

Indiana Court Rules Administrative Rules

Including Amendments Received Through January 4, 2024

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Rule 1. Preparation and Filing of Statistical Reports

(A) Preparation of Forms. The Indiana Office of Judicial Administration (IOJA), pursuant to these rules and IC 33-24-6-3, shall draft forms to be used in the gathering of statistical data and other information and shall submit the proposed forms to the Supreme Court for approval. After the Supreme Court approves the forms the IOJA shall distribute the forms to all courts to be used in preparation of reports.

(B) Quarterly Case Status Reports.

- (1) All trial courts shall prepare quarterly case status reports, on forms approved under the provisions of Administrative Rule 1(A), concerning the judicial work of their respective courts. The last day of the reporting period for the quarterly case status reports shall be March 31, June 30, September 30, and December 31.
- (2) The judge of the trial court may require clerks, court reporters, or any other officer or employee of the court to furnish the information needed to prepare the reports.
- (3) The judge of the trial court shall cause the quarterly case status reports to be filed with the IOJA no later than ten (10) calendar days after the end of the reporting period in electronic format as established by the IOJA.
- (4) The method for assigning case numbers set out below is intended for all purposes, including court costs, but it does not affect the court's ability to waive multiple court costs in selected cases or to try related cases as one.
 - (a) Criminal Cases and Infractions. The clerk shall assign one case number to each defendant charged with one or more criminal offenses or infractions arising out of the same incident, or multiple incidents occurring on the same date, to be tried as one case, regardless of the number of counts or citations charged against the defendant.
 - (i) For crimes committed on or before June 30, 2014 the case shall be designated as a MR--Murder, FA--Class A Felony, FB--Class B Felony, FC--Class C Felony, FD--Class D Felony, CM--Criminal Misdemeanor, MC--Miscellaneous Criminal, or IF--Infraction.

- (ii) For crimes committed on or after July 1, 2014 the case shall be designated as a MR--Murder, F1--Level 1 Felony, F2--Level 2 Felony, F3--Level 3 Felony, F4--Level 4 Felony, F5--Level 5 Felony, F6--Level 6 Felony, CM--Criminal Misdemeanor, MC--Miscellaneous Criminal, or IF--Infraction.
- (iii) When the defendant is charged with multiple charges involving different case type categories, the case number shall be designated so as to reflect only the most serious charge and shall be counted as one case on the quarterly case status report.
- (b) Ordinance Violations. Counts or citations charging ordinance violations shall not be included in the criminal case. The clerk shall assign one case number designated as an OV - Local Ordinance Violation, or OE - Exempted Ordinance Violation case type to each defendant charged with one or more ordinance violations arising out of the same incident, or multiple incidents occurring on the same date, to be tried as one case, regardless of the number of counts or citations charged against the defendant, and the case shall be counted as one case on the quarterly case status report.
- (c) Juvenile Cases. The clerk shall assign a separate case number to each juvenile who is the subject of a Juvenile CHINS--JC, Juvenile Delinquency--JD, Juvenile Status--JS, Juvenile Termination of Parental Rights--JT, Juvenile Paternity--JP and Juvenile Miscellaneous--JM case, for all events and conduct that arise out of the same incident. Each juvenile case number shall be counted as a case on the court's quarterly case status reports.
- (d) Guardianship Cases. The clerk shall assign a separate case number to each individual, adult or juvenile, who is subject to an application to establish a Guardianship - GU case. Each guardianship case number shall be counted as a case on the court's quarterly case status report. Notwithstanding the separate case number requirement set forth above, in situations in which a guardianship is sought for two (2) or more minors or incapacitated persons who are children of a common parent, parent and child, or husband and wife, only a single probate filing fee shall be charged as provided by I.C. 29-3-5-6 and the applications may be joined for hearing.

(C) Probation Reports.

- (1) All probation officers or probation departments shall compile and prepare reports on the information required by IC 11-13-1-4 concerning the work of the respective office. All probation officers or probation departments shall file, on forms approved pursuant to the provisions of Administrative Rule 1(A), the following reports:
 - (a) Quarterly statistical reports. The last day of the reporting period for the quarterly reports shall be March 31, June 30, September 30, and December 31.
 - (b) An annual operations report. The reporting period for the annual operations report begins on January 1 and ends on December 31.
- (2) The quarterly statistical reports and the annual operations report shall be filed with the IOJA no later than ten (10) calendar days after the end of the reporting period, in electronic format as established by the IOJA.
- (3) Every trial judge or chief judge of a unified court system shall require the probation officer or probation department subject to the judge's direction and control to comply with these reporting requirements.

(D) Judge's Confirmation of Reporting. The judge of the court or the chief judge of a unified court system shall review all reports and confirm, through a process established by the IOJA, the completion and filing of all reports.

(E) County and Judicial District Caseload Plans. The judges of the courts of record in each county shall, by a local rule, develop and implement a caseload allocation plan for the county that ensures an even distribution of judicial caseloads among the judges of the courts of record in the county. The judges of the courts of record in each judicial district (established by Administrative Rule 3) may, by local rule, develop a district caseload allocation plan that allows for the efficient adjudication of cases within the district. Counties may elect, by approved local rule, to provide that a judicial officer of a court of record within a county or district may serve as acting judge in another court in that county or district. Jurisdiction in the acting judge shall vest only after the Supreme Court enters an Order approving such local rule.

- (1) Schedule for Plans. The IOJA, with Supreme Court approval, shall prepare and publish a schedule for the submission and approval of such local rules for county caseload allocation plans. The schedule shall ensure that the judges of the courts of record in each county must review and submit a new local rule with a plan or re-submit an existing local rule with a plan not less than once every two (2) years.
- (2) Weighted Caseload Measure. Based on the statistical reports submitted pursuant to this rule and a weighted caseload measures system, the IOJA shall prepare and publish annually a weighted caseload report on the caseload of the Indiana trial courts of record by court, county, and district.

- (3) **County Plans.** The judges of the courts of record in each county must approve the county caseload allocation plan by not less than 75% vote. The chief judge or another judge designated by the courts of record in the county shall submit the approved county plan to the IOJA by the deadline established in the schedule.
- (4) **District Plans.** The judges of the courts of record in a judicial district may approve, by not less than 75% vote, a district caseload allocation plan. Any approved district plan must be submitted by the district administrative judge or another judge designated by the courts of record in the district to the IOJA.
- (5) **IOJA Approval of Plans.** The IOJA will presume that the plans submitted pursuant to this rule were properly approved by the county or judicial district. The IOJA may request a county or judicial district to explain any caseload variance among courts resulting from the county or judicial district caseload allocation plan. The IOJA shall submit to the Supreme Court for approval the county caseload allocation plans that ensure an even distribution of judicial caseload. Should a county fail to submit a plan by the deadline established in the schedule, the Supreme Court shall prescribe a plan for use by the county. The IOJA shall submit to the Supreme Court for approval the district caseload allocation plans that allow for the efficient adjudication of cases.
- (6) **Assignment of Criminal Cases.** The caseload allocation plan must include provision for non-discretionary assignment of all felony and misdemeanor cases filed in the county, with consideration of workload in each court in other areas; provision for continued assignment of a judge in the event of dismissal; and provision for reassignment in the event a change of judge is granted under Ind. Criminal Rule 2.4 or an order of disqualification or recusal is entered in the case.

(F) Reporting of Performance Measures in Juvenile Cases

- (1) **Performance Measures Report.** All trial courts exercising jurisdiction over Children in Need of Services (CHINS) and Termination of Parental Rights (TPR) cases shall compile and report on court performance measures for all qualifying cases in their jurisdiction. The IOJA shall draft and distribute procedures for and assist courts in the gathering and electronic submission of statistical data.
- (2) **Reporting Periods.** All trial courts subject to this rule shall prepare a quarterly summary report of the court performances measures for their respective court to the IOJA. The last day of the reporting period for the quarterly reports shall be December 31, March 31, June 30, and September 30.
- (3) **Information for reports.** The judge of the trial court subject to this rule may require clerks, court reporters, or any other officer or employee of the court to furnish the information needed to prepare the reports and facilitate electronic submission of the court's report in a format as established by the IOJA.
- (4) **Report Submission Dates.** Beginning in federal fiscal year 2014 (October 1, 2013 – September 30, 2014), the judge of the trial court subject to this rule shall cause the quarterly timeliness measures report to be filed with the IOJA not later than ten (10) calendar days after the end of the reporting period in electronic format as established by the IOJA.
- (5) **Qualifying Cases.** All CHINS and TPR cases that were opened not more than five years prior to the beginning of the reporting period and which were closed in the reporting period shall be included in the Court Performance Measures report for that reporting period. All cases filed more than five years prior to October 1 of the reporting year shall be excluded from the report.
- (6) **Court Performance Measures:** Effective for the federal fiscal year of October 1, 2013 – September 30, 2014, and for the same period thereafter, trial courts subject to this rule shall quarterly report the statistics and data requested by the IOJA and recommended by the Juvenile Justice Improvement Committee (JJIC) for the following defined court performance measures:
 - (a) **Time to Permanent Placement:** This measure is defined as the median number of days from the filing of the original CHINS petition to permanency. Permanency for the purposes of this measurement is defined as the date that wardship is terminated. This Measure is limited to those cases in which the child was removed from the original parent, guardian, or custodian at any time during the pendency of the case.
 - (b) **Time to First Permanency Hearing:** This measure is defined as the median number of days from the filing of the original CHINS petition to the date the first permanency hearing is held on the case as defined by of IC 31-34-21-7
 - (c) **Time to Termination of Parental Rights Petition:** This measure is defined as the median number of days from the filing of the original CHINS petition to the filing of the petition for termination of parental rights. This measure excludes automatic petitions for termination of parental rights that are filed under IC 31-35-2-4 and 31-35-2-4.5, and such petitions should not be counted in this measure.

- (d) **Time to Termination of Parental Rights:** This measure is defined as the median number of days from the filing of the original CHINS petition to the day that the last order on the termination of parental rights is entered with regard to the child.
- (e) **Time to all Subsequent Permanency Hearings:** This measure is defined as the median number of days between all subsequent permanency hearings in a case as defined by IC 31-34-21-7.
This Rule is drafted to conform with the requirements of the Program Instructions for the Court Improvement Program as published by the Administration for Children and Families, U.S Department of Health and Human Services, Log. No: ACYF-CB-PI-12-02.
- (f) **Additional Measures:** Such other measures as may be requested by IOJA and recommended by the JJIC to be collected.
- (7) **Judge's Confirmation of Reporting.** The judge of a court referenced in (F)(1) above shall be responsible for reviewing and confirming the accuracy, completion, and filing of all reports through a process established by the IOJA.

G) Reporting of Decision Point Data in Juvenile Cases

- (1) *Racial and Ethnic Disparities/Juvenile Decision Point Data Report.* Trial courts hearing juvenile delinquency cases shall electronically compile and report racial and ethnic disparities data for all delinquency cases in their court. The IOJA shall draft and distribute procedures for and assist courts in the gathering and electronic submission of statistical data and reports.
- (2) *Reporting Periods.* The last day of the reporting period for quarterly reports shall be December 31, March 31, June 30 and September 30. Beginning in federal fiscal year (October 1, 2016 - September 30, 2017) the judge of a trial court subject to this rule shall cause the quarterly reports to be filed with the IOJA within ten (10) calendar days after the end of the reporting period in an electronic format as established by the IOJA.
- (3) *Information for Reports.* The judge of a trial court, subject to this rule, may require clerks, court reporters, probation officers, or any employee of the court to furnish information required to complete and prepare the reports.
- (4) *Judge's Confirmation of Reporting.* The Judge of a Court or Chief Judge of a unified Court system shall review all reports and confirm through a process established by the IOJA the completion and filing of all reports.

