

In the
Indiana Supreme Court

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

Supreme Court Case No.
25S-MS-43



Order Approving Amended Local Rule

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

Upon examination of the proposed rule amendments requested by the DeKalb Circuit and Superior Courts, this Court finds that the proposed amendments to LR17-AR1-1 comply with the requirements of Administrative Rule 1(E), and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule, LR17-AR1-1, for the DeKalb Circuit and Superior Courts, set forth as an attachment to this Order, is effective on the date of this Order.

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

A handwritten signature in black ink that reads "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

LR17-AR1-1 Caseload Allocation Plan for DeKalb County Courts

(A) Cases to be filed exclusively in the DeKalb Circuit Court:

JC*, JD, JS, JP, JM, JT, JQ, RS, and Nonsupport of a child cases filed under I.C.35-46-1-5 shall be filed exclusively in DeKalb Circuit Court.

*JC - When the Judge of DeKalb Circuit Court has a conflict, the case shall be filed in DeKalb Superior Court II.

(B) Cases to be filed exclusively in the DeKalb Superior Court I:

FD, F6 (except Nonsupport of child cases), CM, MC**, OV-based on moving traffic violations, and specialized driving privileges filed as MI cases.

** In the event DeKalb Superior Court I is unable to hear a search warrant when requested, the warrant may be requested of and issued by any of the Judges or Courts.

** Probation transfer cases shall be filed in the same manner as criminal cases, i.e., Misdemeanor and FD and F6 probation cases shall be filed in Superior Court I. MR, FA, FB, FC, F1, F2, F3, F4 and F5 probation cases shall be filed on a rotating basis between Superior I and Superior II.

(C) Cases to be filed exclusively in the DeKalb Superior Court II:

SC, EM, ES, TR, IF, PL, MF, CT, EV, CC

(D) Cases to be filed on a rotating basis between DeKalb Circuit Court and DeKalb Superior Court II:

DN, DC, MH, AD, EU, GU, PO, RF, MI-except specialized driving privilege cases, TP, TS

(E) Cases to be filed on a rotating basis between DeKalb Superior Court I and DeKalb Superior Court II:

MR, FA, FB & FC, OE, OV-other than moving traffic violations, CB***, F1, F2, F3, F4, F5

(F) XP cases shall be filed in the Court with the underlying criminal case. Where an XP applies to cases in multiple courts, it shall be filed in the Court with the highest level offense. Where an XP applies to cases in multiple courts with the same highest level, the case shall be filed in the Court with the most recent highest level case.

*** CB cases involving the appointment of Special, Pro Tem, and Senior Judges shall be filed in the Court making the appointment.

Resolutions Spread of Record may be filed in any Court.

When additional criminal charges are filed against a Defendant with a pending criminal case, the new charges shall be filed in the same Court as the pending case.

In the event the Judge of DeKalb Superior Court I or II enters a recusal in a criminal case due to a conflict, the case shall be filed in or transferred to DeKalb Circuit Court.

For all other conflicts, and except as otherwise provided by this Plan, the Judge of the Court where the case was originally filed shall transfer the case to either of the other Courts in DeKalb County.

PC - The case is to be filed in the court in which the underlying conviction was entered. After hour search warrants may be requested of and authorized by any of the judges.

This caseload allocation plan shall be effective until modified. The DeKalb County Judges shall meet as necessary to review the caseload allocation. Nothing in these rules or case allocation plan shall restrict or impair a Court's ability to transfer cases pursuant to IC 33-29-1-9.