

**STATE OF INDIANA – COUNTY OF KNOX
IN THE KNOX CIRCUIT, SUPERIOR 1 and SUPERIOR 2 COURTS**

**Notice of Proposed Amended Local Rule for the
Courts of Record of Knox County and Finding Good Cause to Deviate From
Established Schedule**

July 30, 2020

The judges of the Knox Circuit and Superior Courts, pursuant to Trial Rule 81(B), give notice of amendments to the local court rules and find good cause to deviate from the schedule for amending local rules under Trial Rule 81(D).

In accordance with Trial Rule 81 of the Indiana Court Rules, the Knox Circuit and Superior Courts hereby give notice to the bar and the public that the Courts propose to amend Local Rule Concerning Caseload Allocation Plan **effective January 1, 2021**. All new text is shown by underlining and deleted text is shown by ~~strikethrough~~.

In accordance with Trial Rule 81(B), the time period for the **bar and the public to comment** shall begin on **July 30, 2020** and shall close on **August 30, 2020**. The proposed amendment will be **effective on January 1, 2021**, subject to Supreme Court approval.

Comments by the bar and the public should be made in writing and mailed to:

Hon. Sherry B. Gregg Gilmore, Judge of the Knox Circuit Court, Attn: Public Comment on Local Rules, Knox County Courthouse, 111 N. 7th Street, Suite 14, Vincennes, Indiana 47591-2022, or by email at kcircuit@knoxcounty.in.gov.

A paper copy of the proposed amended local rule will be made available for viewing in the office of the Clerk of Knox County, Knox County Courthouse, 111 N. 7th Street, Vincennes, Indiana during normal business hours.

_____/S/_____
Sherry B. Gregg Gilmore
Judge, Knox Circuit Court

_____/S/_____
Gara U. Lee
Judge, Knox Superior
Court 1

_____/S/_____
Ryan Johanningsmeier
Judge, Knox Superior
Court 2

LR42-AR00-3.4

LOCAL RULE CONCERNING CASELOAD ALLOCATION PLAN

(Effective January 1, 2021)

In conformance with the Order of the Indiana Supreme Court, the Judges of the Knox County Courts submit their proposed Knox County Caseload Allocation Plan as follows:

1. On or before April 1 of each year, the Judges of the Knox County Courts shall meet to review the Weighted Caseload Measures statistics as calculated by the Division of State Court Administration from the preceding calendar year. The utilization percentage between the Courts shall be re-evaluated yearly to assess what actual disparities may exist.
2. Should action be required to reduce a disparity in caseload, the Judges may agree to accomplish the reduction in any reasonable manner.
3. All “LP/DP” (capital murder), “MR” (murder), “FA” (A Felony), “FB” (B Felony), “FC” (C Felony), “FD” (D Felony), “F1” (Level 1 Felony), “F2” (Level 2 Felony), “F3” (Level 3 Felony), “F4” (Level 4 Felony), “F5” (Level 5 Felony), and “F6” (Level 6 Felony) cases shall be filed in the Knox Superior Court 1 and the Knox Circuit Court on an equal basis with the exception of drug-related or alcohol-related Level 6 felony cases (all Level 6 felony cases where the single count of an information or even just one felony count of a multi-count information alleges a violation of either Ind. Code 7.1-5 et seq., 9-30-5 et seq., 16-42 et seq., or 35-48 et seq.), and felony habitual traffic offender cases. Those cases shall be assigned to the Knox Superior Court 2.
4. All “JC” (juvenile CHINS), “JD” (juvenile delinquency), “JS” (juvenile status), “JP” (juvenile paternity), “JM” (juvenile miscellaneous), and “JT” (juvenile termination of parental rights) cases shall be filed in the Knox Superior Court 1.
5. All “CM” (criminal misdemeanor), “IF” (infractions), “OV” (ordinance violations), and “SC” (small claims) cases shall be filed in the Knox Superior Court 2. However, if a misdemeanor case is filed regarding the violation of a protective order, the matter shall be filed in the court where the protective order is pending. Further, if a felony case is pending against a particular defendant, all subsequently filed misdemeanor cases against that defendant shall be filed in the Court where the felony case is pending.
6. All “PC” (post-conviction relief), “CC” (civil collections), “CT” (civil torts), ~~“PL” (civil plenary)~~, - “RS” (reciprocal support), “AD” (adoption), “ES” (estate supervised), “EU” (estate unsupervised), “EM” (estate miscellaneous), “TR” (trusts), “TS” (tax sale), and “TP” (tax deed) cases shall be filed in the Knox Circuit Court.

7. All “MI” (civil miscellaneous), “XP” (expungement), “MC” (miscellaneous criminal), “MH” (mental health), “DC” (domestic relations w/children), filed with counsel, and “DN” (domestic relations no children), filed with counsel, cases may be filed in any court as allowed by law.
8. All “GU” (guardianship) cases shall be filed in Knox Circuit Court, unless an existing “JC” (juvenile CHINS) case is pending then the “GU” (guardianship) shall be filed in the Knox Superior Court 1.
9. All “PO” (protective orders) cases shall be filed in Knox Circuit Court, unless an existing “JP” (juvenile paternity), “DR” (domestic relations), “DC” (domestic relations w/children), or “DN” (domestic relations no children) case is pending then the “PO” (protective orders) shall be filed in the court where the other matter pends.
10. All “DC” (domestic relations w/children), filed pro se, and “DN” (domestic relations no children), filed pro se, cases shall be filed in the Knox Superior Court 1 and the Knox Circuit Court as determined by those courts.
11. All “MF” (mortgage foreclosure) cases and “PL” (civil plenary) cases shall be filed in Knox Circuit Court or Knox Superior Court 2.