Rule 2. Reporting Fiscal Matters

- (A) **Preparation of Fiscal Reporting Forms.** The Indiana Office of Judicial Administration (IOJA), pursuant to these rules and IC 33-24-6-3, shall draft forms to be used in the gathering of revenue, budget and expenditure data from the courts and shall submit the proposed forms to the Supreme Court for approval. The revenue report forms shall collect data on the revenues generated by the operation of the courts within the county, the categories for which monies were collected, the amounts collected in each category, and how the collected funds were distributed. The budget and expenditure forms shall collect data on the requested budgets of the courts and their offices for the upcoming calendar year, the approved budgets for the courts and their offices for the upcoming year, the actual expenditures of the court and their offices during the previous calendar year, specifying the categories for which funds were requested, approved and spent.

After the Supreme Court approves the forms the IOJA shall distribute the forms to all courts to be used in preparation of reports. All trial courts shall prepare, on forms approved under the provisions of this rule, fiscal reports on the receipt and expenditure of public money by and for the operation of the courts.

- (B) **Report of Clerk on Revenues.** Within ten (10) days after the close of the calendar year, the Clerk of the Court shall report to the judge of the court, or chief judge of a unified court system, all information necessary for the completion of the revenue report form. In the case of a City or Town Court, if there is no clerk, the judge of a City or Town Court shall prepare such report.
- (C) **Budget and Expenditure Report.** Within ten (10) days after the close of the calendar year, the judge of the court, or chief judge of a unified court system, or a judge's designee shall gather all information necessary for the completion of the budget and expenditure report including all county budget and expenditure information for indigent defense not included in a court budget.
- (D) **Report of Judge.** The judge of the trial court or the chief judge of a unified court system shall cause the fiscal reports to be filed with the IOJA no later than twenty (20) days after the end of the calendar year for the reporting period in electronic format as established by the IOJA.
- (E) **Judge's Confirmation of Reporting.** The judge of the court or the chief judge of a unified court system shall review all reports and confirm, through a process established by the IOJA, the completion and filing of all reports.

Rule 3. Administrative Districts

- (A) The State of Indiana is hereby divided into twenty-six (26) administrative districts as follows:
- (1) District 1, consisting of Lake County;
 - (2) District 2, consisting of Porter, Newton, Jasper and Benton Counties;
 - (3) District 3, consisting of LaPorte, Starke and Pulaski Counties;
 - (4) District 4, consisting of St. Joseph County;
 - (5) District 5, consisting of Elkhart, Marshall and Kosciusko Counties;
 - (6) District 6, consisting of LaGrange, Steuben, Noble, DeKalb and Whitley Counties;
 - (7) District 7, consisting of Allen County;
 - (8) District 8, consisting of Fulton, Miami, Cass and Howard Counties;
 - (9) District 9, consisting of Wabash, Huntington, Wells and Adams Counties;
 - (10) District 10, consisting of White, Carroll and Tippecanoe Counties;
 - (11) District 11, consisting of Warren, Fountain, Montgomery, Vermillion and Parke Counties;
 - (12) District 12, consisting of Clinton, Boone, Tipton and Hamilton Counties;
 - (13) District 13, consisting of Marion County;
 - (14) District 14, consisting of Grant and Madison Counties.;
 - (15) District 15, consisting of Blackford, Jay, Delaware, Randolph and Henry Counties;
 - (16) District 16, consisting of Hendricks and Morgan Counties;
 - (17) District 17, consisting of Hancock, Shelby and Johnson Counties;
 - (18) District 18, consisting of Wayne, Rush, Fayette, Union and Franklin Counties;
 - (19) District 19, consisting of Vigo, Clay, Putnam and Sullivan Counties;
 - (20) District 20, consisting of Owen, Greene, Monroe and Lawrence Counties;
 - (21) District 21, consisting of Brown, Bartholomew, Decatur, Jackson and Jennings Counties;
 - (22) District 22, consisting of Ripley, Dearborn, Ohio, Jefferson and Switzerland Counties;
 - (23) District 23, consisting of Scott, Clark and Floyd Counties;
 - (24) District 24, consisting of Orange, Washington, Crawford and Harrison Counties;
 - (25) District 25, consisting of Knox, Daviess, Martin, Pike, Dubois, Perry and Spencer Counties; and,
 - (26) District 26, consisting of Gibson, Posey, Vanderburgh and Warrick Counties.
- (B) The Board of Directors of the Judicial Conference of Indiana shall, by rule, establish a structure for the governance, management and administration of the judicial districts.

Rule 4. Committees and Commissions

(A) Creation and Duties.

- (1) **Judicial Conference Committees.** Indiana Code section 33-38-9-5 permits the Judicial Conference of Indiana to create committees to carry out its business. As directed by the Judicial Conference Board of Directors, each committee shall complete its duties as assigned.
- (2) **Commission on Race and Gender Fairness.** The Commission on Race and Gender Fairness shall study the status of race and gender fairness in Indiana's justice system and shall investigate ways to improve race and gender fairness in the courts, legal system, among legal service providers, state and local government, and among public organizations. The Commission shall from time to time recommend to the Supreme Court the implementation of policies and procedures which promote these ends.
- (3) **Language Access Advisory Committee.** The Language Access Advisory Committee shall address the issue of providing effective, fair, and efficient language access in Indiana courts, and to present findings and recommendations to the Supreme Court on the best method to meet that challenge within Indiana's judicial system.
- (4) **Advisory Commission on Guardians ad Litem ("GAL")/Court Appointed Special Advocates ("CASA").** The Commission on GAL/CASA shall conduct a continuous study of the GAL/CASA services in

Indiana and shall provide support and guidance to the Supreme Court on how best to provide GAL/CASA services. The Commission's charge includes but is not limited to providing a long-range strategy for promoting, expanding, and training child advocacy GAL/CASA programs. The Commission shall from time to time review the GAL/CASA Program Standards and Code of Ethics and make recommendations to the Supreme Court for their improvement.

- (5) **Child Welfare Improvement Committee.** The Child Welfare Improvement Committee shall examine ways to improve safety, timely permanency, and well-being outcomes for children and families involved in the child welfare system.
- (6) **Domestic Violence Advisory Committee.** The Domestic Violence Advisory Committee shall advise and make recommendations to the judicial branch regarding domestic violence issues in the state of Indiana.
- (7) **Records Access and Management Committee.** The Records Access and Management Committee shall conduct a continuous study of the practices, procedures, and systems for the maintenance, management, and retention of court records employed by the courts and offices serving the courts of this State. Such study shall include the best practices and policies with respect to online access to electronic court records, with consideration to the purposes articulated in Rules on Access to Court Records. The Committee shall submit to the Supreme Court recommendations for the modernization, improvement and standardization of such practices, procedures, and systems. The Committee shall encourage suggestions from all interested parties and the public for the improvement of the Records Access and Management system employed by the courts and court agencies, as well as concerns or considerations with respect to the online access to court records. These recommendations shall be submitted in writing to the Indiana Office of Judicial Administration (IOJA).
- (8) **Innovation Committee.** The Innovation Committee shall conduct continuous research on justice reform, identify innovative strategies to improve judicial and legal process, and make recommendations to the Supreme Court for best practices surrounding Indiana's judicial system. The Committee shall establish a permanent technology subcommittee and may establish ad hoc subcommittees.

(B) Meetings and Compensation. Each committee and commission shall meet at the call of the chair and act by vote of a majority of the present members. All members may receive mileage and reimbursement for reasonable expenses.

(C) Members. Each committee or commission listed in this Rule shall consist of judicial officers, and other members as appropriate, appointed by the Supreme Court. Members shall serve a three-year term that begins on July 1 of the year of appointment, with a maximum of two terms. The Chief Justice shall appoint one or more chairs for a term lasting for the remainder of their committee or commission appointment.

- (1) **Members of the Commission on Race and Gender Fairness.** The commission shall consist of representatives of the Indiana judiciary, the practicing bar, academia, state and local government, public organizations, law enforcement, and corrections.
- (2) **Members of the Advisory Commission on Guardians ad Litem ("GAL")/Court Appointed Special Advocates ("CASA").** The Commission shall consist of eighteen members representative of the Indiana judiciary and directors of certified, volunteer-based GAL/CASA programs. The Commission shall include three GAL/CASA program directors and one member of the judiciary each from four regions of Indiana (North, South, East, and West) and two at-large members of the judiciary. The Commission members shall elect a Chair, Vice-Chair, and other officers at the first meeting of the year. The IOCS GAL/CASA Director shall serve as an ex officio member of the Commission.
- (3) **Members of the Records Access and Management Committee.** The Records Access and Management Committee shall consist of the stakeholders responsible for the management and maintenance of, and access to, the records of the courts throughout the State of Indiana.
 - (a) Permanent members shall consist of a member of the Supreme Court who shall serve as chair of the committee; the Executive Director of the Indiana Public Defender Council; the Executive Director of the Prosecuting Attorneys Council; the Clerk of the Appellate Courts; and the Executive Director of the Office of Court Technology.
 - (b) The remaining membership shall consist of judicial officers, circuit court clerks, court administrators, and the practicing bar, including a bar member with legal aid expertise.
- (4) **Members of the Innovation Committee.** The Innovation Committee shall consist of representatives of the Indiana judiciary, the practicing bar, academia, state and local government, public organizations, and private enterprise.
 - (a) Permanent members shall consist of the Executive Director of the Indiana State Bar; the Executive Director of the Indiana Public Defender Council; the Executive Director of the Indiana Prosecuting Attorneys Council; or their designees.

- (b) The Executive Director of the Office of Court Technology and the Chief Innovation Officer of IOJA shall serve as ex officio members of the committee.
- (c) A member who is an appellate or trial court judge shall serve as chair of the technology subcommittee.

Rule 5. Payment and Administration of Special Judges and Senior Judges Program

(A) Special Judge Fees. The Indiana Office of Judicial Administration (IOJA) shall administer the payment procedure for special judge fees in accordance with this provision.

- (1) *Entitlement.* As provided in Trial Rule 79(P), all persons other than a full-time judge, magistrate, or other employee of the judiciary who serve as special judge are entitled to a fee of twenty-five dollars (\$25.00) per day for each jurisdiction served for the entry of judgments and orders and hearings incidental to such entries. Persons residing outside the county where service is rendered shall be entitled to mileage and reimbursement paid in accordance with standards set for other public officials of the State. Senior Judges who serve as special judges shall be paid in accordance with a schedule published by the Chief Administrative Officer (CAO) of IOJA. Senior Judges are not entitled to compensation for special judge service when the service is performed on the same day he or she serves as a senior judge.
- (2) *Procedure for Payment.* A special judge shall file his or her claim for compensation with the IOJA on forms provided by such agency as prescribed by the State Board of Accounts. Any claim for services as special judge shall encompass a specified period of time and shall include all such services rendered during such period of time. The IOJA shall present the claim form to the Auditor of the State for payment.
- (3) *Timely Filing of Claims.* Claims for compensation shall be filed by the special judge no later than ninety (90) days from the date of service.

