

In the  
**Indiana Supreme Court**

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

Supreme Court Case No.  
25S-MS-210



**Order Approving Amended Local Rules**

The Judges of the Monroe Circuit 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 Procedure Rule 79, and for criminal special judge assignments in accordance with Administrative Rule 21. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Monroe Circuit Courts, this Court finds that the proposed amendments to LR53-AR00-0108 comply with the requirements of Administrative Rule 1(E), the amendments to LR53-AR00-0109 comply with Trial Rule 79, and the amendments to LR53-AR00-0112 comply with Administrative Rule 21, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR53-AR00-0108, LR53-AR00-0109, and LR53-AR00-0112, for the Monroe Circuit 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", written over a horizontal line.

Loretta H. Rush  
Chief Justice of Indiana

A. Procedure. The Board of Judges shall:

1. Review and comply with current caseload allocation orders of the Indiana Supreme Court.
2. Review and assess literature from the Indiana State Bar Association, the American Bar Association, and the National Center for State Courts.
3. Review and consider suggestions made by the Monroe County Bar, the Prosecuting Attorney, and the Public Defender.
4. Review and analyze the statistics on current workload and case flow within the Monroe Circuit Court.
5. Analyze whether the current allocation is providing quality public service. There shall be a presumption in favor of the current allocation in order to preserve public confidence in the system, promote stability for the employees of the court system, and avoid inefficient use of personnel, time, and resources to effectuate change. Caseload allocation shall be determined by judicial seniority.

B. Implementation. The Clerk of Monroe County shall maintain a random filing system, by computer or otherwise, implementing the caseload allocation approved by the Board of Judges. If the caseload allocation is changed by order of the Board of Judges, the Presiding Judge shall forward the amended allocation to the Clerk of the Supreme Court and Court of Appeals, the State Court Administrator, the Clerk of the Monroe Circuit Court, and the President of the Monroe County Bar Association. The current allocation is as follows:

1. Case Assignment. The Clerk shall assign cases as from time to time directed by the Board of Judges.
  - a. The Clerk shall randomly assign all murder, A, B, C, D, Level I, Level II, Level III, Level IV, Level V, Level VI felony, misdemeanor, post-conviction, criminal miscellaneous, and red flag cases to Divisions II, III, V, and IX.
  - b. Domestic relations cases shall be randomly assigned 50% to Division IV and 50% to Division VIII, *unless consolidated with an active protection order case as provided in paragraph c*. Grandparent Visitation (GV) shall be assigned 50% to Division IV and 50% to Division VIII.
  - c. Protective Order cases shall be randomly assigned 50% to Division IV and 50% to Division VIII. If, however, the parties to the Protection Order case have an active or closed Domestic Relations case with Children (DC) or a closed Domestic Relations

case without Children (DN), an active Child in Need of Services (CHINS) case or Paternity (JP) case, the Protection Order case will be assigned to the Division with the DN, DC, CHINS or JP case. Domestic Relations or Paternity cases shall be assigned to the Division with an active Protection Order case involving the same parties.

- d. Tort, Civil Plenary, Civil Collection, Mortgage Foreclosure, Commercial Court Eligible, Review of Administrative Agency, and Mental Health cases shall be randomly assigned 50% to Division I and 50% to Division VI.
- e. Juvenile Delinquencies, Juvenile Status, Juvenile Miscellaneous, Juvenile CHINS, Juvenile Terminations, and Adoption cases shall be assigned to Division VII. Guardianship and Guardianship Miscellaneous cases shall be assigned to Division I.
- f. Juvenile Paternity cases shall be assigned 33% to Division IV, 33% to Division VI, and 33% to Division VIII.
- g. Estate and Trust cases shall be assigned to Division I.
- h. Small Claims shall be randomly assigned 50% to Division IV and 50% to Division VIII. Eviction (small claims) cases shall be randomly assigned 50% to Division IV and 50% to Division VIII.
- i. Infraction cases shall be assigned 33% to Division IV, 33% to Division VI, and 33% to Division VIII.
- j. Reciprocal Support shall be assigned 25% to Division I, 25% to Division IV, 25% to Division VI, and 25% to Division VIII. Eviction (Civil) cases shall be assigned 100% to Division VI.
- k. A redocketed case bearing a 1992 or earlier cause number shall be assigned to the court of original jurisdiction if that division in the reallocation of cases is assigned that case type, otherwise it will be randomly assigned to a division with that jurisdiction.
- l. A redocketed case bearing a 1993 or later cause number shall be assigned to the court of original jurisdiction if that division in the reallocation of cases is assigned that case type, otherwise it will be randomly assigned to a division with that jurisdiction.
- m. The Clerk shall use the related case function in the Odyssey Case Management System in Protection Order (PO) and Juvenile Paternity (JP) cases involving

the same parties to facilitate coordination, consistency, and efficiency within judicial orders.

