

STATE OF INDIANA – COUNTY OF KOSCIUSKO
IN THE KOSCIUSKO CIRCUIT AND SUPERIOR COURTS

**Notice of Proposed New Local Rule and Finding Good Cause to
Deviate from Established Schedule
January 4, 2023**

The Judges of the Kosciusko Circuit and Superior Courts, pursuant to Trial Rule 81(B), hereby give notice to the bar and the public that the Courts propose to amend the Local Rules on March 1, 2023 for the courts of record of Kosciusko County and find good cause to deviate from the schedule for amending local rules under Trial Rule 81(D).


All new text is shown by underlining and deleted text is shown by ~~strikethrough~~.

Notice has been given to the public by posting on the website of the Kosciusko County Clerk and at the Indiana Judiciary webpage for Local Rules (<https://www.in.gov/courts/publications/local-rules/>), and by furnishing a copy to the officers of the Kosciusko County Bar Association. A paper copy of the proposed new local rule will be made available for viewing in the office of the Clerk of Kosciusko County, 121 North Lake Street, Warsaw, Indiana 46580, during normal business hours.

The time period for the bar and the public to comment shall begin on January 5, 2023, and shall close on February 15, 2023. This new rule will be effective March 1, 2023, and after approval of the Indiana Supreme Court for those rules requiring approval.

Comments should be made in writing to: Honorable Michael W. Reed, Judge, Kosciusko Circuit Court, 121 North Lake Street, Warsaw, Indiana 46580, or by e-mail at mreed@kcgov.com.

DATED this 4th day of January, 2023, on behalf of the Judges of Kosciusko County.



Michael W. Reed, Judge
Kosciusko Circuit Court

Effective March 1, 2023, LR 43-MH-11 shall be added to the Kosciusko County Local Rules.

LR 43-MH-11 **Application for Emergency Detention for Treatment of Mentally Ill Individuals**

Any application for emergency detention for treatment of mentally ill individuals shall comply with Indiana Code 12-26-5-1 and Indiana Code 12-26-5-2.

A judicial officer authorized to issue a warrant for arrest may, after proper application and after making a determination that emergency detention is necessary, endorse an application made pursuant to Indiana Code 12-26-1-2 in any of the following manners:

- 1. By signing the application;**
- 2. In a non-adversarial, recorded hearing before the judge;**
- 3. Orally on a recorded line by telephone or radio;**
- 4. In writing by facsimile transmission (FAX); or**
- 5. In a writing by electronic mail or other electronic transmission.**

If the application is made orally by telephone or radio, the applicant shall recite the facts required by Indiana Code 12-26-5-1 under penalty for perjury and shall read to the judge the entire contents of the application. The judge may direct the applicant to modify the terms of the emergency detention. If the judge agrees to the emergency detention, the judge shall direct the applicant to sign the judge's name to the application and enter the time of its issuance.