(B) Senior Judges. The Indiana Office of Judicial Administration (IOJA) shall administer the senior judge program and the payment of senior judges in accordance with this rule.

- (1) *Appointment.* The Supreme Court may appoint all senior judges currently certified by the Judicial Nominating Commission to serve the Court of Appeals, the Tax Court, a circuit, superior, or probate court. The Supreme Court shall fix the term or period of time for the senior judge appointment, and may prescribe the duties to be performed by the senior judge.
- (2) *Number of Senior Judge Days for Requesting Court.* Each year, the Supreme Court shall fix, based upon the recommendation of the Chief Administrative Officer of the IOJA, who shall use the Indiana Weighted Caseload Measures System, the annual statistical reports, and other relevant criteria, the number of senior judge days that each court may use. Every court authorized in this rule to use senior judges will be entitled to a minimum of ten (10) days of senior judge service during the year of appointment. If a senior judge serves as a Mediator under Rule 5(B)(9) or as an Attorney Surrogate under Rule 5(B)(10), those days of service shall not count as service days against the appointing court's allotment under this rule.
- (3) *Qualification for Senior Judge Status.* A person who is certified by the Indiana Judicial Nominating Commission may serve as senior judge. Each year the Indiana Judicial Nominating Commission shall certify to the Supreme Court that a person who is certified:
 - (a) (i) has served in their judicial capacity for at least four (4) years and (ii) at least one of those years was within five (5) years of the application or, in the event the four years of service was more than five (5) years prior to the application, has served at least thirty (30) days as a senior judge during a calendar year within five (5) years of the application; except that the Indiana Judicial Nominating Commission may, upon the finding of exceptional circumstances, waive the foregoing criteria and certify a senior judge with less service than specified above;
 - (b) agrees to serve as a senior judge for at least thirty (30) days in the year of appointment and has not in any previous year of service failed to serve for at least thirty (30) days without good cause as determined by the Indiana Judicial Nominating Commission.
 - (c) agrees to comply with the Code of Judicial Conduct; further agrees to not serve as an elected official or employee of a governmental entity or subdivision except with Supreme Court permission;
 - (d) agrees to serve where assigned; and that the service shall be substantially equivalent to the daily calendar of the court to which the senior judge is assigned;
 - (e) is not required to continue to serve in all special judge cases in which the person who is certified was serving as a special judge at the time the person left office, but upon continuing to serve in such special judge assignments will receive senior judge credit for such service; provided however, if the circumstances that led to the person who is certified being appointed as a special judge no longer exist, and no other disqualification exists, then the case may be returned to the regular judge of the court where the case is pending.

- (f) agrees,
 - (i) in the case of a senior judge appointed or assigned to serve a trial court, not to represent any client in any case before a court in which the senior judge is appointed or assigned as senior judge and to disclose to the parties coming before him in his capacity as a senior judge whenever, within the previous one (1) year, he has served as an ADR neutral for: 1) a lawyer or lawyer's firm of a party to the case, or 2) a party currently before the court. Following the disclosure, unless all parties agree on the record that the senior judge may hear the case, the senior judge must recuse; and,
 - (ii) in the case of a senior judge appointed or assigned to serve an appellate court, (1) not to represent any client in any case before an Indiana appellate court, (2) not to serve as an ADR neutral in any case in which he or she participated as a judicial officer, (3) not to serve as a judicial officer in any case in which he or she participated as an ADR neutral, and (4) not to represent any client in any case before a tribunal whose decisions are subject to review by an Indiana appellate court.
 - (g) is fit to serve as a senior judge.
- (4) *Procedure.* When appointing a senior judge, a judge shall cause an order to be filed under a court business (CB) case type naming the senior judge who will serve the court, subject to the Code of Judicial Conduct. The order shall specify (a) the duration of the service or (b) the case assigned to the senior judge and any limits on the assignment's duration. A senior judge shall have the same authority as the judge of the court where the senior judge is serving, but only during the time specified in the order and such additional time as required to finalize the assignment. A violation of the Code of Judicial Conduct does not impair the authority or actions of the senior judge.
 - (5) *Oath of Office.* Upon initial certification as a senior judge, the senior judge shall take an oath of office and shall file it with the Clerk of the Indiana Supreme Court.
 - (6) *Per Diem Allowance.* As provided by statute, a senior judge is entitled to senior judge service credit and a per diem allowance of one hundred seventy-five dollars (\$175.00) per day for the first thirty (30) days of service in a calendar year. Pursuant to statute, the Indiana Supreme Court may adjust the per diem rate and increase it to not more than two hundred fifty dollars (\$250.00) for each day of service after the first thirty (30) days. A senior judge shall report only the portion of the day served for payment and credit. However, in exceptional circumstances, upon joint application to the Supreme Court by a senior judge and the judge of the trial court, the Supreme Court, in its discretion, may grant additional senior judge credit to the senior judge and additional senior judge service time to the trial court. A senior judge residing outside of the county where service is rendered is entitled to reimbursement for mileage at a rate equal to other public officials as established by state law and reasonable expenses incurred in performing the duties of senior judge for each day served, all as provided by state travel guidelines. A senior judge may not be compensated as such for more than one hundred (100) calendar days in the aggregate during any one calendar year.
 - (7) *Procedure for Payment.* A senior judge shall file a claim for compensation with the IOJA on forms provided by such agency as prescribed by the State Board of Accounts. The IOJA shall promptly present the claim to the Auditor of State for payment. Claims for compensation shall be filed no later than thirty (30) days from the date of service.
 - (8) *Qualification for Benefits.* As provided by statute, a senior judge who is appointed by the Supreme Court to serve for a period equal to or greater than thirty (30) working days is a state employee for purposes for state insurance benefits. A senior judge becomes eligible for state insurance upon appointment. In the event a senior judge fails to serve at least thirty (30) days during any year of appointment, that senior judge's eligibility to state insurance benefits based on senior judge service shall cease and terminate at the end of that year. A senior judge whose eligibility to state insurance benefits has terminated under this subsection may become eligible again if the judge is certified by the Judicial Nominating Commission pursuant to Section (B)(3) of this Rule and is appointed to serve in a court, but only after serving as a senior judge a minimum of thirty (30) days during the year of appointment. A senior judge who waives per diem pay is entitled to receive senior judge service credit and to state insurance benefits for service that substantially complies with the appointment of the Supreme Court. As used in this rule, term "state insurance benefits" includes group health, life, dental, and vision insurance benefits and other benefits offered by the State of Indiana to its elected officials from time to time.
 - (9) *Senior Judge Serving as Mediator.* A senior judge who is also a registered mediator and serves as a mediator in court-ordered mediation pursuant to IC 33-23-3-3, or on a pro bono basis, may receive senior judge service credit for said mediation service provided that the senior judge is not compensated at a rate greater than the per diem rate for senior judges.

- (10) *Senior Judge Serving as an Attorney Surrogate.* A senior judge who is appointed and serves as an Attorney Surrogate under Admission and Discipline Rule 23 § 27 may receive senior judge credit and compensation at the per diem rate for senior judges so long as the senior judge is not being compensated for the services under Admission and Discipline Rule 23 § 27(g). The senior judge shall make the election to receive senior judge credit and compensation within sixty days of the appointment as Attorney Surrogate by filing a notice with the appointing court.
- (11) *Performing Marriages and Administering Oaths.* A senior judge who has been certified by the Judicial Nominating Commission shall have authority any time during the certification to officiate marriages and administer oaths.

Rule 5.1. Notice of Commencement or Termination of Term in Office and Employment.

(A) Notice by Judges. Each elected or appointed circuit, superior, county, probate, city, town, or small claims court judge shall give notice to the IOJA of:

- (1) the commencement and termination of the judge's term of office;
- (2) the employment or termination of any magistrate, referee, commissioner, hearing officer, or other appointed judicial officer, whether such judicial officer is paid by the State of Indiana or by another entity. This notice must designate the position as full or part time, state the number of hours per week that the position requires, and identify all court(s) in which such appointed judicial officer shall serve.

(B) Notice by Prosecuting Attorneys. Each elected or appointed prosecuting attorney shall give notice to the IOJA of:

- (1) the commencement and termination of the prosecuting attorney's term of office and, pursuant to statute, whether the position will be full or part time;
- (2) the employment or termination of a deputy prosecuting attorney whose salary is paid by the State of Indiana and, pursuant to statute, whether the position will be full or part time.

(C) Content and Time of Notice. The notice must be given at least two weeks in advance of the beginning or termination of the term in office or employment on forms designed by the IOJA.

Rule 6. Court Case Records Media Storage Standards

(A) Application of Standards. All courts and clerks of court in the State of Indiana shall meet the standards set forth under this rule regarding the use of: (1) microfilm for the preservation of any record of a court or a court agency; (2) digital imaging technology for the storage and preservation of any record of a court or of a court agency; (3) hybrid systems producing both digital images and microfilm; and, (4) any related system created by advances in technology for the preservation of any record of a court or of a court agency. These standards shall apply to all records, regardless of medium, kept by courts, their clerks, and court agencies, including the methods used to reproduce or create records electronically and to the methods, systems, and formats used to store, archive, and reproduce records electronically for the purpose of maintenance and preservation of records. Only those records or record series which have been approved for microfilming under Administrative Rule 7 shall be eligible for microfilming.

(B) Definitions. The following definitions shall apply to this Administrative Rule 6:

- (1) “*Archival*,” as this term applies to records maintained in electronic form, means that point at which a document is no longer subject to modification and is maintained to ensure reasonably its preservation according to the appropriate record retention schedule as found in Administrative Rule 7.
- (2) “*Clerk*” means the Clerk of the Indiana Supreme Court, Court of Appeals, and Tax Court, the Clerk of a Circuit, Superior, Probate, or County Court, the Clerk of a City or Town Court, and the Clerk of a Marion County Small Claims Court, including staff.
- (3) “*Court*” means the Indiana Supreme Court, Court of Appeals, Tax Court, and all Circuit, Superior, Probate, City, Town, or Small Claims Courts.
- (4) “*Court Agency*” means a section, division, or department performing duties for the Court or Clerk and which has been created by statute or court rule or works at the direction of the court or clerk of court.
- (5) “*Court Case Record*” has the same meaning as “*Case Record*” that is defined in Access to Court Records Rule 3.
- (6) “*Digital Image*” means an electronic file consisting of digital data, which, when reconstructed on a display screen, a hard copy print, or on microfilm, appears as the original document.
- (7) “*Digital Imaging*” means the process by which a document or photograph is scanned by a computer and converted from analog format to a computer-readable digital format.

