein and control any question of interpretation. For the purposes of this rule, the regular hours worked by the Court reporting staff shall be Monday through Friday from 8:00 a.m. until 12:00 noon, and 1:00 p.m. until 4:00 p.m. The work week shall be a seven (7) – day period, commencing with Sunday and ending with the Saturday of each week, and contain thirty-five (35) hours for which salaried compensation is paid. Such work period may, from time to time, be modified by the judge in each Court of this county.
- B. Compensation.** A Court Reporter shall work directly under the control, direction, and direct supervision of the judge by whom they are employed during all hours of employment. Each Court Reporter shall be paid an annual salary, as set by the Court and approved by the county council, for regular hours worked during the work week. Gap hours shall be separately compensated at a rate equivalent to the hourly rate of the yearly salary and overtime hours shall be separately compensated at a rate equivalent to one and one-half (1 ½) times the hourly rate of the yearly salary, or compensatory time off shall be given, weighted in the same manner.
- C. Duties and Responsibilities.** The duties of a Court Reporter shall include:
1. Reporting the evidence presented in proceedings before the Court.
 2. Preservation and storage of any physical evidence presented in Court proceedings.
 3. Preparation of chronological case summary entries at the direction of the Court and providing notice thereof as required by the Rules of Trial Procedure.
 4. Preparation of written documents to effectuate the rulings, orders, and judgments of the Court or comply with the rules of the Indiana Supreme Court.
 5. Preparation of transcripts of evidence presented in Court proceedings requested, pursuant to the Rules of Trial Procedure.
 6. Such other functions and responsibilities as required by law or the Court for its effective administration.
- D. Transcripts.**

Per Page Fees

1. The maximum per-page fee a Court Reporter may charge for the preparation of a routine (either appellate or non-appellate) county indigent transcript shall be \$5.00. The Court Reporter shall submit a claim to the Auditor directly for the preparation of any county indigent transcripts requested by a self-represented person found indigent by the Court. Otherwise, the Court Reporter shall submit an invoice to the requesting party (i.e., Lawrence County Public Defender Agency, Lawrence County Prosecutor's Office, GAL, CASA) for submission of a claim to be paid out of that entity's budgeted transcript fund.
2. The Court Reporter shall not charge a fee for copies of an indigent transcript to a court-appointed agency when the preparation of the same has already been paid by the county on behalf of any local or state government entity.

The Lawrence County Courts have adopted Court Reporter Model 1 in compliance with Administrative Rule 15. A Court Reporter shall be paid by Lawrence County for indigent transcript services as an independent contractor and separate from their regular salary.

3. The maximum per-page fee a Court Reporter may charge for the preparation of a non-appellate state indigent transcript shall be \$5.00.
4. The maximum per-page fee a Court Reporter may charge for the preparation of an appellate or non-appellate private transcript shall be \$5.50. The per-page fee a Court Reporter may charge for a copy of a prepared transcript shall be \$2.00.
5. A minimum fee of \$50.00 per transcript will be charged for transcripts of eight (8) pages or less.
6. A \$7.00 fee will be assessed for each binder needed, and an additional \$3.00 fee will be charged for each disc and/or \$8.00 for each USB thumb drive.
7. A fee of \$17.75 per hour will be charged for binding costs on appealable transcripts.
8. The Table of Contents and Index will be charged at the designated per-page fee in addition to binder costs and the hourly rate of \$17.75 to bind the same.
9. The Volume of Exhibits will be charged at the designated per-page fee and the hourly rate of \$17.75 to bind the same.
10. The Court Reporter may, at their discretion, contract with an outside Court Reporter or Transcription Service to complete any requested transcript.

Annual Report

A Court Reporter shall annually report all transcript and deposition fees received to the Office of Judicial Administration on such forms as may be prescribed.

Private Practice

1. If a Court Reporter elects to engage in private practice by recording a deposition and/or preparing a deposition transcript, outside of and in addition to his or her official duties for the Court, 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:
 - a. The reasonable market rate for the use of equipment, work space, and supplies;
 - b. The method by which records are to be kept for the use of equipment, work space, and supplies; and
 - c. The method by which the Court Reporter is to reimburse the Court for the use of the equipment, work space, and supplies.

2. If a Court Reporter elects to engage in private practice through the recording of a deposition and/or preparation of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.

DR 20-AR21-000: APPOINTMENT OF SPECIAL JUDGE IN CRIMINAL CASES

Each county within the Administrative District shall amend its local rules, pursuant to Administrative Rules 1(E)(6) and 21, to allow for the appointment of Special Judges utilizing the following elements.

