

STATE OF INDIANA – COUNTY OF HENDRICKS

IN THE HENDRICKS SUPERIOR COURTS

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**Notice of Proposed New Rule or Amendment(s) to Local Court Rule(s)**  
**June 1, 2011**

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In accordance with Trial Rule 81 of the Indiana Court Rules, the Hendricks Superior Courts hereby give notice to the bar and the public that the Courts propose to amend the Local Rule(s) on caseload allocation for the courts of record of Hendricks County, effective January 1, 2012. All new text is shown by underlining and deleted text is shown by ~~strike through~~. Supreme Court approval is required for Local Rules concerning caseload allocation and may not take effect until approved by the Supreme Court.

The time period for the bar and the public to comment shall begin on June 1, 2011, and shall close on June 30, 2011. The proposed amendments to the rule will be adopted, modified or rejected before July 31, 2011, and, if required, the final version of the rule will be submitted to the Indiana Supreme Court for review and approval not later than August 1, 2011.

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

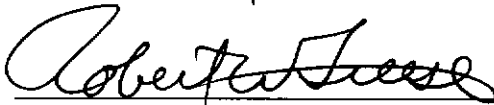
Hon. Karen M. Love, Judge of the Hendricks Superior Court 3, Attn: Public Comment on Local Rules,  
Hendricks County Courthouse, One Courthouse Square, #108, Danville, Indiana 46122; or [kmlsc3@aol.com](mailto:kmlsc3@aol.com).

A paper copy of the proposed amended local rule(s) will be made available for viewing in the office of the Clerk of Hendricks County, Hendricks County Courthouse, 51 W. Main Street, Danville, Indiana 46122 during normal business hours. Persons with Internet access may view the proposed amended local rule for Caseload Allocation Plan at the following websites:

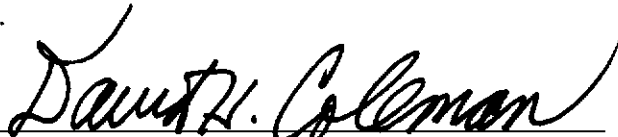
<http://www.courts.IN.gov/rules/local> or

<http://www.co.hendricks.in.us/departmentwebfiles/clerk/info/local>.

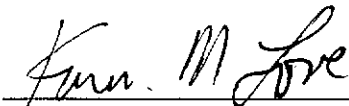
Submitted May 31, 2011.



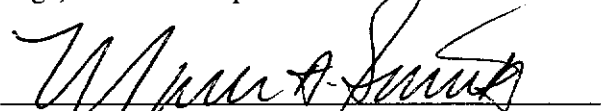
Robert W. Freese  
Judge, Hendricks Superior Court No. 1



David H. Coleman  
Judge, Hendricks Superior Court No. 2



Karen M. Love  
Judge, Hendricks Superior Court No. 3



Mark A. Smith  
Judge, Hendricks Superior Court No. 4



Stephenie LeMay-Luken  
Judge, Hendricks Superior Court No. 5

# HENDRICKS COUNTY LOCAL ADMINISTRATIVE RULES

## LR32-AR Rule 00-1. AMENDMENT OF LOCAL RULES.

1. All Hendricks County Local Rules, Hendricks County Family Law Rules and Hendricks County Probate Local Rules are rescinded effective January 1, 2007.
2. LR32-AR00-1 shall take effect January 1, 2007
3. LR32-AR RULE 1.1. Plan for Allocation of Judicial Services shall take effect January 1, 201207.
4. LR32-AR15-1 shall take effect January 1, 2007.
5. LR32-TR79-1 shall take effect January 1, 2007.
6. LR32-CR2.2-1 shall take effect January 1, 2007.

## LR32-AR RULE 1-1. PLAN FOR ALLOCATION OF JUDICIAL SERVICES.

1. As used herein, the term WEEK for case filing shall mean the following:

1.1	Circuit Court	<b>WEEK 6</b>
1.2	Superior Court No. 1	<b>WEEK 1</b>
1.3	Superior Court No. 2	<b>WEEK 2</b>
1.4	Superior Court No. 3	<b>WEEK 3</b>
1.5	Superior Court No. 4	<b>WEEK 4</b>
1.6	Superior Court No. 5	<b>WEEK 5</b>
2. Criminal cases (**MR, FA, FB, FC, FD, CM**) filed with the Hendricks County Clerk shall be assigned by the Clerk according to the LR32-CR2.2-1.
3. All cases with a case designation of **JC, JP, JT, JD, JS, JM** and **RS** and all criminal cases in which the defendant was less than eighteen years of age on the date of the alleged offense shall be filed in Hendricks Circuit Court.
4. All cases with a case designation of **AD, ES, EU EM, GU, MH** and **TR** shall be filed in Hendricks Superior Court No. 1.
5. All cases with a case designation of **OV** shall be filed in Hendricks Superior Court No. 5.
6. All cases with an **IF** case designation from the Police Department of Town of Danville, filed with the Clerk of Hendricks County (unless filed as an additional count in a criminal filing) shall be

filed in Hendricks Superior Court No. 5. All other infractions shall be filed in one of the Town Courts (unless filed as an additional count in a criminal filing).