- (8) “*Digital Duplicate*” means any copy of digital images used for reference or communication.
- (9) “*Digital Imaging File Format*” means the program used to store Digital Masters of Digital Images.
- (10) “*Digital Master*” means the record copy of an electronic record transferred directly from a computer onto an electronic storage medium.
- (11) “*Digital Media*” refers to the physical method for storing digital records and images. There are two types: magnetic and optical. Examples of the former are magnetic disks, tape, and Digital Audio Tape (DAT). Examples of optical media include Compact Disk (C-D, CD-ROM), Write- Once, Read-Many (WORM) disk, Erasable Optical Disk (EO), and Digital Versatile Disk (DVD).
- (12) “*Division*” means the Indiana Office Judicial Administration (IOJA).
- (13) “*DPI*” means dots per inch and is used as a measure of the number of dots recorded in either a vertical or horizontal plane for each inch. It is used to measure scanning resolution.
- (14) “*Hybrid Imaging System*” means a system that produces both micrographic and digital images, either simultaneously or one from the other.
- (15) “*Image Enhancement*” means the process of manipulating a scanned image with software, to lighten or darken the image, to increase sharpness, alter contrast, or to filter out data elements appearing on the document.
- (16) “*Index*” means descriptive locator information attached to a digital image that enables a requestor to identify the file and retrieve it from the electronic storage medium.
- (17) “*In electronic Form*” means any information in a court record in a form that is readable through the use of an electronic device, regardless of the manner in which it was created.
- (18) “*ISO*” means International Standards Organization.
- (19) “*Metadata*” means a standardized structure format and control vocabulary which allows for the precise description of record content, location, and value.
- (20) “*Microfilm*” means a photographic film containing an image greatly reduced in size from the original, or the process of generating microphotographs on film.
- (21) “*Microform*” means any form, usually film, which contains microphotographs.
- (22) “*Migration*” means the process of upgrading electronic systems to new technologies while preserving accessibility to existing records. It includes transferring one electronic data format to another when a new computer or data management system is incompatible with its existing system. It also means the process of moving electronic data from one storage device or medium to another.
- (23) “*Noise*” means background discoloration of paper and stains on paper caused by aging, handling, and accidental spilling of fluids.
- (24) “*Open System Standard*” means a published and commonly available interface specification that describes services provided by a software product. Such specifications are available to anyone and have evolved through consensus and are open to the entire industry.
- (25) “*Record Series*” means a group of related documents, either as to form or content, which are arranged under a single filing system; are kept together as a unit because they consist of the same form, relate to the same subject, result from the same activity; or which have certain similar physical characteristics such as computer magnetic tapes or disks, or as microforms.
- (26) “*Record Retention Schedules*” means a series of documents governing, on a continuing basis, the retention and disposal of records of a Court, Clerk, or Court Agency.
- (27) “*Refreshing*” means the copying of an image or of a whole storage medium for the purpose of preserving or enhancing the quality of a digital image.
- (28) “*Reproduction*” means the process of making an exact copy from an existing document in the same or a different medium.
- (29) “*Scanning Resolution*” means the quality of a digital image resulting from its initial scanning. It is represented in the number of dots per inch (“dpi”), used to represent the image.
- (30) “*Specifications*” means a set of requirements to be satisfied, and whenever appropriate, the procedure by which it may be determined whether the given requirements are satisfied.
- (31) “*Standard*” means a uniformly accepted set of specifications for a predefined norm. “ANSI/AIIM” means the American National Standards Institute and the Association for Information and Imaging Management.

“CCITT” means the Consultative Committee on International Telegraphy and Telephony. Specific standards appear both by number and by name.

- (32) “*Target*” means any document or chart containing identification information, coding or test criteria used in conjunction with microfilming. A target is an aid to technical or bibliographical control, which is photographed on the film preceding or following a document or series of documents.
- (33) *Thresholding* refers to the level at which data elements are removed from the scanned document. During thresholding, individual pixels in an image are marked as object pixels if their value is greater than some threshold value and as background pixels otherwise. Thresholding is used in eliminating background discoloration of paper and stains on paper caused by aging, handling, and accidental spilling of fluids.
- (34) “*WORM*” means Write-Once, Read-Many.

(C) Official Case Record.

- (1) A microfilm record produced and documented in accordance with the provisions of this rule, or a duplicate copy of such microform kept by the court, is the official record of the Court or Court Agency, regardless of whether or not an original paper document exists.
- (2) A document generated from a digital image produced in accordance with the provisions of this rule is the official record of the Court or Court Agency, regardless of whether or not an original paper document exists.

(D) Microfilm Specifications. Specifications for microfilm equipment, film, and photographic chemicals must meet appropriate standards referenced in section (G) of this rule. However, before a court, clerk, or court agency shall install such a system to create an official record, systems specifications must be forwarded to the Division, in writing, to determine compliance with Trial Rule 77(J).

(E) Digital Imaging Specifications. Specifications for digital imaging systems must meet appropriate standards referenced in section (H) of this rule. However, before a court, clerk, or court agency shall install such a system to create an official record, systems specifications must be forwarded to the Division, in writing, to determine compliance with Trial Rule 77(J).

(F) General Standards.

- (1) Courts, Clerks and Court Agencies shall ensure that records generated by, or received by, the courts are preserved in accordance with the applicable record retention schedules in Administrative Rule 7.
- (2) Records required to be placed in the Record of Judgments and Orders (RJO) as paper or in electronic format, and records with a retention schedule of fifteen (15) years or more, are classified as permanent. Such records must be scanned using a dpi as specified in Administrative Rule 6(H)(2)(a)(ii).
- (3) Microform and Digital Media used for the storage of court records shall be inspected at least annually to verify that no deterioration has occurred, incorporating the appropriate ANSI/AIIM standard for microfilm or for digital data deterioration in accordance with Administrative Rule 6(H)(3)(i). Such inspection results shall be forwarded to the Division, on a form available from the Division.

(G) Microfilm Standards.

- (1) *Documentation.* A formal written documentation file shall be created by the Clerk or the appropriate public agency and retained for the microfilm process, incorporating the following:
 - (a) That every stage of the microfilm process is covered by a written procedure and kept in the documentation file including:
 - (i) Authority to microfilm specific records;
 - (ii) A preparation guide concerning the arrangement of the originals on microfilm;
 - (iii) Any policy to select which filed documents will be placed on microfilm;
 - (iv) Any contracts with in-house record custodians or agents of vendors who will perform the actual microfilming (either in-house or through a vendor);
 - (v) Maintenance of the “Certificate of Destruction” form and approval correspondence from the Division.
 - (b) The reproduction processes employed to assure accuracy.
 - (c) Verification of each microfilm image against the original for completeness and legibility. The verification process shall be part of the certification procedure submitted to the Division.
 - (d) The justification for the microfilming of originals (i.e., space reduction, security) and the written process for the destruction of originals as authorized by an approved retention schedule.

- (e) The identity of supervisors of the microfilming procedures who are capable of giving evidence of these procedures.
- (f) The retention schedule from Administrative Rule 7 for the documentation matching the expected longevity of the microform.
- (g) Certification of compliance with this documentation procedure to the Division.

(2) *Legibility.*

- (a) If a standard is updated or superseded, the most current one applies to those records preserved after its effective date.
- (b) Resolution. A microform system for source documents shall be tested for resolution capability under procedures set forth in the appropriate section of ANSI/AIIM MS23-2004, both upon installation of the system and at the beginning and end of each roll of microfilm, by use of a camera test chart, such as the "Rotary Camera Test Chart," ANSI/AIIM MS 17-2001; "The Planetary Camera Test Chart," ANSI/ISO Test Chart No. 2, arranged one in each of the four corners of the image area and one in the center; or any equivalent chart incorporating the appropriate camera test charts. Where camera-generated roll microfilm is not used, a microform of the appropriate camera test chart must be generated weekly. Micrographic systems used for court records must meet the following standards for resolution:
 - (i) A micrographic system for source documents must produce a quality index level of not less than 5.0 for third-generation microfilm as measured according to *American National Standard Practice for Operational Procedures/Inspection and Quality Control of First-Generation, Silver-Gelatin Microfilm of Documents*. ANSI/AIIM MS23-2004, In applying this standard, a lower-case letter "e" height of 1.4 millimeters or less must be used;
 - (ii) All pattern groups on the camera test chart must be read. The smallest line pattern (highest numerical designation) in which both horizontal and vertical line direction is clearly discernible is the resolving power of that pattern group. The lowest numerical resolving power of all the pattern groups on the camera test chart is the resolving power of the micrographic system;
 - (iii) The film used in reading the camera test chart must be processed to the density standard of Administrative Rule 6(G)(2)(c)(i);
 - (iv) A computer-output microfilm system must produce quality index of not less than 5.0 for third-generation microfilm as measured according to *American National Standard Practice for Operational Practices/Inspection and Quality Control for Alphanumeric Computer-Output Microforms*. ANSI/AIIM MS1-1996.
 - (v) Conversion of archival data stored on a Digital Master [(H) (1) (g)], may occur at a quality index level of 4.0, upon written pre-approval from the Division.
- (c) Density. Microfilm systems used for court records must meet the following density standards:
 - (i) The background ISO standard visual diffuse transmission density on microforms shall be appropriate to the type of documents being filmed. The procedure for density measurement is described in ANSI/AIIM MS23-2004 and the densitometer shall be in accordance with ANSI/NAPM 18-1996, for spectral conditions and ANSI/NAPM IT2.19-1994, for geometric conditions for transmission density. Recommended visual diffuse transmission background densities for images of documents are as follows:

Class	Description of documents	Background Density
Group 1....	High-quality, high-contrast printed books, periodicals, and black typing	1.3-1.5
Group 2....	Fine-line originals, black opaque pencil writing, and documents with small high-contrast printing.	1.15-1.4
Group 3....	Pencil and ink drawings, faded printing, and very small printing such as footnotes at the bottom of a printed page.	1.0-1.2

Group 4....	Low-contrast manuscripts and drawing, graph paper with pale, fine-colored lines; letters typed with worn ribbon; and poorly printed, faint documents.	0.8-1.0
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- (ii) Background density in first-generation computer-output microfilm must meet ANSI/AIIM MS1-1996.
- (iii) Base Plus Fog Density of Films. The base plus fog density of unexposed, processed films should not exceed 0.10. When a tinted base film is used, the density will be increased. The difference must be added to the values given in the tables in Administrative Rule 6(G) (2)(c)(i).
- (iv) Line or Stroke Width. Due to optical limitations in most photographic systems, film images of thin lines appearing in the original document will tend to fill in as a function of their width and density. Therefore, as the reduction ratio of a given system is increased, the background density shall be reduced as needed to ensure that the copies produced will contain legible characters.
- (d) Reduction Ratio. Microfilm systems used for court records shall meet the following reduction ratio standards:
 - (i) A reduction ratio for microfilm of documents of 25 to 1 or 24 to 1 or less is required;
 - (ii) A reduction ratio for microfilm of documents of greater than 25 to 1 may be used only if the micrographics system can maintain the required quality index at the higher reduction;
 - (iii) Computer-output microfilm must be at a reduction ratio ranging from 48 to 1 to 24 to 1.
- (3) *Permanency.* For records requiring retention of over fifteen years based on an approved retention schedule under Administrative Rule 7, the following standards shall apply:
 - (a) Raw stock microfilm shall be of safety-based permanent record film meeting specification of ANSI/NAPM IT9.6-1991 (R 1966).
 - (b) The camera generated master negative microfilm shall be silver-halide silver gelatin, meeting the permanency requirements of ANSI/NAPM IT9.1-1996. Microforms shall be processed in accordance with ANSI/NAPM IT 9.1-1996 and in accordance with processing procedures in ANSI/ AIIM MS196 and ANSI/AIIM MS23-2004.
 - (c) The master microfilm record meeting the above standards shall be stored at a site other than the producing Clerk, Court, or Court Agency's structure, in a fireproof vault, meeting ISO 18911:2010.
 - (d) In addition to the master microfilm record, which is a security copy, the Clerk, Court, or Court Agency may provide working copies of the microfilm. These may be on silver, diazo, vesicular, dry silver, or transparent electro-photograph film on a safety base of cellulose ester or polyester material.