- n. The Clerk shall use the related case function in the Odyssey Case Management System if an active CHINS case pending in Division VII involves the same parties to a new or pending Domestic Relations, Reciprocal Support, or Protective Order cases.
  - o. Tax Sale (TS) and Tax Petition (TP) cases shall be assigned to Division I.
  - p. Juvenile Protective Order (JQ) cases shall be assigned to Division VII.
  - q. Expungement (XP) cases shall be assigned to Divisions II, III, V and IX. If multiple cases are listed on the Expungement Petition, the XP case shall be filed in the Criminal Court with the oldest case listed in the petition (Divisions II, III, V, IX.) If only one case is listed on the Expungement Petition and that Court no longer hears criminal cases, the case will be randomly assigned to a practicing criminal court (II, III, V, IX); however, the original criminal files should not be transferred to that Court and will retain their original cause number.
  - r. New Guardianship (GU) cases shall be assigned to the division with a related pending CHINS case.
  - s. Civil Miscellaneous (MI) cases shall be assigned 50% to VI and 25% to Division IV and 25% to Division VIII.
  - t. Ordinance Violations shall be assigned to Division IV.
2. Case Re-filed. If a case is dismissed without prejudice on a plaintiff's motion and the same case is subsequently re-filed by a plaintiff, the re-filed case shall be assigned to the same Division of the Monroe Circuit Court in which the dismissed case was originally filed providing that division is overseeing that case type. If that division is no longer hearing that case type, then the Clerk will randomly assign that case to a division with jurisdiction. "Same case" shall mean substantially the same cause of action, arising out of the same transaction or occurrence, and between substantially the same parties. If such a re-filed case is not initially re-filed in the same division of the Monroe Circuit Court, then upon motion of any party or Court, it shall be transferred to the Division of the Monroe Circuit Court in which it was originally filed.
3. Change of Judge. When a special judge must be appointed in accordance with Trial Rule 79 (H), the case shall be randomly reassigned to another civil division in the Monroe Circuit Court. Juvenile CHINS, Juvenile Termination of Parental Rights and Adoption cases shall be reassigned to Division IV. Estate and Trust cases shall be reassigned to Division VII. Juvenile Status, Juvenile Miscellaneous, Guardianship, and Guardianship

Miscellaneous cases shall be randomly reassigned 50% to Division VI and 50% to Division VIII. Juvenile Protective Order (JQ) and Juvenile Delinquency cases shall be reassigned to Division I.

The Court Reporter shall notify the Clerk of the need for reassignment in accordance with District Rule DR 20-TR79-000.

C. Case Consolidation.

1. Civil cases. Civil cases filed against different defendants that arise out of the same occurrence, or multiple cases filed against the same defendant may be consolidated and assigned to the division with the oldest case number.
2. Criminal cases. All criminal cases against a defendant shall be consolidated in the Division with the oldest pending case number. A new case shall be filed in that Division or transferred to that Division. Pending cases include defendants on Probation and in the Pre-Trial Diversion Program.

D. Case Transfer.

Nothing in this Rule shall preclude the transfer of case from one Division of the Circuit Court to another Division to promote efficiency and provide for timely resolution of cases.

**LR53-AR00-0109 SPECIAL JUDGES IN CIVIL CASES PURSUANT TO TRIAL RULE 79(H)**

**Updated 1/1/2026**

When it is necessary to appoint a special judge pursuant to Trial Rule 79 (H), it shall be done in accordance with District 20 Rule on appointment of special judge in civil cases at **DR20-TR79-000.**

*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 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 either Greene County Circuit Court, Greene County Superior Court, Greene County Magistrate Court, Lawrence Superior Court I, Lawrence Superior Court II, Lawrence Circuit Court, Lawrence County Referee, Owen Circuit Court I, and Owen Circuit Court II, which are all the available full-time Judicial Officers within the Administrative District or are from a contiguous county to Monroe County, and have agreed to serve as special judge in the court where the case is pending.

- 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.** In the event that 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.

**LR53-AR00 -0112      SPECIAL JUDGES IN CRIMINAL CASES**

**Updated 1/1/2026**

When it is necessary to appoint a special judge pursuant to AR 21, it shall be done in accordance with District 20 Rule on appointment of special judge in criminal cases at AR21-000.

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

Each county within the Administrative District shall amend its local rules, pursuant to, AR1(E)(6) and AR 21 to allow for appointment of Special Judges utilizing the following elements.

**A.      Eligibility for Special Judge Service.**

1. **Available to Serve.** Pursuant to AR 21, the Judicial Officers of Administrative District 20 shall be deemed in agreement to serve as a Special Judge.
2. **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 AR 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 AR1(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 either Greene County Circuit Court, Greene County Superior Court, Greene County Magistrate Court, Lawrence Superior Court I, Lawrence Superior Court II, Lawrence Circuit Court, Lawrence County Referee, Owen Circuit Court I, and Owen Circuit Court II, which are the available full-time Judicial Officers within the Administrative District 20 or are from a contiguous county with Monroe County and have agreed to serve as special judge in the court where the case is pending.

**D. Acceptance of Appointment.**

1. **Acceptance Mandatory.** Pursuant to A.R. 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. Discontinuation of Special Judge Service.** The provisions of A.R. 21 (F). 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.