7. All cases with a case designation of **SC** shall be filed in Hendricks Superior Court No. 1, Hendricks Superior Court No. 2, ~~Hendricks Superior Court No. 3, Hendricks Superior Court No. 4,~~ and Hendricks Superior Court No. 5 subject to the case load limitations schedule set out herein in **APPENDIX A**.
8. All cases with a case designation of **PC** shall be filed in the Court having jurisdiction of the original criminal case or in the Court with the criminal filings week if out of county original case.
9. All cases with a case designation of **CC, CT, DR, MC, MI, MF,** and **PL** case designation shall be filed in Circuit-Hendricks Circuit Court and Hendricks Superior Court No. 2. After each court reaches its case limit, all additional **MF** cases shall be filed in Hendricks Superior Court No. 2.
10. After each court reaches its caseload limit, all additional **SC** cases shall be filed in Hendricks Superior Court No. 5.
11. All cases with a **CC** case designation shall be filed in Hendricks Circuit Court, Hendricks Superior Court No. 2, Hendricks Superior Court No. 3 and Hendricks Superior Court No. 4, ~~Court and each of the 5 Superior Courts~~ subject to the case load limitations schedule set out herein in **APPENDIX A**. After each Court reaches its case load limit, all additional **CC** cases shall be filed in Hendricks Superior Court No. 3.
12. All cases with a **CT, MI** and **PL** designation shall be filed in Hendricks Circuit Court, Hendricks Superior Court No. 4 and Hendricks Superior Court No. 5, subject to the caseload limitations set out herein in **APPENDIX A**. After each Court reaches its case load limit for **MI, CT** or **PL**, all additional cases of that type shall be filed alternately in Hendricks Court No. 4 and Hendricks Superior Court No. 5.
- ~~10-13.~~ All cases with a **DR** case designation shall be filed in Hendricks Circuit Court, Hendricks Superior Court No. 2, Hendricks Superior Court No. 3, Hendricks Superior Court No. 4 and Hendricks Superior Court No. 5, subject to the case load limits schedule set out herein in **APPENDIX A**. One-half of the **DR** cases in which the parties have not requested a particular court shall be filed in Hendricks Superior Court No. 3. One-half of the **DR** cases in which the parties have not requested a particular court shall be filed in equal rotation among Hendricks Circuit Court, Hendricks Superior Court No. 2, Hendricks Superior Court No. 4 and Hendricks Superior Court No. 5.

14. All cases with a **MC** designation shall be filed in Hendricks Circuit Court and each of the five Superior Courts subject to the case load limitations schedule set out herein in **APPENDIX A**.
15. All cases with a **PO** designation shall be filed based on the *WEEK* rotation on the day in which the case was filed, unless the parties have previously filed a protective order case, a dissolution case or paternity case. If a protective order case, a dissolution case or paternity case has been previously filed (and not dismissed), the protective order case shall be filed in the same court as the prior protective order case, dissolution case or the paternity case subject to the case load limitations schedule set out herein in **APPENDIX A**.
- ~~12.~~ 16. If a **PO** case has been filed and is pending or an Order of Protection has been issued, then the **DR** case involving the same parties must be filed in the same Court as the **PO** case unless that Court has reached its **DR** case limits. In such case the **DR** may be filed in any Court that has not reached its case limit.
- ~~13.~~ 17. Cases (except DR cases) in which the parties have not requested a particular court shall be randomly assigned to a court with that case type local jurisdiction subject to the case load limitations schedule set out herein in **APPENDIX A**.
14. 18. An initiating party's request for a particular court shall be granted by the Clerk until that court has reached its case limit or as may be restricted by other sections of this rule. Once a court's annual case limit has been reached, the Clerk shall deny the request for that court and file the case ~~in rotation~~ among the other remaining courts with that case type local jurisdiction subject to the case load limitations schedule set out herein in **APPENDIX A**. The Clerk shall thereafter limit the filing in this manner until all six (6) courts have reached their case limit.
- ~~15.~~ 19. Case load limits only apply to new cases filed. Cases transferred from one court to another shall not be counted by the Clerk of Hendricks County in determining case limits as set out in **APPENDIX A**.
- ~~16.~~ 20. When all six (6) courts have reached their case limit for **CT, PL, DR MI and MC**, the Clerk shall rotate the filing equally among the five Superior Courts except the Clerk shall not file any **DR** cases in Hendricks Superior Court No. 1. Circuit Court shall receive no cases in excess of the case limits until the end of the calendar year at which time the process shall start anew.
- ~~17.~~ 21. The Clerk of Hendricks County shall notify all courts when any court has reached a case limit and shall post the notice in the Clerk's office to inform the Bar and public.

~~18.~~ 22. The Judges of the Hendricks Circuit Court and each of the Hendricks Superior Courts shall, without further order or appointment be able to sign orders and conduct hearings for each other in the interest of justice and judicial economy.

~~19.~~ 23. As necessary to affect compliance with the orders of the Indiana Supreme Court the case limit for any court may be changed by an order issued by a majority of the judges of the Hendricks County Courts.

**APPENDIX A****CASE FILING LIMITS**

Case Limits	Circuit	1	2	3	4	5	Total
MF	115	0	945	0	0	0	1060
CC	320	0	285	650	765	0	2020
PL	40	0	0	0	55	55	150
CT	25	0	0	0	60	60	145
MI	20	0	0	0	105	105	230
SC	0	1360	680	0	0	1360	3400
DR	120	0	140	290	165	155	870
MC	80	80	80	80	80	80	480