(H) Digital Imaging Standards.

- (1) *Documentation.* A formal written documentation file shall be created by the Clerk or the appropriate public agency and retained for the life of the information stored on the digital medium based upon an approved record retention schedule documenting the following:
 - (a) that every stage of the digital imaging process is covered by a written procedure and kept in the documentation file, including:
 - (i) authority to implement digital imaging technology.
 - (ii) any selection policy to determine what documents from any file will be imaged. The indexing process shall also identify documents which are subject to approved criteria for purging prior to conversion to a permanent storage medium, and
 - (iii) any contracts with agents of record custodians who will perform the actual digital imaging process;
 - (iv) the metadata for each digital record.
 - (b) the imaging process employed to assure accuracy;
 - (c) verification of the image on a computer screen against the original for completeness and legibility;
 - (d) definition of the indexing system employed with storage in multiple places on the optical disk for security and integrity;

- (e) the identity of supervisors of the digital imaging procedures who are capable of giving evidence of these procedures; and
 - (f) written certification of compliance with this documentation procedure to the Division.
 - (g) Archival data stored on a digital master shall be converted to microfilm. Retention schedules will be applied to all documents prior to conversion to microfilm. This excludes the scanning system implemented by the Division as follows:
 - (i) Archived data is maintained on systems that allow upgrade without degradation or loss of data.
 - (ii) Archived data is geo-redundantly stored for disaster recovery purposes.
 - (iii) Archived data is in a file format that can be read by generally available computer systems without proprietary software.
- (2) *Legibility.* The following standards on legibility apply for digital imaging. If a standard is updated or superseded, the most current one applies to those records preserved after its effective date.
- (a) Scanner input shall:
 - (i) Scan office documents at a density of at least 200 dpi.
 - (ii) Scan records deemed permanent according to the retention schedule and as required for placement in the Record of Judgments and Orders, at a minimum of 300 dpi; and
 - (iii) Use a higher scanning resolution, as needed, for poor contrast documents, those containing faded text and those containing fine handwriting or lines, based upon a verification test that includes hard copy reproduction from such scanned documents at various densities, and
 - (iv) Scanning quality must adhere to the standards presented in *Recommended Practices for Quality Control of Image Scanners* ANSI/AIIM MS44-1988 (R1993), incorporating scanner resolution target X441 or X443, depending upon the application.
 - (b) Image enhancement is permissible for lightening or darkening a digital image, improving sharpness or contrast, but applying threshold software to eliminate noise requires prior approval of the Division.
- (3) *Permanency.* The following standards on permanency shall apply for digital imaging: Storage and quality control standards apply only to Digital Masters and not to digital duplicates.
- (a) Digital imaging systems will be built from hardware and software components that are nonproprietary and are based upon open systems architecture.
 - (b) Digital imaging systems will use the Digital Imaging File Format known as TIFF Group 4 digital imaging file format meeting ISO Standard 12639:2004, (or as updated or superseded.) Portable Document Format (PDF), or Portable Document Format for Archive (PDF/A)
 - (c) (Deleted eff. July 1, 2015)
 - (d) System upgrades will provide backward compatibility to existing system or digital data will be converted to the upgrade at the time of such upgrade.
 - (e) The digital master will employ WORM technology as the digital medium.
 - (f) If a CD-ROM is used as a storage medium, it must comply with ISO 9660-1988, *Volume and File Structure of CD-ROM for Information Interchange*. CD-ROM, EO, and DVD media shall not be used for storage of the digital master but may be used for digital duplicates.
 - (g) Digital media will have a pre-write shelf life of at least five years and post-write life of twenty years based upon accelerated aging test results that reports on specific disk areas.
 - (h) The digital master shall be stored in a dust-free, temperature and humidity-controlled environment, meeting ANSI/AIIM TR25-1995, *Use of Optical Disks for Public Records*.
 - (i) The digital media shall be monitored for deterioration using ANSI/AIIM MS59-1996 *Media Error Monitoring and Reporting Techniques for Verification of Stored Data on Optical Digital Data Disks*, and duplicating data to a new or replacement medium when data deterioration reaches the point of loss as described in this standard.
 - (j) The scanning system implemented by the Division is excluded from standard digital media and digital master standards so long as:
 - (i) Archived data is maintained on systems that allow upgrade without degradation or loss of data.
 - (ii) Archived data is geo-redundantly stored for disaster recovery purposes.

- (iii) Archived data is in a file format that can be read by generally available computer systems without proprietary software.

- (I) **Hybrid Systems.** That portion of a hybrid system producing microforms will be governed by Section (G) of this rule; that portion of a hybrid system producing digital images will be governed by Section (H) of this rule.
- (J) **Access.** Access to a court record created or stored in either or both a microfilm or digital format will be governed according to the Rules on Access to Court Records.
- (K) **Disposal of Records.** Court records which have been preserved in accordance with the standards set out in this rule may be destroyed or otherwise disposed but only after the court or its clerk files a "Destruction Certificate" with the Division certifying that the records have been microfilmed or digitized in accordance with the standards set out in this rule, and the Division issues a written authorization for the destruction of such records. The Division shall make available a form "Destruction Certificate" for this purpose. It is not necessary for a clerk or court to file a "Destruction Certificate" when a clerk or court converts a conventionally filed document into an electronic record as required by Trial Rule 87(D).

Rule 7. Judicial Retention Schedules

I. GENERAL

A. Authority to Dispose of Records.

Clerks of Circuit Court, Judges and other court officers shall dispose of records in the manner set out in this Rule and in accordance with the retention schedules specified herein. The retention schedules set out in this Rule should be presented to the appropriate county records commission, one time only for informational purposes, before disposal of the records. Prior to disposal of judicial records not listed on this schedule, or if special circumstances necessitate the retention or disposal of judicial records in a manner not set forth in this Rule, a circuit court clerk, judge or other officer of the court must seek written authorization from the Indiana Office Judicial Administration (IOJA) to maintain or destroy such records.

B. Authorized Formats of Permanent Records.

Records required to be maintained permanently under this Rule may be maintained in their original format, on microfilm, or in electronic format. The record keeping formats plus the quality and permanency requirements employed for permanent records shall be approved by the IOJA to ensure compliance with this Rule, Administrative Rule 6, and Trial Rule 77.

- (1) **Microfilmed Records.** Records which may be microfilmed under this Rule must be microfilmed in accordance with the provisions of Administrative Rule 6. The retention schedules will identify which records are authorized to be microfilmed and may provide other specifications such as a time period to maintain a record in its original format before microfilming is permitted.

Microfilming other records is not authorized because the cost of microfilming exceeds the costs of storage for the duration of the retention period. If special circumstances arise, a circuit court clerk, judge, or other officer of the court may seek written authorization from the IOJA to microfilm records other than those herein authorized.

- (2) **Records in Electronic Form.** Records which may be maintained electronically under this Rule must be stored and preserved in accordance with the provisions of Administrative Rule 6. Records maintained electronically must be kept so that a hard copy can be generated at any time.

- C. Records Authorized for Transfer.** Records deemed permanent or authorized for transfer to the Indiana State Archives. Indiana Archives and Records Administration, must follow the Archive's written procedures and use its approved forms before transfer can occur. With the written approval of the Indiana Supreme Court, records authorized for transfer to the Archives Division of the Indiana Archives and Records Administration may be deposited by said Archive with a local repository, such as a historical society, library, archives, or university, as designated by the Archive and meeting the archival standards of the Archive.

D. Retention Schedules.

These retention schedules are based upon assumptions that because certain records exist, others may be destroyed. Due to fire disasters, or other causes, this may not be true for all Indiana counties. Therefore, the first step is to conduct an inventory to determine if records requiring permanent retention or transfer do indeed exist before destroying records by series whose authority for destruction is based on the fact that other records exist.

The list of retention schedules is arbitrarily arranged by type of jurisdiction and not by court, since jurisdictions overlap from court to court with original, concurrent and exclusive jurisdictions. Different courts in different counties can exercise the same jurisdiction. The date of 1790 means that the record potentially could date from the formation of the county.

The format includes a number, as 85-4.3-04, which gives the year of the schedules (1985), the jurisdiction (4.3, or family law/adoptions) and the record series item (04). As new record series are added, additional numbers will be assigned. If a series is amended, it will be followed by an “R” for “revised.” The jurisdictions, which can be the same for a number of courts, are classified as:

- 85-1 CIVIL
 - 85-1.1 Civil
 - 85-1.2 Chancery
 - 85-1.3 Lis Pendens Series
 - 85-1.4 Partitions
 - 85-1.5 Dissolution of Marriage
- 85-2 CRIMINAL
- 85-3 ESTATES
 - 85-3.1 Wills
 - 85-3.2 Estates
 - 85-3.3 Guardianships
 - 85-3.4 Trusts
- 85-4 FAMILY LAW
 - 85-4.1 Juvenile
 - 85-4.2 Paternity
 - 85-4.3 Adoption
 - 85-4.4 Birth Certificate Record
- 85-5 COUNTY COURT/MUNICIPAL COURT/SMALL CLAIMS
 - Small Claims
 - Misdemeanors
 - Traffic Infractions
 - Plenary Civil
 - City Civil Jurisdiction
- 85-6 NATURALIZATION
- 85-7 CONCILIATION
- 85-8 SPECIAL JUDICIAL FUNCTIONS
 - 85-8.1 Insanity/Mental Health
 - 85-8.2 Epileptic Hearings
 - 85-8.3 Feeble-Minded Hearings
 - 85-8.4 Riley Hospital Hearings
 - 85-8.5 Children Ordered to Public Hospitals
 - 85-8.6 IU Medical Center Hearings
 - 85-8.7 Receiverships
 - 85-8.8 Drainage
- 87-9 GENERAL SCHEDULES

II. PROCEDURE

It is critically important that these schedules be carried out exactly as approved since this is your legal authority to do so, and only for the records so listed. Once a record is destroyed, its information is lost. Do not assume that the record under consideration is the record actually authorized for destruction. You must compare both the title and content before a record series can be destroyed. Work in a spirit of caution. If in doubt, save until you can get advice from the Division of IOJA or the Indiana Archives and Records Administration.