A. Eligibility for Special Judge Service.

2. Available to Serve. Pursuant to Administrative Rule 21, the full-time Judicial Officers of Administrative District 20 and contiguous counties shall be deemed in agreement to serve as a Special Judge. Senior Judges are also eligible to serve.
3. Prior Service Excluded. The appointment of Special Judge shall apply unless the appointed Judicial Officer has previously served as Judge or Special Judge in the case, is disqualified by interest or relationship, or is excused from service as a Special Judge by the Indiana Supreme Court.

B. Appointment within the Administrative District. In order to improve the coordination within the Administrative District, and pursuant to Administrative Rule 21, appointments of a Special Judge in criminal cases shall be made among the Judicial Officers of the Administrative District.

C. Appointment of a Special Judge. In the event of the need for the regular, sitting Judicial Officer to recuse herself/himself from a normally assigned case, Special Judge appointment shall be made by the Administrative District 20 Facilitator.

1. Priority Given to Local County Appointments. Pursuant to Administrative Rule 1(E)(6), appointments of a Special Judge shall be made in the same manner as set forth within the Local Rules of the Local County. Following the appointment of the Special Judge, the Special Judge may request that the case be forwarded to the court of the Special Judge.
2. District (Outside County) Appointments. In the event that no Local Judicial Officer is available, a Special Judge shall be appointed, on a rotating basis, from the available full-time Judicial Officers within the Administrative District and counties contiguous to Lawrence County.

D. Acceptance of Appointment.

1. Acceptance Mandatory. Pursuant to Administrative Rule 21(A), a person appointed to serve as Special Judge under these rules must accept jurisdiction in the case, unless the appointed Special Judge is disqualified pursuant to the Code of Judicial Conduct, ineligible for service under these rules, or excused from service by the Indiana Supreme Court.
2. Documentation. An oath or additional evidence of acceptance of jurisdiction is not required.

E. Supreme Court Certification. In the event that no Judicial Officer in the Administrative District or a contiguous county is eligible to serve as a Special Judge, or the regular, sitting Judicial Officer in the court in which the case is pending sets out particular circumstances why appointment under these rules should not be made, then the regular, sitting Judicial

Officer shall certify the same to the Indiana Supreme Court for appointment of a Special Judge.

F. Discontinuation of Special Judge Service. The provisions of A.R. 21(F) apply if a Special Judge ceases to serve following assumption of jurisdiction.

G. Method for Assignment and Related Records. The District Facilitator has maintained a method for rotation for appointments and maintained records related thereto which will be continued. Any amendments to the method will be made by votes cast by the Judicial Officers of Administrative District 20.

DR 20-TR79-000 APPOINTMENT OF SPECIAL JUDGE IN CIVIL CASES

A. Eligibility for Special Judge Service:

- 1. Agreement to Serve.** Pursuant to Trial Rule 79(H), the full-time Judicial Officers of Administrative District 20 and Senior Judges shall be deemed in agreement to serve as a Special Judge.
- 2. Prior Service Excluded.** The appointment as Special Judge shall apply unless the appointed Judicial Officer has previously served as Judge or Special Judge in the case, is disqualified by interest or relationship, or is excused from service as a Special Judge by the Indiana Supreme Court.

B. Appointment of a Special Judge: In the event of the need for the regular, sitting Judicial Officer to recuse herself/himself from a normally assigned case, or should the appointment of a Special Judge through agreement by the Parties fail, the Special Judge appointment shall be made by the Administrative District 20 Facilitator:

- 1. Priority Given to Local County Appointments.** Special Judge appointments shall be made within the Local County. Following the appointment of the Special Judge, the Special Judge may request that the case be transferred to the court of the Special Judge.
- 2. District (Outside County) Appointments.** In the event that no Local Judicial Officer is available, the case will be forwarded to the District 20 Facilitator who will appoint a Special Judge on a rotating basis, from the available Judicial Officers within the Administrative District.

C. Acceptance of Appointment:

- 1. Acceptance Mandatory.** Pursuant to Trial Rule 79(H), a person appointed to serve as Special Judge under these rules must accept jurisdiction in the case unless the appointed Special Judge is disqualified pursuant to the Code of Judicial Conduct, ineligible for service under these rules, or excused from service by the Indiana Supreme Court.
- 2. Documentation.** An oath or additional evidence of acceptance of jurisdiction is not required.

D. Supreme Court Certification. If no Judicial Officer in the Administrative District is eligible to serve as a Special Judge, or the regular, sitting Judicial Officer in the court in which the case is pending sets out particular circumstances why appointment under these rules should not be made, then the regular, sitting Judicial Officer shall certify the same to the Indiana Supreme Court for appointment of a Special Judge.

- E. **Discontinuation of Special Judge Service.** The provisions of T.R. 79(I) apply if a Special Judge ceases to serve following assumption of jurisdiction.
- F. **Method of Assignment and Related Records.** The District Facilitator has maintained a method for rotation for appointments and maintained records related thereto, which will be continued. Any amendments to the method will be made by votes cast by the Judicial Officers of Administrative District 20.