

IN THE CIRCUIT AND SUPERIOR COURTS
KOSCIUSKO COUNTY

IN THE MATTER OF)
LOCAL COURT RULES)

NOTICE OF LOCAL RULE AMENDMENT, FINDING GOOD CAUSE TO
DEVIATE FROM ESTABLISHED SCHEDULE, AND REQUESTING
SUPREME COURT APPROVAL

The Judges of the Kosciusko Circuit and Superior Courts, pursuant to Trial Rule 81(B), give notice of an amendment to the Local Court Rules, LR43-CR2.2-1 Initial Case Assignment, and pursuant to Trial Rule 81(D) find good cause to deviate from the schedule for amending local rules. All new text is shown by underlining and deleted text is shown by ~~strikethrough~~.

Notice is given to the public by posting with the Kosciusko County Clerk and on the Indiana Judicial Website, and by furnishing a copy to the officers of the Kosciusko County Bar Association. This rule amendment will be effective on July 1, 2014. This amendment is subject to the approval of the Indiana Supreme Court.

Comments may be made until July 24, 2014 and should be directed to Judge Michael W. Reed, Kosciusko Circuit Court, 121 North Lake Street, Warsaw, Indiana 46580, or by e-mail at mreed@kcgov.com.

ORDERED this 24th day of June, 2014, on behalf of the Judges of Kosciusko County.

/Michael W. Reed/
Michael W. Reed, Judge
Kosciusko Circuit Court

LR43-CR2.2-1 Initial Case Assignment

(A) Initial case assignments are as follows:

(1) All D and C Felonies

Thirty percent (30%) of D felonies shall be filed in the Kosciusko Circuit Court and should include any cases filed under Title 35, Article 48 (Controlled Substances)
Twenty percent (20%) of D felonies shall be filed in the Kosciusko Superior Court No. 1.
Ten percent (10%) of D felonies shall be filed in the Kosciusko Superior Court No. 2
Forty percent (40%) of D felonies shall be filed in the Kosciusko Superior Court No. 3 and should include any cases involving felonies filed under Title 9 (Traffic) and I.C. 35-46-1-5 through and including I.C. 35-46-1-7.
Fifty percent (50%) of C felonies shall be filed in the Kosciusko Circuit Court and should include any cases filed under Title 35, Article 48 (Controlled Substances).
Thirty percent (30%) of C felonies shall be filed in the Kosciusko Superior Court No. 1.
Twenty percent (20%) of C felonies shall be filed in the Kosciusko Superior Court No. 3 and should include any cases filed under Title 9 (Traffic) and I.C. 35-46-1-5 through and including I.C. 35-46-1-7.

All F6, F5, F4 Felonies

Thirty-five percent (35%) of F6, F5 and F4 felonies shall be filed in the Kosciusko Circuit Court and should include any cases filed under Title 35, Article 48 (Controlled Substances).

Thirty-five percent (35%) of all F6, F5 and F4 felonies shall be filed in the Kosciusko Superior Court No. 1.

Thirty percent (30%) of all F6, F5 and F4 felonies shall be filed in the Kosciusko Superior Court No. 3 and should include any cases involving felonies filed under Title 9 (Traffic) and I.C. 35-46-1-5 through and including I.C. 35-46-1-7.

(Amended effective July 30, 2014)

(2) Felonies under Title 35-42-1 (Homicide) and I.C. 35-48 (Controlled Substances) cases

All felonies filed under Title 35, Article 42, Chapter 1 (Homicide) and those filed under Title 35, Article 48 (Controlled Substances) shall be filed in the Kosciusko Circuit Court.

(Amended effective January 1, 2005)

(3) All other Felony cases

All other felonies shall be assigned to the Kosciusko Superior Court No. 1 and Kosciusko Circuit Court on an alternating basis.

(4) All Misdemeanor cases

All misdemeanors shall be assigned to the Kosciusko Superior Court No. 2.

(5) All I.C. 31-6-4 (Juvenile) cases

All cases filed under Title 31, Article 6, Chapter 4 (Juvenile) of the Indiana Code shall be initially assigned to Kosciusko Superior Court No. 1. In the event a child is waived into adult court, the case shall be reassigned to the appropriate court in accordance with the proceeding provisions of this rule.

(6) Combination of Felony and Misdemeanor cases

In the event the case charges both felony and misdemeanor offenses, the case shall be considered a felony for the application of this rule.

(Amended effective January 1, 2011)