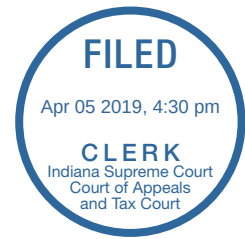


In the Indiana Supreme Court



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

Supreme Court Case No.
19S-MS-181

Order Approving Amended Local Rule

The Judges of the Bartholomew Circuit and Superior Courts request the approval of an amended local rule for caseload allocation in accordance with Indiana Administrative Rule 1(E). Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Bartholomew Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR03-AR1-1 complies with the requirements of Indiana Administrative Rule 1(E), and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule LR03-AR1-1 for Bartholomew Circuit and Superior Courts, set forth as an attachment to this Order, is approved effective the date of this Order.

Done at Indianapolis, Indiana, on ^{4/5/2019}_____.

A handwritten signature in black ink, appearing to read "Loretta H. Rush", written over a horizontal line.

Loretta H. Rush

Chief Justice of Indiana

LR03-AR1-1 Caseload Plan

CRIMINAL CASE FILINGS

See LR03-CR2.2-1

Transfer of Criminal Cases See LR03-CR13-1

CIVIL CASE FILINGS

- (A)** Infraction cases (except for juvenile non-driving infractions) shall be filed in Superior Court 2.
- (B)** Ordinance Violation cases shall be filed in Superior Court 2.
- (C)** Juvenile Chins, Delinquents, Status, Termination, Miscellaneous, Juvenile Infractions, and Juvenile Ordinance Violation cases shall be filed in Circuit Court.
- (D)** Civil Plenary, Reciprocal, Adoption, Estates, Guardianships Trusts, and Miscellaneous Civil cases shall be filed between the Bartholomew County Courts on an equal, random and rotating basis , except that all MI cases filed by a governmental entity shall be filed in Circuit Court.
- (E)** Civil Tort, Paternity, and Domestic Relations cases shall be filed between the three Bartholomew County Courts on an equal, random and rotating basis. Under Circuit Court's assignment only, Paternity and Domestic Relations cases shall be assigned as follows: Two-Thirds (2/3) of the cases shall be assigned to the Circuit Court Judge and one-third (1/3) of the cases to the Circuit Court Commissioner, on a random and rotating bases.
- (F)** Mortgage Foreclosure cases shall be filed in Circuit or Superior 1 on an equal, random and rotating basis.
- (G)** Civil Collection cases filed by a governmental entity shall be filed in Circuit. All other Civil Collection cases shall be filed on the following random percentage basis: Circuit Court, 15%, Superior 1, 35%, Superior 2, 50%. .
- (H)** Small Claim cases shall be filed in Superior Court 2.
- (I)** Mental Health cases shall be filed in Superior Court 1.

(J) Protective Order cases shall be filed between Superior 1, Circuit and Superior 2 Courts on an equal, random and rotating basis. This assignment rate applies unless there is currently filed a case involving the parties in another Bartholomew County Court. If there is a currently filed case involving the parties in another Bartholomew County Court, then the protective order case shall be filed in the court where the other case is filed. All protective order cases where the respondent is a juvenile shall be filed in Circuit Court. Circuit Court shall retain those PO cases where there is currently filed another case in Circuit Court (such as JP, JC, JD, JS, or JT cases).

(K) Specialized Driving Privilege MI cases shall be filed in Superior court 2 unless statutorily required to be filed in Superior 1 or Circuit.

(L) The above rules for the assignment of criminal cases may not be manually overridden by anyone without written permission from one of the Bartholomew County Judges. *(Amended effective July 1, 2018)*

TRANSFER OF CASES AS A RESULT OF CONFLICTS BETWEEN SUPERIOR COURT 2 JUDGE AND FAMILY MEMBERS WHO PRACTICE LAW

The judge in Bartholomew Superior Court 2 has a husband and a son who practice law in a law firm with additional associates, all of whom practice law in Bartholomew County. To avoid conflicts and the appearance of impropriety, in the event that an attorney from the law firm of either the husband or son of the Superior Court 2 judge enters their appearance on behalf of a party in a case in Superior Court 2, Superior Court 2 will transfer the case as follows:

- (A) All criminal felony and misdemeanor cases, as well as all PC, CM, and MC, and MH cases shall be transferred to Superior Court 1.
- (B) All OV, PL, MF, CC, CT, DR, RS, AD, EU, GU, TR, PO, and MI cases shall be transferred to Circuit Court.
- (C) The Circuit Court Judge shall be named as Special Judge in all SC cases.
- (D) The Superior Court 1 Judge shall be named as Special Judge in all IF cases.
(Amended effective July 1, 2018)