CIVIL (1)

85-1.1-01R	Entry Docket	1790-c. 1913	maintain permanently meeting the standards of Admin. R. 6.
85-1.1-02	Issue Docket	1790-c. 1913	destroy.
85-1.1-03R	Entry, Issue Docket & Fee Book (Civil Docket, 1970 +)	c. 1913-1990	maintain permanently (may microfilm after 20 years).
85-1.1-04	Change of Venue Record	c. 1873 +	maintain permanently (may microfilm after 20 years and destroy original).
85-1.1-05	Judge's/Bench/Court Docket	1790-c. 1918	destroy.
85-1.1-06	Clerk's Docket Day Book/Scratch Book	1790-c. 1918	destroy.
85-1.1-07	Sheriff's Docket (rare)	1790-c. 1918	destroy.
85-1.1-08	Bar Docket (cases arranged by attorney; not Entry Docket)	1790- +	destroy.
85-1.1-09	Summons Docket (rare)	c. 1790- +	destroy 6 years after date of last entry.
85-1.1-10	Sheriff's Summons Docket (rare)	c. 1790- +	destroy 6 years after date of last entry.
85-1.1-11	Witness Docket/Witness Affidavit Docket	c. 1860's- +	destroy 3 years after date of last entry and audit by State Board of Accounts.
85-1.1-12	Stamp Tax Docket	c. 1933-1965	destroy.
85-1.1-13	Bond Register (bonds filed in civil actions)	c. 1880's- +	destroy 20 years after date of last entry.
85-1.1-14	Misc. Bond Record (bonds filed in civil actions)	c. 1880's- +	destroy 20 years after date of last entry.
85-1.1-15	Recognizance Bond Record-Civil	varies as separate ledger	destroy 20 years after date of last entry.
85-1.1-16	Record of Assignments (rare)	1870's- +	destroy 20 years after date of last entry.
85-1.1-17R	Civil Order Book	1790-1990	maintain permanently meeting standards of Admin.R. 6. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
85-1.1-18	Index to Civil Cases/General Index to Civil Order Book/Gen. Index Plaintiff and Gen. Index, Defendant	1790-1990	maintain permanently. May microfilm 20 years after date of last entry, using microfilm system meeting standards set by Supreme Court.
85-1.1-19R	Misc. Order Book	varies, usually 20th Century	maintain permanently. May Microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
85-1.1-19.1R	Nonjudicial Order Book (Certifications and Statutorily Directed Matters)	1989- +	maintain permanently meeting the standards set by the Supreme Court (may microfilm after 20 years).
85-1.1-20	Civil Order Book Complete; Final Order Book Civil	1790-1990, usually 19th Century	transfer to Archives Division, Indiana Archives and Records Administration.
85-1.1-21	General Index to Complete Order Book, Civil	1790-1990	transfer to Archives Division, Indiana Archives and Records Administration.
85-1.1-22	Depositions, opened	1790- +	maintain as part of Civil Case File.

85-1.1-23	Depositions Not Admitted Into Evidence or for Dismissed Cases	1790- +	return to attorney at disposition of case or destroy 1 year after final disposition of case.
85-1.1-24	Docket Sheets	c. 1910-1990	maintain permanently. May microfilm and destroy original 3 years after final disposition of case, unless dissolution of marriage, then may microfilm and destroy original 21 years after disposition.
85-1.1-25R	Plenary Civil Case Files Designated as CP, CT, MT, PL, CC, MF	1790-9/1881	transfer to Archives Division, Indiana Archives and Records Administration.
		9/1881-1990	maintain all divorce/dissolution cases; cases where title to real property is in issue; public sector cases; and pre-1941 adoption and bastardy cases in original or in microfilm. For remaining cases, maintain a 2% statistical sample, which is determined by the IOJA with transfer to the Archives Division, Indiana Archives and Records Administration. Destroy remaining files 20 years after final disposition.
90-1.1-25.1R	Civil Miscellaneous Case Files (MI)	1/01/1987- +	retain for 5 years and upon review of trial court. Maintain permanently all tax deed MI cases ordered upon IC 6-1.1-25-4.6.
17-1.1-25.2	Tax Sale Case Files (TS) and (TP)	2017+	maintain permanently in original, microfilm, or electronically if the court has a scanning system approved under Administrative Rule 6 that directly scans or electronically files documents into the court case management system and saves a digital image of a document as part of the electronic case file.
85-1.1-26R	Dismissed Civil Case Files Designated as CP, CT, MI, RS, DR, DC, DN, MH, PO, PL, CC, MF	9/1881- +	Unless relief granted under TR 60(B): (a) those dismissed before trial, destroy 2 years after dismissal; (b) those dismissed during or after trial, destroy 2 years after order to dismiss is given under TR 41.
89-1.1-26.1R	Shorthand Notes/Tapes/ Disks Not Transcribed	1873- +	destroy 3 years after date of trial for CP, CT, MI, RS, DR, MH, PO, CC, and MF.
91-1.1-61	Protective Order Case Files With PO, JQ Designation Under Administrative Rule 8	1/1/1992- +	destroy 3 years after date Order has been entered.
91-1.1-62	Notice and Release of Lien for Medical Assistance (IC 12-1-7-24.6)(c)(1)	1982- +	for those liens formally released by Dept. of Public Welfare, destroy notice and Lien 2 years after release filed.
91-1.1-63	Hardship Driver's License (Emergency Order for Restricted Hardship License) (MI Case # Only)	varies	for independent court action, not a part of a larger case, and if original order in RJO, destroy Case File 2 years after judgment.
17-1.1-65	Expungement Civil Case designated as XP	2015+	destroy 2 years after the final action in the case

JUDGMENTS AND EXECUTIONS

85-1.1-27	Judgment Dockets	1790- + pre-1853	transfer to Archives Division, Indiana Archives and Records Administration.
		post 1852	destroy docket 20 years after date of last entry.
85-1.1-28	Transcribed Judgment Docket (copy of deteriorated original)	varies	destroy 20 years after date of last entry.
85-1.1-29	Judgment Docket Release	c. 20th Century	destroy 20 years after date of last entry.
85-1.1-30	Record of Delinquent Tax/Delinquent Tax Judgment Record IC 6-1-55-1 IC 6-1.1-23-9	1964- +	destroy 20 years after date of last entry.
85-1.1-31	Judgment Docket: Statements and Transcripts (orig. statements of judgment of court w. ref. to Judgment Docket) (ledger) ACTS 1929:83:1 IC 34-1-43-1 (not all courts created this ledger)	1929- +	destroy 20 years after date of last entry.
85-1.1-32	Judgment Statements and Transcripts (originals)	varies, usually after 1929- +	destroy 20 years after filing.
90-1.1-32.1	Collection Warrant Under Employment Security Act (IC 22-4-29-7)	varies	destroy after 20 years.
85-1.1-33	Judgment Docket Index	varies	destroy 20 years after date of last entry.
85-1.1-34	Praecipe/Certified Copy Praecipe (ledger)	1790- +	destroy 20 years after date of last entry.
85-1.1-35	Praecipes	1790- +	destroy 20 years after filing, if filed separately.
85-1.1-36	Executions	1790- + pre-1853	transfer to Archives Division, Indiana Archives and Records Administration.
		post 1852	destroy 20 years after date of last entry.
85-1.1-37	Execution Dockets	1790- + pre-1853	transfer to Archives Division, Indiana Archives and Records Administration.
		post 1852	destroy 20 years after date of last entry.
85-1.1-38	Sheriff's Execution Docket (rare)	c. 1853- +	destroy 20 years after date of last entry.
85-1.1-39	Register of Executions (rare)	c. 1870's- +	destroy 20 years after date of last entry.
85-1.1-40	Supplement to Execution Docket (rare)	c. 1870's- +	destroy 20 years after date of last entry.
85-1.1-41	Executions: Order of Sale (original pleadings)	c. 1790- +	destroy 20 years after date of issue.
85-1.1-42	Executions: Order of Sale (ledger)	c. 1790's- +	destroy 20 years after date of last entry.
85-1.1-43	Stay of Execution (original pleadings)	c. 1790's- +	destroy 20 years after date of issue.
85-1.1-44	Index to Execution Docket	varies	destroy 20 years after date of last entry.
85-1.1-45	Fee Bills (original filings)	1790- +	destroy after 20 years.

85-1.1-46	Fee Bill Record	varies, usually 20th Century	destroy 20 years after date of last entry.
85-1.1-47	Sheriff's Fee Bill Docket	varies, usually 20th Century	destroy 20 years after date of last entry.
85-1.1-48	Fee Bill Index	varies, usually 20th Century	destroy when last entry becomes 20 years old.
85-1.1-49	Tax Warrants IC 6-8-7-1 (1976)	1933-1980	destroy after 20 years.
85-1.1-50	Alias Tax Warrants IC 6-8-7-2 and IC 6-8-7-3 (1976)	1933-1980	destroy after 20 years.
85-1.1-51	Tax Warrants	1980- +	maintain 3 years after payment and audit by State Board of Accounts.
85-1.1-52	Alias Tax IC 6-8.1-8-2(e)	1980- +	maintain 3 years after payment and audit by State Board of Accounts.

NOTE: REVENUE DEPARTMENT MAY "RENEW A LIEN FOR ADDITIONAL TEN (10) YEAR PERIODS BY FILING AN ALIAS TAX WARRANT..."

85-1.1-53	Power of Attorney Filings	1790- + pre-9/1881 post 9/1881	transfer to Archives Division, Archives and Records Administration. destroy after 20 years.
85-1.1-54	Power of Attorney Record (not all courts created)	c. 1881- + varies	destroy 20 years after date of last entry.
85-1.1-55	Power of Attorney Index (rare)	c. 1881- + varies	destroy 20 years after date of last entry.
85-1.1-56	Index to Misc. Court Records	c. 1853/81- + varies	maintain for period in which records are referred to.
85-1.1-57	Subpoena Docket (rare)	1790- +	destroy 20 years after date of last entry.
85-1.1-58	Sheriff's Subpoena Docket (rare)	1790- +	destroy 20 years after date of last entry.
87-1.1-59	Sheriff Foreign Service	varies	destroy 3 years after date of last entry.
88-1.1-60	Civil Fee Books	1790-c. 1913 +	destroy upon written approval of the IOJA.

CHANCERY

85-1.2-01	Chancery Order Book	1843-1852	maintain permanently.
85-1.2-02	Case Files, Chancery	to 1853	transfer to Archives Division, Archives and Records Administration.

LIS PENDENS

85-1.3-01	Lis Pendens Record (Complaints) IC 32-30-11-11	1877- +	destroy 20 years after date of last entry.
85-1.3-02	Lis Pendens - Complaint Files IC 32-30-11-1	1877- +	destroy 20 years after filing.
85-1.3-03	Lis Pendens Record - Sheriff's Notice of Attachment IC 32-30-11	1877- +	destroy 20 years after date of last entry.
85-1.3-04	Lis Pendens - Sheriff's Notice of Attachment IC 32-30-11	1877- +	destroy 20 years after filing.

85-1.3-05	Lis Pendens Record-- Sheriff's Certificates of Sale IC 34-2-29-1	1881-1987	destroy 20 years after date of entry.
85-1.3-06	Lis Pendens--Sheriff's Certificates of Sale IC 34-2- 29-1	1881-1987	destroy 20 years after filing.
85-1.3-07	Lis Pendens-- Redemption Record IC 34-2-29-3	1881-1987	destroy 20 years after date of last entry.
85-1.3-08	Lis Pendens-- Redemptions IC 34-2-29-3	1881-1987	destroy 20 years after filing.

NOTE: IC 34-2-29-1 et seq. was repealed by P.L. 309-1987

85-1.3-09	Index--Lis Pendens Record (discretionary)	1877- +	destroy 20 years after date of last entry.
85-1.3-10	Transcript Order Book (to collect judgments)	JP to 1976 City 1847- + Gen.Cts. to current	destroy 20 years after date of last entry.
85-1.3-11	Transcripts (to collect judgments)	JP to 1976 City 1847- +	destroy 20 years after filing.
87-1.3-12	Transcript and Insurance Order Book (see also 85-1.3- 10) (rare)	1877-1935	destroy.

NOTE: ACTS 1877(r): 43:1 required foreign insurance companies to file certain statements with the Auditor of State and Clerk of the Circuit Court, the latter to note "in vacation of entries of the order book of such court" the name of the company and its agent and the date of filing. Some courts created separate "order books" for this purpose.

