

**NOTICE OF PROPOSED LOCAL RULE FOR THE
ALLOCATION OF THE CASE LOAD IN HARRISON COUNTY**

The Judges of the Harrison Circuit Court and the Harrison Superior Court hereby submit a proposed Local Rule for the allocation of the caseload in Harrison County.

1. The Harrison County Caseload Allocation Plan is a revised caseload allocation plan. The only revision in this plan is the allocation of domestic relations cases. In the proposed revised Caseload Allocation Plan, the Superior Court would handle one of every six of domestic relations cases instead of one of every four.

2. Comments should be sent to both of the following:

Honorable H. Lloyd Whitis, Judge of the Harrison Circuit Court, 300 North Capitol Avenue, Corydon, IN 47112;

Honorable Roger D. Davis, Judge of the Harrison Superior Court, 1445 Gardner Lane, Suite 3018, Corydon, IN 47112.

3. Comments by the Bar and the public will be received until September 10, 2007.

4. The Harrison Circuit Court and Harrison Superior Court will adopt, modify, or reject the Harrison County Caseload Allocation Plan by October 1, 2007.

5. The Harrison County Caseload Allocation Plan will be submitted to the Indiana Supreme Court for approval by October 1, 2007

6. The Harrison County Caseload Allocation Plan shall not be effective until approved by the Indiana Supreme Court.

7. The effective date of the Harrison County Caseload Allocation Plan shall be January 1, 2008.

The Judges of the Harrison Circuit and Harrison Superior Courts are required to

adopt a Local Rule regarding the allocation of caseload in Harrison Circuit Court and Harrison Superior Court. The Judges hereby find that in order to promote the orderly administration of justice and comply with the mandates of the Indiana Supreme Court, cases in certain categories should be filed in the Harrison Circuit Court and other cases should be filed in the Harrison Superior Court. The Judges have taken into consideration the weighted caseload statistics and the fact that a Referee is employed to assist with the heavy caseload in the Harrison Circuit Court on a part-time basis.

The Harrison County Caseload Allocation Plan is proposed as follows:

- A. Cases filed in Harrison Circuit Court shall be
 - (1) All juvenile delinquent, juvenile status, juvenile paternity and miscellaneous juvenile cases;
 - (2) All child in need of services (CHINS) cases;
 - (3) All juvenile termination of parental rights cases;
 - (4) Domestic relations cases, except every sixth case filed;
 - (5) All civil miscellaneous cases;
 - (6) All uniform reciprocal support cases;
 - (7) All Petitions for an Order for Protection (Protective Orders)
 - (8) All mental health issues;
 - (9) All adoptions;
 - (10) All probate matters, including estates;
 - (11) All guardianships;
 - (12) All trusts;
 - (13) All mortgage foreclosure cases; and
 - (14) Civil plenary, civil collection and civil tort cases wherein the amount in controversy is in excess of the jurisdictional limit of the small claims court.

- B. Cases filed in Harrison Superior Court shall be:
 - (1) All criminal (murder, felony, misdemeanor and miscellaneous criminal cases);
 - (2) All infraction and ordinance violations;
 - (3) All small claims;
 - (4) Civil collection, civil tort and civil plenary cases where the total amount of damages or property involved does not exceed the small claims jurisdictional amount;
 - (5) Every sixth domestic relations case filed.

- C. All revocation of probation and post conviction relief cases shall be filed

in the court where the original case is or was last pending.

- D. The Judge of either the Harrison Circuit Court or the Harrison Superior Court may allow the filing of any cases in such court on a case-by-case basis unless another local rule, rule of the Indiana Supreme Court or a statute prohibits the filing of such cases in the court.

- E. Cases already filed in either court shall remain in that court and this case allocation plan shall apply to new cases filed on and after the effective date of this caseload allocation plan.

The County Clerk of the Courts and the Division of State Court Administration shall be provided the text of the Harrison County Caseload Allocation Plan in digital format. The County Clerk of Courts shall post the notice in the Clerk's Offices in the courthouse, justice center, and on the Clerk's website, if any. The County Clerk shall forward a copy of the proposed rule and this notice to the president and secretary of the Harrison/Crawford Bar Association.

H. LLOYD WHITIS, JUDGE
HARRISON CIRCUIT COURT

ROGER D. DAVIS, JUDGE
HARRISON SUPERIOR COURT

DATE

DATE

cc:

Nicholas Haverstock, President of Harrison/Crawford Bar Association
200 Elm Street, Corydon, IN 47112

Marian Percy, Secretary of Harrison/Crawford Bar Association
103 E. Beaver St., Suite A, Corydon, IN 47112