

THIRD AMENDED SCHEDULE FOR ALL LOCAL COURT AND ADMINISTRATIVE DISTRICT RULES

The Indiana Supreme Court Division of State Court Administration, a statutorily created office of the Chief Justice of Indiana, is charged pursuant to Trial Rule 81 with certain duties regarding the promulgation of local court and administrative district rules. Those duties include establishing and publishing a uniform annual schedule for adoption and amendment of local court and administrative district rules and a standard format for drafting, amending, and numbering local court and administrative district rules. In addition, Administrative Rule 1(E) requires that the Division establish and publish a schedule for the formation and adoption of local rules for caseload allocation plans.

This schedule amends the schedule that was effective on January 1, 2006 and will be effective on March 1, 2010.

1. Schedule

Pursuant to Trial Rule 81(C), the following schedule shall apply for local court and administrative district rules promulgated after January 1, 2005, except those that fall under the exception of T.R. 81(D).

Notice of proposed rules (Includes caseload allocation plans)	June 1
Close of Comment period	July 1
Final approval by local courts or districts	July 2 to July 31
Submission for Supreme Court approval (as to rules specified in Section 8)	August 1
Supreme Court action (as to rules specified in Section 8)	October 1
Revised rules under Section 8 due before Supreme Court	November 1
Final Supreme Court action on resubmitted rules under Section 8	November 15
Effective date of Local Court/ Administrative District Rules	January 1

2. Content of the Notice

Not later than June 1 of each year the courts in any county or administrative district desiring to adopt or modify local court or administrative district rules shall give notice to the bar and public of the content of any proposed additions, modifications, or deletions to local court or administrative district rules. The notice shall include:

(a) the address to which comments should be sent; (b) comments by the bar and public will be received until July 1; (c) the proposals will be adopted, modified, or rejected by July 31; (d) the rules requiring Supreme Court approval will be submitted to the court by August 1; (e) that certain local rules (list) may not take effect until approved by the Supreme Court; and (f) the effective date of the proposed rules shall be January 1 of the following year.

3. Standard Format for Drafting and Amending Local Rules

All proposed local court or administrative district rules not yet effective shall be marked by new text shown by underlining and the deleted text shown by ~~striking~~. All rule modifications or additions must clearly indicate old and new language.

4. Publication of the Notice

Publication of the notice is accomplished when the courts of a county or administrative district provide notice indicating the text of the proposed local court or administrative district rule(s) to the county clerk(s) and to the Division of State Court Administration in digital format. The county clerk(s) shall post the notice in the county clerk's office(s) and on the county clerk's website(s), if any. The Division of State Court Administration shall post the proposal on the Indiana Judicial Website for public inspection and comment. Notice shall also be given to the president and secretary (or, if none similar officers) of any local bar association(s).

5. Close of Comment Period

The courts of the county or administrative district shall accept comments for 30 days, until July 1. After July 1, the courts shall review and study the comments received and make changes to the proposed local court or administrative district rules as deemed advisable.

6. Adoption of Local Rules

The court(s) or administrative district shall adopt the final local court or administrative district rules on or before July 31 of each year.

7. Effective Date of Local Rules

All local court or administrative district rules, whether or not requiring Supreme Court approval, shall become effective January 1 of the following year.

8. Local Rules that Require Supreme Court Approval

(a) Supreme Court approval is required only for local court or administrative district rules within any of the following categories:

- i. local rules for special judge selection in civil cases pursuant to T.R. 79(H);
- ii. local rules for assignment of criminal cases and selection of successor judges pursuant to Criminal Rule 2.2;
- iii. local rules regarding court reporter services pursuant to Administrative Rule 15;
- iv. local rules on case reallocation plans pursuant to Administrative Rule 1(E).

All courts of record in each county are required to have a common local rule in each of the above categories.

(b) Not later than August 1 of each year, the court(s) or administrative district shall submit to the Supreme Court all newly adopted local court or administrative district rules that require Supreme Court approval by sending a Request for Approval of Local Rules to the Division of State Court Administration. (See Appendix A for a form Request for Approval of Local Court or Administrative District Rules.)

(c) The Supreme Court will act upon Requests not later than October 1. The Supreme Court may approve the proposal as submitted, approve a modified version, or reject the proposal.

(d) The Supreme Court order approving the Request for Approval of Local Court or Administrative District Rules shall be entered of record in the Record of Orders and Judgments of each local court in which it is effective.

(e) A local court or administrative district rule requiring Supreme Court approval is not effective until the Supreme Court enters an order approving it and until the local court or administrative district rule is posted pursuant to T.R. 81(B).

9. Uniform Numbering

The uniform local court and administrative rule numbers shall consist of five (5) groups of characters. They shall (a) identify the draft as a local court or administrative district rule, (b) the county or administrative district, (c) the Supreme Court rule set to which the local court or administrative district rule pertains, (d) the Supreme Court rule number to which the local court or administrative district rule refers, and (e) the local court or administrative district sequence. The five sets of characters shall be separated by dashes.

(a) LR or ADR designation. The first set of characters of a local court or administrative district rule number shall be “LR” or “ADR” to indicate a local court or administrative district rule.

(b) County or administrative district identifier. The second set of characters of a local court or administrative district rule number shall be a two-digit county identifier which comports with the county identifiers found in Administrative Rule 8 or a number that identifies the administrative district as designated in Administrative Rule 3.

The “LR” or “ADR” designation and county or administrative district identifier shall be followed by a dash.

(c) Rule sets and priority for organizing local rules. The third set of characters of a local court or administrative district rule number shall indicate the state rule set to which the local court or administrative district rule pertains. The rule set identifier shall consist of two letters and shall be as follows:

Rules of Trial Procedure	TR
Rules of Criminal Procedure	CR
Small Claims Rules	SC
Petitions for Post Conviction Relief	PC
Jury Rules	JR
Administrative Rules	AR
Trial De Novo Rules	DN

As a first preference and to the extent possible, local court and administrative district rules should be correlated to the Indiana Rules of Trial Procedure in content and numbering and should be designated as “TR.” Local court or administrative district rules that cannot logically fit within the context of the trial rules may be correlated to one of the remaining Supreme Court rule sets.

Local court or administrative district rules for domestic relations, trust/probate/guardianship and juvenile cases, which cannot logically fit into one of the Indiana Rules of Trial Procedure or one of the foregoing sets of Supreme Court Rules, may be designated as follows:

Family Law	FL
Trust/Probate/Guardianship	PR
Juvenile	JV

Courts or administrative districts that propose to promulgate local court or administrative district rules that cannot logically fall under the foregoing rule set designations should contact the Division of State Court Administration with suggestions and reasons for amendments to the foregoing rule sets.

(d) State level rule set numbers. The fourth set of characters of a local court or administrative district rule number shall identify the state level rule set to which the local court or administrative district rule relates.

In the event a local court or administrative district rule relates to a state rule set but is purely of a local or administrative nature and has no corresponding number within the state rule set, the state rule number shall be “00” so that there is no possibility of duplication.

The state level rule set and rule number shall be followed by a dash.

(e) Local court or administrative district sequence. The fifth set of characters shall consist of any number of characters assigned by the local court(s) or administrative district to indicate a local court or administrative district sequence.

Example of an Adams County rule on criminal case assignment: LR01-CR2.2-1

Example of a Marion County rule on dress code:

LR49-AR00 -1. A local rule regarding dress code would fit under the general context of the state level Administrative Rules (AR). However, because there is no state rule regarding dress code, the fourth set of characters would be “00.”

These standards shall remain in effect until amended.

Last amended March 1, 2010.

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