87-1.3-13	Foreign Insurance Company Statements	1877-1935	destroy.
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PARTITIONS

85-1.4-01	Partition Record	1853-1869 (& later)	maintain permanently.
85-1.4-02	Partition Record Complete	1853-1869 (& later)	maintain permanently.
85-1.4-03	Case Files, Partitions	1853- +	maintain in accordance with Plenary Civil Case Files, 85-1.1-25R.

DISSOLUTION OF MARRIAGE

Some courts maintain separate filing systems and have created separate "Domestic Relations" records for divorce/dissolution of marriage.

85-1.5-01R	Entry Docket, Issue Docket & Fee Book	c. 1973- +	maintain permanently (may microfilm after 20 years).
85-1.5-02R	Order Book, Domestic Relations	c. 1973- +	maintain permanently. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
85-1.5-03R	Divorce Case Files	to 8/31/1973	maintain in accordance with schedule 85-1.1-25R.
85-1.5-04	Judgment Docket	c. 1973- +	destroy 20 years after date of last entry.
85-1.5-05	Execution Docket	c. 1973- +	destroy 20 years after date of last entry.
85-1.5-06	Domestic Relations Index	c. 1973- +	maintain permanently. May microfilm 6 years after ledger is filled.

88-1.5-07	Dissolution of Marriage Case Files	9/01/1973- +	maintain in accordance with Plenary Civil Case Files, 85-1.1-25R.
90-1.5-07.1	Dismissed Divorce/Dissolution of Marriage Case Files	9/1881- +	destroy in accordance with Dismissed Plenary Civil Case Files 85-1.1-26R.
91-1.5-0.8	UIRESA Uniform Support, Petition, Certificate and Order as Initiating Court Under IC 31-18-3-4	7/01/1951- +	maintain 2 years after order is entered if copy of petition is maintained by prosecuting attorney. (Docket Sheet/CCS is maintained).
01-1.5-10	Reciprocal Support (RS) Case files as Responding Court under IC 31-18-3-5		destroy case files 21 years after date of last action (Applies to both adjudicated and dismissed case files.)
93-1.5-09	Court Referral Case Files (IC 31-1-23); (IC 31-1-24)	1971 - +	Domestic Relations Counseling Bureau Files. Destroy files 21 years after date of last entry.

CRIMINAL (2)

85-2-01	Indictment Record-- Grand Jury (ledger)	1853-1973	transfer to Archives Division, Indiana Archives and Records Administration.
85-2-02	Indictments/Grand Jury Reports	1790- +	transfer to Archives Division, Indiana Archives and Records Administration after 20 years.
85-2-03R	Information Record	1853-1905	transfer to Archives Division, Indiana Archives and Records Administration.
87-2-33	Affidavit Record	1905-1973	transfer to Archives Division, Indiana Archives and Records Administration
87-2-34	Indictment/Information Record IC 35-34-1-1	1973- +	transfer to Archives Division, Indiana Archives and Records Administration after 20 years.
85-2-04	Informations/Affidavits (1905-1973)	1853 - +	transfer to Archives Division, Indiana Archives and Records Administration after 20 years.
85-2-05	Arrest Warrants	1790 - +	file with Criminal Case File.
85-2-06	Recognizance Bonds, Criminal	1790- +	transfer bonds prior to 9-01-1881 to Archives Division, Indiana Archives and Records Administration; destroy post 1881 bonds after 6 years.
85-2-07	Criminal Recognizance Bond Record (discretionary)	1790- +	transfer ledgers prior to 9-01-1881 to Archives Division, Indiana Archives and Records Administration; destroy post 9/1881 ledgers 6 years after date of last entry.
85-2-08	Continuing Recognizance Bond Record (discretionary) (rare)	1790 - +	destroy 6 years after date of last entry.
85-2-09	Habeas Corpus	1790 - +	transfer to Archives Division, Indiana Archives and Records Administration 6 years after date of issue, if filed separately.
85-2-10	Habeas Corpus (ledger)	1790- +	transfer to Archives Division, Indiana Archives and Records Administration 6 years after date of last entry.

85-2-11R	Entry Docket	1790-1913	maintain permanently.
85-2-12	Entry Docket & Fee Book	1913-1990	maintain permanently; may microfilm 20 years after date of last entry.
90-2-12.1	Issue Docket, Criminal	1790-c. 1915	destroy.
85-2-13	Fee Book, Criminal	to 1913	destroy if separate Entry Docket exists. If not, maintain permanently.
85-2-14	Clerk's Docket, Criminal (discretionary)	1790-1920's	destroy.
85-2-15	Judge's/Bench/Court Docket, Criminal	1790-1920's	destroy.
85-2-16	State Docket	c. 1880's	destroy.
85-2-17	Sheriff's State Docket	c. 1880's	destroy.
85-2-18	Docket Sheets, Criminal	c. 1910's-1990	maintain permanently. May microfilm original 3 years after case is disposed of.
85-2-19R	Order Book, Criminal	c. 1860's-1990 (varies)	maintain permanently. May microfilm after 20 years and transfer original to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
85-2-20	Order Book Complete, Criminal (rare)	c. 1860's- c. 1880's	maintain permanently.
85-2-21R	Felony Criminal Case Files	1790- to 9-01-1881	transfer all files prior to 9-01-1881 to Archives Division, Indiana Archives and Records Administration.
		9/1881-1990	Maintain a 2% statistical sample, which is determined by the IOJA with transfer to the Archives Division, Indiana Archives and Records Administration. Destroy remaining files 55 years after final disposition. Maintain packet for post- conviction relief.
87-2-21.1R	Dismissed Felony Case Files	9/1881 - +	destroy 2 years after order to dismiss is given.
90-2-21.2	Misdemeanor Criminal Case Files (CM)	1790- to 9/1881	transfer all files prior to 9-01-1881 to Archives Division, Indiana Archives and Records Administration.
		9/1881 +	Maintain a 2% statistical sample, which is determined by the IOJA with transfer to the Archives Division, Indiana Archives and Records Administration. Destroy remaining files 10 years after final disposition.
		1990- +	handgun possession maintain fifteen years.
85-2-22	Judgment Docket Criminal	rare as separate volume	destroy 20 years after date of last entry.
85-2-23	Disfranchisement Record (rare)	1920's	destroy.
85-2-24	Suspended Sentence Docket	1919-1977	destroy 55 years after date of last entry.
85-2-25	Judgment Withheld Docket	1919-1977	destroy 55 years after date of last entry.

85-2-26R	Depositions Published or Unpublished	1790- +	destroy after 55 years if unopened and not filed with court packet.
95-2-26.1	Misdemeanor Depositions Published or Unpublished	1852- +	destroy after 10 years if unopened and not filed in court packet.
85-2-27R	Shorthand Notes/Tapes/Disks Not Transcribed--Felonies	1873- +	destroy 55 years after date of trial.
			[Criminal Rule 5]
89-2-27.1	Shorthand Notes/Tapes/Disks Not Transcribed-Misdemeanors (CM)	1873- +	destroy 10 years after date of trial.
85-2-28	Transcripts for Appeals	1790- +	file in Criminal Case File if copy is maintained.
85-2-29	Probation Files	1907- +	destroy 6 years after release of individual from final discharge.
95-2-29.1	Court Administered Alcohol Program (CAAP)	1974- +	destroy 6 years after release of individual from final discharge (Probation Department Files).
95-2-29.2	Alternative Sentencing Case Files (Work Release Files)	1991- +	destroy 6 years after release of individual from final discharge (Probation Department Files).
85-2-30	General Index, Criminals	varies	transfer to Archives Division, Indiana Archives and Records Administration after 55 years.
85-2-31R	Restitution Record IC 35-38-2-2	(1927) 1976- +	destroy 6 years after date of last entry.
89-2-32R	Search Warrants (Executed and Unexecuted) and not associated with a specific criminal case file	1790- +	place in separate case file and assign a criminal miscellaneous case number. Destroy 20 years after issuance of warrant. (The prosecuting attorney may request a longer retention period by filing a written request specifying the length of the extended retention period)
09-2-32.1	Search Warrant Executed and associated with specific criminal case file	1790- +	place in separate case file and assign a criminal miscellaneous case number. Destroy at the same time as the associated criminal case. If there is more than one associated criminal case, destroy at the same time as the case with the longest retention period. An association with a specific criminal case is created when a notice is filed with the court by the prosecuting attorney stating that a filed criminal case is associated with the executed search warrant. Upon the filing of such a notice, an entry shall be made on the CCS in both cases noting the association.
09-2-32.2	Search Warrants Denied or Not Executed	1790- +	destroy 2 years after order denying issuance of search warrant or if search is not executed (No return filed within the 2 year period presumes that warrant was not executed).

89-2-33R	Certificates on Standards for Breath Test Operators, Equipment & Chemicals (IC 9-30-6-5)	1983- +	destroy 10 years after filing or upon recordation in Nonjudicial Order Book 89-1.1-19.1.
05-2-34	Dismissed Misdemeanor Case Files	9/1881	destroy 1 year after order to dismiss is given.
05-2-35	Forensic Diversion Program	2004--+	destroy 6 years after release of individual from final discharge.
05-2-36	Wiretap recordings under IC 35-33.5-5-2	1990--+	Destroy after ten (10) years only upon an order of the court that issued the warrant.
05-2-37	Applications for wiretaps and corresponding warrants under IC 35-33.5-5-2	1990--+	Destroy after ten (10) years only upon an order of the court that issued the warrant.
09-2-38	Grand Jury Recordings and Transcriptions – felonies	1881+	Destroy 55 years after date of final disposition
09-2-38.1	Grand Jury Recordings and Transcriptions – dismissed felony cases	1881+	Destroy 2 years after order to dismiss granted
09-2-38.2	Grand Jury Recordings and Transcriptions – misdemeanors	1881+	Destroy 10 years after date of final disposition
09-2-38.3	Grand Jury Recordings and Transcriptions – dismissed misdemeanors	1881+	Destroy 1 year after order to dismiss granted
12-2-39	Problem-Solving Court Case Files	2002+	Destroy no earlier than 6 years after discharge from problem-solving court or completion of probation whichever is later
19-2-40	Pretrial Case Files	2019+	Destroy no earlier than 6 years from the date of case adjudication or sentencing whichever is later

ESTATES (3)

WILLS

85-3.1-01R	Recorded Original Wills	1790- +	maintain permanently (as a part of the Estate Case File, or as a separate series if filed separately). May microfilm after 5 years.
85-3.1-02	Will Record	1790- +	maintain permanently in original format; may microfilm or store electronically as a critical record, for security.
85-3.1-03	Transcript Will Record/original Will Record Ledger (a copy of an original ledger, copied for preservation)	varies	maintain both versions permanently in original format; may microfilm or store electronically as a critical record, for security.
85-3.1.04	Clerk's Report of Wills Probated in Vacation	discretionary, usually from 1881, little used thereafter	maintain permanently in original format; may microfilm or store electronically as a critical record, for security.
85-3.1-05	Index to Will Record	discretionary	maintain permanently in original format, may microfilm or store

electronically as a critical record, for security.

