

In the
Indiana Supreme Court



IN THE MATTER OF THE)
)
APPROVAL OF LOCAL RULES)
)
FOR LAGRANGE COUNTY)

Case No. 44S00-1502-MS- 110

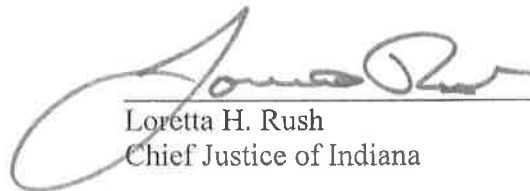
ORDER APPROVING AMENDED LOCAL RULE

The Judges of the LaGrange Circuit and Superior Courts request the approval of amended local rules for caseload allocation in accordance with Ind. Administrative Rule 1(E). Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the LaGrange Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR44-AR1-9 and LR44-CR2.2-10 comply with the requirements of Ind. Administrative Rule 1(E), and, accordingly, should be approved and posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR44-AR1-9 and LR44-CR2.2-10 for LaGrange Circuit and Superior Courts, set forth as an attachment to this Order, are approved effective the date of this Order.

DONE at Indianapolis, Indiana, on February 26, 2015.


Loretta H. Rush
Chief Justice of Indiana

LR44-AR1-9 Caseload Allocation Plan

A. Criminal, Infraction and Ordinance Violation Cases

Criminal cases shall be filed pursuant to LR44-CR2.2-10. All infraction and ordinance violation cases shall be assigned to the Superior Court.

B. Probate and Related Cases

Estate, Guardianship, and Trust cases shall be assigned to the LaGrange Circuit Court. Adoption cases shall be equally divided between the LaGrange Circuit and Superior Courts.

C. Juvenile Cases

Paternity and Child in Need of Services cases shall be equally divided between the two Courts. All other juvenile cases shall be assigned to the LaGrange Circuit Court.

D. Small Claims Cases

All small claims cases shall be assigned to the LaGrange Superior Court.

E. Reciprocal Support Cases

All reciprocal support cases shall be assigned to the LaGrange Circuit Court.

F. All Other Civil Case Types

Cases other than those mentioned in the preceding paragraphs may be filed in either Circuit Court or Superior Court, at the discretion of the filing party. However, nothing in this rule shall prohibit a judge of said Court from transferring a case from that Court to the other as allowed by statute, or rule of trial procedure, or to ensure an even distribution of judicial workload between the courts of record in the county.

G. Re-filed Cases

Except when a change of venue is necessary, whenever a case is dismissed by action of the originating party, the case, if re-filed, must be assigned to the same court that received the original case.

H. Caseload Review

The Judges of the LaGrange Circuit and Superior Court shall meet during the months of July and January, of each year to review the caseloads of the Courts. They shall, at those meetings, make and transfer of cases which they deem necessary to provide for the more expeditious handling of cases in LaGrange County and to help to alleviate any disparity in the Courts' caseload. Further, the Judges shall meet to discuss caseloads and make transfers at such other times as either Judge may deem necessary.

LR44-CR2.2-10 Criminal Case Assignment

A. Initial Case Assignment

(1) All cases arising under Indiana Code Title 9, or in the instance of cases containing multiple counts, where any of the counts arises under Indiana Code Title 9, shall be filed in the LaGrange Superior Court.

(2) All cases arising under Indiana Code 35-46-1-5 shall be filed in the LaGrange Circuit Court.

(3) Where a conflict of interest exists, or other good cause is shown, the presiding judge of either court may permit the filing of that case so as to avoid the conflict.

(4) All other criminal cases shall be filed first with the Clerk of the Court. The Clerk shall docket cases with each court by using a system of "lot" or random selection while ensuring that an equal division of the felony and misdemeanor cases exist between the Courts.

(5) In the event a cause is dismissed, it may later be re-filed in the same court.



LAGRANGE CIRCUIT & SUPERIOR COURT

105 NORTH DETROIT STREET

LAGRANGE, IN 46761

August 22, 2017

To: Bonnie Brown – LaGrange County Clerk of Courts
Travis Glick – President of the LaGrange County Bar Association

Ref: Addition to Local Rules of Practice for LaGrange Superior and Circuit Courts


Dear Mrs. Brown and Mr. Glick,

The LaGrange Superior Court recently received provisional certification for a Drug Court program. As such, it is necessary to amend the LaGrange County Local Rules to add a fee schedule for the LaGrange County Drug Court.

A copy of the proposed amendment to the local rules is attached with this message. Trial Rule 81(B) allows a 30 day period for Notice and Comment which ends on September 22, 2017. Please publish and distribute this message to the Bar members, the public and request any comments be forwarded to myself at lbowen-slaven@lagrangecounty.org or Judge VanDerbeck at judgev@lagrangecounty.org.

We remain committed to serve the evolving needs of LaGrange County.

Thank you,


Lisa M. Bowen-Slaven, Judge
LaGrange Superior Court

CC: Maguire

LR 44-AR00-18 LaGrange County Drug Court Schedule of Fees

The following fees will be assessed for participants in the LaGrange County Drug Court:

Initial Fee \$100.00

Monthly Fee \$ 50.00