

In the Indiana Supreme Court

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

Supreme Court Case No.
25S-MS-323



Corrected Order Approving Amended Local Rules

The Judges of the Dearborn Circuit and Superior Courts request the approval of amended local rules for caseload allocation in accordance with Administrative Rule 1(E) and for special judge assignments in accordance with Trial Rule 79 and Administrative Rule 21. This Court approved the amendments on November 26, 2025. Subsequently, it was determined that the local rule language submitted to this Court for approval was incorrect. Attached to this Corrected Order are the correct proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Dearborn Circuit and Superior Courts, this Court finds that the proposed rule amendments to LR15-AR-5 and LR15-AR-7 comply with Administrative Rule 1(E), the proposed amendments to LR15-AR-8 comply with Trial Rule 79, and the proposed amendments to LR15-AR-7 comply with Administrative Rule 21, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR15-AR-5, LR15-AR-7, and LR15-AR-8, for the Dearborn Circuit and Superior Courts, set forth as attachments to this Corrected Order, are approved effective January 1, 2026.

Done at Indianapolis, Indiana, on 12/3/2025.

Loretta H. Rush
Chief Justice of Indiana

LR15-AR-5: COURT RULES FOR ASSIGNMENT OF CASES

The Clerk of the Dearborn Circuit and Superior Courts is directed to file the following types of non-criminal cases in the following manner:

A. Juvenile CHINS, Juvenile Delinquent, Juvenile Status, Juvenile Paternity, Juvenile Miscellaneous, Juvenile Termination of Parental Rights, Adoption Petitions, Unsupervised Estates, Supervised Estates, Reciprocal Support, Guardianships, Mortgage Foreclosures, Eviction (civil), Judicial Review of Administrative Agency Decisions, and Trusts shall be filed in the Circuit Court.

B. Small Claims, Protective Orders, Evictions (small claims), Civil Plenary of an amount at issue of Ten Thousand Dollars (\$10,000.00) or less. Infractions and Ordinance Violations shall be filed in the Superior Courts. Filings shall be divided through the following procedure: Cases filed in the months of January, March, May, July, September, and November shall be filed in Superior Court I. Cases filed in the months of February, April, June, August, October and December shall be filed in Superior Court II.

C. Mental Health cases shall be filed in the Court initiating the commitment process.

D. Domestic relations and new Grandparent Visitation cases shall be divided two thirds (2/3) to Circuit Court and one third (1/3) to Superior Court II. Cases filed in the months of January, February, April, May, July, August, October, and November shall be filed in Circuit Court. Cases filed in the months of March, June, September, and December shall be filed in Dearborn Superior Court II. Grandparent Visitation cases that involve minors in a previously filed matter will be assigned to the Court that handled the original matter. The Grandparent Visitation case may be transferred to the appropriate Court at any time.

E. Civil Torts shall be filed two-thirds (2/3) to Superior Court I and one-third (1/3) to Superior Court II. Cases filed in the months of January, February, April, May, July, August, October and November shall be filed in Superior Court I. Cases filed in the months of March, June, September and December shall be filed in Superior Court II.

F. Civil Plenary, Commercial Court Eligible, and Civil Collections with the amounts in controversy, \$10,000.00 or more shall be filed fifty percent (50%) to Circuit Court and twenty-five percent (25%) each to Superior Court I and Superior Court II. Cases filed in the months of January, March, May, July, September and November shall be filed with Circuit Court. Cases filed in the months of April, August, and December shall be filed with Superior Court I. Cases filed in the months of February, June and October shall be filed in Superior Court II.

G. All Red Flag (RF) cases shall be filed in Superior Court I.

H. The judges of the three (3) courts shall retain the authority to assign and transfer cases between the courts whenever the workload of each court and convenience in handling cases make such an assignment judicially desirable and with the consent of the Judges.

LR15 - AR7: ASSIGNMENT OF CRIMINAL CASES

A. The Clerk of the Dearborn Circuit and Superior Courts is directed to file the following types of criminal cases in the following manner:

1. All murder cases shall be filed in the Circuit Court.
2. All Class D felony cases (and after July 1, 2014, level 6 felonies) and all Class A, B and C misdemeanor cases shall be filed in accordance with the month in which the crime is alleged to have occurred as follows:
 - a. Offenses alleged to have occurred in January, March, May, July, September and November shall be filed in Superior Court II.
 - b. Offenses to have occurred in February, April, June, August, October and December shall be filed in Superior Court I.
 - c. Cases which allege an episode of criminal conduct over a period of time shall be filed in the month of the first occurrence of the crime as stated in the charging information. Cases that allege multiple counts of criminal conduct that are not necessarily of a continuing episode shall be filed in the month of the earliest count alleged.
3. All vehicular homicides other than murder cases shall be filed in Superior Courts I & II, consistent with paragraph 2 above.
4. All miscellaneous criminal cases may be filed in either the Circuit Court, Superior Court I, or Superior Court II.

5. Class A, B and C felonies (and after July 1, 2014, level 1, 2, 3, 4 and 5 felonies) shall be randomly assigned by the Clerk as follows: 3/5 of such cases to Circuit Court; 1/5 of such cases to Superior Court I; and 1/5 of such cases to Superior Court II.

Once filed as a Class A, B or C felony (and after July 1, 2014, level 1, 2, 3, 4 or 5 felonies), subsequent amendment of charges to add Defendants or additional counts (either of which arise from the same transaction or occurrence) shall be filed in the Court of original filing. In addition, if such charges are dismissed and re-filed, the charges shall be re-filed in the Court of original filing.

6. Felony cases filed after July 1, 2014, but occurring before July 1, 2014, shall remain designated as Class A, B, C, D felonies.

7. All traffic infractions shall be filed in Superior Court I.

8. This Rule does not affect the manner of assigning cases to Courts of non-record.

9. The Courts shall subsequently review this case distribution in light of criminal filings after July 1, 2014.

B. In all criminal cases, whenever the judge grants a change of judge or disqualifies or recuses under Administrative Rule 21, the clerk shall assign a special judge on a rotating basis pursuant to the following steps:

1. To another full-time judicial officer within Dearborn County, in the following order:

- a. Judge of the Seventh Judicial Circuit.
- b. Judge of Dearborn Superior Court I.
- c. Judge of Dearborn Superior Court II.
- d. Magistrate of the Seventh Judicial Circuit.

2. If no full-time judicial officer is available within the County, assign a full-time judicial officer within the District, in the following order:

- a. Judge of the Switzerland Circuit Court.
- b. Judge of the Ripley Circuit Court.
- c. Judge of the Ripley Superior Court.
- d. Judge of the Jefferson Circuit Court.
- e. Judge of the Jefferson Superior Court.
- f. Magistrate of the Jefferson Circuit and Superior Courts.

3. If no full-time judicial officer is available within the District, assign a full-time judicial officer from a contiguous county, in the following order:

- a. Judge of the Franklin Circuit Court I.
- b. Judge of the Franklin Circuit Court 2.
4. If a special judge cannot be selected using the prior steps, the judge in the case shall certify the same to the Indiana Supreme Court for appointment of a special judge.

A person appointed to serve as special judge must accept jurisdiction in the case regardless of the special judge's regular docket unless the appointed special judge is disqualified pursuant to the Code of Judicial Conduct, ineligible for service under this Rule or excused from service by the Indiana Supreme Court.

LR15-AR-8: SPECIAL JUDGES

A. In all civil cases, when the appointment of a special judge is required upon disqualification or recusal of the judge under Trial Rule 79, and the parties cannot agree to an eligible special judge under Trial Rule 79(D), the clerk shall assign a special judge on a rotating basis pursuant to the

1. To another full-time judicial officer within Dearborn County, in the following order:
 - a. Judge of the Seventh Judicial Circuit.
 - b. Judge of Dearborn Superior Court I.
 - c. Judge of Dearborn Superior Court II.
 - d. Magistrate of the Seventh Judicial Circuit.
2. If no full-time judicial officer is available within the County, assign a full-time judicial officer within the District, in the following order:
 - e. Judge of the Switzerland Circuit Court.
 - f. Judge of the Ripley Circuit Court.
 - g. Judge of the Ripley Superior Court.
 - h. Judge of the Jefferson Circuit Court.
 - i. Judge of the Jefferson Superior Court.
 - j. Magistrate of the Jefferson Circuit and Superior Courts.
3. If a special judge cannot be selected using the prior steps, the judge in the case shall certify the same to the Indiana Supreme Court for appointment of a special judge.

A person appointed to serve as special judge must

accept jurisdiction in the case regardless of the special judge's regular docket unless the appointed special judge is disqualified pursuant to the Code of Judicial Conduct, ineligible for service under this Rule or excused from service by the Indiana Supreme Court.