ESTATES

85-3.2-01	Appearance Docket	to c. 1881	maintain permanently.
85-3.2-02	Allowance Docket	to c. 1879	destroy.
85-3.2-03	Estate Entry Docket	to c. 1879	maintain permanently.
85-3.2-04	General Entry Claim and Allowance Docket	c. 1879 c.	maintain permanently.
85-3.2-05	Estate Entry Claim and Allowance Docket & Fee Book (Form 42)	c. 1911- +	maintain permanently; may microfilm and destroy original 3 years after date of last entry.
85-3.2-06	Vacation Entries in Estates and Guardianships	discretionary c. 1881-c. 1920's	maintain permanently.
85-3.2-07	Probate Claim Docket	discretionary c. 1853-c. 1879	destroy.
85-3.2-08	Clerk's Minute Book, Probate/Clerk's Docket	discretionary	destroy.
85-3.2-09	Clerk's Docket, Sale of Real Estate	discretionary	destroy.
85-3.2-10	Bar Docket, Probate	discretionary to c. 1920's	destroy.
85-3.2-11	Bench/Estate/Judge's Docket, Probate	to c. 1920's	destroy.
85-3.2-12	Issue Docket, Probate	discretionary to c.1913	destroy.
85-3.2-13	Transfer Docket, Probate	discretionary to c. 1920's	destroy.
85-3.2-14	Docket Sheets, Estate	c. 1910-1990	maintain permanently may microfilm 3 years after close of case.
85-3.2-15R	Probate/ Estate Case Files	1790-1990	maintain permanently (may microfilm 2 years after order of final discharge of personal representative).
85-3.2-16	Accounts Current Reports IC 29-1-1-23(f)	c. 1860's-	maintain as part of Probate Case File.
85-3.2-17	Claims Against the Estate	1790- +	maintain as part of Probate Case File.
85-3.2-18	Sale of Real Estate, Probate	1790- +	maintain as part of Probate Case File.
85-3.2-19	Settled Assignment of Estates, Probate	1790- +	maintain as part of Probate Case File.
85-3.2-20	Executor's Oath & Letters (ledger)	c. 1840's-1953	destroy ledger 20 years after disposal of last case.
85-3.2-21	Administrator's Oaths & Letters (ledger)	c. 1840's-1953	destroy ledger 20 years after disposal of last case.
85-3.2-22	Executor's Bond Record IC 29-1-1-23(d)	1840's- 6/30/1991	destroy ledger 20 years after disposal of last case.
85-3.2-23	Administrator's Bond Record IC 29-1-1-23(d)	1840's- 6/30/1991	destroy 20 years after disposal of last case.
88-3.2-51	Personal Representatives Bonds (ledger) per IC 29-1-1-23(d) (discretionary)	1/01/1954- 6/30/1991	destroy 20 years after disposal of last entry.

85-3.2-24	Executor's Bond to Sell Real Estate (ledger)	1853-c. 1881	destroy.
85-3.2-25	Administrator's Bond to Sell Real Estate (ledger)	1853-c. 1881	destroy.
85-3.2-26	Commissioner's Bond to Sell Real Estate (ledger)	1853-1881	destroy.
85-3.2-27	Record of Additional Bonds, Estates (discretionary)	c. 1853-c. 1881	destroy.
85-3.2-28	Commissioner's Bond Record (discretionary)	c. 1853-c. 1881	destroy.
85-3.2-29	Executor's Bonds Oaths & Letters (ledger)	c. 1853-1953	destroy 20 years after disposal of last case.
85-3.2-30	Administrator's Bonds, Oaths & Letters (ledger)	c. 1853-1953	destroy 20 years after disposal of last case.
85-3.2-31	Administrator's Executor's and Guardian's Bonds to Sell Real Estate	1853 - c. 1881	destroy.
NOTE: ORIGINAL BONDS, OATHS, & LETTERS ARE APPROVED BY THE COURT, ARE ENTERED IN THE ORDER BOOK WITH ORIGINALS FILED IN THE ESTATE CASE FILES.			
85-3.2-32	Record of Inventories IC 29-1-1-23(e)	1853-6/30/1991	destroy 20 years after disposal of last case.
85-3.2-33	Inventory of Surviving Partners (ledger)	post 1853, discretionary	destroy 20 years after disposal of last case.
85-3.2-34	Record of Inventory & Sale Bills	1853-6/30/1991	destroy 20 years after disposal of last case.
85-3.2-35	Record of Sale Bills/Account Sale of Personal Property	1853-1953	destroy.
85-3.2-36R	Probate Order Book	1790-1990	maintain permanently. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
85-3.2-37R	Probate Order Book, Complete	c. 1829-c. 1920's	maintain permanently. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
85-3.2-38	Order Book Estates, Vacation Entries	c. 1881-c. 1969	maintain permanently.
85-3.2-39	Assignment Order Book	discretionary	maintain permanently.
85-3.2-40	Probate Order Book, Transcript of Original	discretionary	maintain permanently.
85-3.2-41	Record of Administrator's Accounts IC 29-1-1-23(f)	c. 1860's-+ 6/30/1991	maintain permanently.
85-3.2-42	Inheritance Tax Files	1913- +	maintain as part of Probate Case File.
85-3.2-43	Inheritance Tax Ledger	1913- +	maintain permanently, may microfilm & destroy original 15 years after date of last entry.
85-3.2-44	Judgment Docket, Probate (rare)	1790- +	destroy 20 years after date of last entry.
85-3.2-45	Praeipie Book, Probate (rare)	1790- +	destroy 20 years after date of last entry.

85-3.2-46	Execution Docket, Probate (rare)	1790- +	destroy 20 years after date of last entry.
85-3.2-47	General Index to Estates/Probate IC 29-1-1-23	1790-1990	maintain permanently – may microfilm or store electronically for security purposes.
85-3.2-48	General Index to Probate Complete Record	to c. 1920's	maintain permanently.
85-3.2-49	Index to Administrator's & Executor's Bonds IC 29-1-1-23	1840's- 6/20/1991	destroy when last corresponding bond ledger is destroyed.
88-3.2-50	Fee Books, Probate	1790-c. 1913	destroy upon written approval of IOJA.

GUARDIANSHIPS

85-3.3-01	Guardianship Docket	c. 1853-c. 1913	maintain permanently.
88-3.3-18	Guardianship Docket & Fee Book IC 29-1-1-23	1913- +	microfilm and destroy original 20 years after date of last entry/close of guardianship.
85-3.3-02	Clerk's Guardianship Docket	c. 1853-c. 1913	destroy.
85-3.3-03	Bar Docket, Guardianships	c. 1853-c. 1920's	destroy.
85-3.3-04	Bench/Judge's Docket, Guardianships	1790-c. 1920	destroy.
85-3.3-05	Guardianship Docket Sheets	c. 1910-1990	microfilm and destroy original 20 years after close of case.
85-3.3-06R	Case Files, Guardianships	1790-1990	maintain permanently (may microfilm 5 years after order of final discharge of guardian).
85-3.3-07	Guardianship Accounts Current Reports	c. 1860's- 6/30/1991	maintain permanently. Maintain as part of Guardianship Case File.
94-3.3-18	Record of Guardianship Accounts Current IC 29-1-1- 23(f)	c. 1860's- 6/30/1991	maintain permanently.
85-3.3-08	Guardian's Oaths & Letters Record	1847- +	destroy ledger 20 years after close of last case.
85-3.3-09	Guardian's Bond Record	1847- 6/30/1991	destroy ledger 20 years after close of last case.
85-3.3-10	Guardian's Bond Record to Sell Real Estate	1853-c. 1881	destroy.
85-3.3-11	Guardian's Bond, Oath & Letter Record	c. 1853-1953	destroy ledger 20 years after close of last case.

NOTE: ORIGINAL BONDS, OATHS & LETTERS ARE APPROVED BY THE COURT, ARE ENTERED IN THE ORDER BOOK WITH ORIGINALS FILED IN THE GUARDIANSHIP CASE FILES.

85-3.3-12R	Inventory Record, Guardianships	1853- +	destroy 20 years after disposal of last case.
85-3.3-13	Record of Sale Bills, Guardianships	1853-1953	destroy.
85-3.3-14R	Order Book, Guardianships	discretionary	maintain permanently. May microfilm after 20 years and transfer original to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
85-3.3-15	General Index Guardianships	discretionary	maintain permanently.

85-3.3-16	Index to Guardianship Bonds	discretionary to 6/30/1991	destroy filled ledger 20 years after entry of last case.
88-3.3-17	Fee Books, Guardianships	1790-c. 1913- +	destroy upon written approval of IOJA.

TRUSTS
(Separate record series from probate, estates)

85-3.4-01R	Trust Entry Docket Book/Trust Estate Fee Book [not required by IC 30-4-4-4(a)]	-to current	maintain permanently, (may microfilm after 20 years).
85-3.4-02	Trust Case Files	-to current	maintain permanently, (may microfilm 3 years after disposal).
85-3.4-03	Record of Trust Company Oaths (ledger)	varies	destroy 4 years after date of last entry.
85-3.4-04	Record of Delinquent Trust Records (ledger)	varies	maintain permanently.
85-3.4-05	Trustee's Miscellaneous Record of Reports (ledger)	varies	maintain permanently.

FAMILY LAW (4)
JUVENILE COURT

85-4.1-01	Record of Affidavit for Prosecution of Juvenile (discretionary)	1903- +	destroy 20 years after date of last entry.
85-4.1-02	Entry Docket/Juvenile Entry Docket, Issue Docket & Fee Book (ledger)	1903-1990	destroy 20 years after date of last entry.
85-4.1-03	Juvenile Court Docket/Judge's Docket (replaced by Docket Sheets)	1903-c. 1930's	destroy 20 years after date of last entry.
85-4.1-04	Docket Sheets	c. 1910-1990	destroy 20 years after last entry or 20 years after time when minor reaches majority unless expunged.
85-4.1-05	Investigator's Case Reports (ledger)	1903- +	destroy 20 years after date of last entry.
85-4.1-06R	Master Card Index File	1903- +	destroy 20 years from date of last entry or all born prior to 12-31 of year when child is 18 years of age.
85-4.1-07	Society History Case Files	1903- +	destroy 12 years after last entry or 12 years after time when minor reaches majority unless expunged.
85-4.1-08R	Juvenile Order Book (ledger)	1903-1990	maintain permanently, except individual records expunged. May microfilm after 20 years and transfer original to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
01-4.1-29	JD case files	IC 31-30-1-4 felonies committed by a juvenile under 16 years of age	destroy 12 years after juvenile reaches 18th birthdate.

01-4.1-30	JD, JC, JM and JS case files	Delinquency cases not under IC 31-30-1-4 for under 16 years of age and all CHINS, status and miscellaneous case files	destroy 12 years after juvenile reaches 18th birthdate.
01-4.1-31	JT case files	Termination of parental rights	destroy 5 years after juvenile reaches 18th birthdate.
01-4.1-32	Juvenile CCS	Official Chronological Case Summary	maintain permanently.
01-4.1-33	Juvenile RJO	Record of Judgments and Orders	maintain permanently.
87-4.1-21	Dismissed Juvenile Case Files	1903- +	destroy 2 years after order to dismiss is given.
85-4.1-10	Adult Causes, Contributing to Delinquency of Minor (Case Files)	1905- +	destroy 20 years from final judgment/order.
85-4.1-11	Bonds	1903- +	destroy 3 years after disposal of case, if such bonds are filed separately.
85-4.1-12	Record of Commitments (ledger)	1869- +	destroy 7 years after release of last person named in ledger.
85-4.1-13	Record of Releases (ledger)	1869- +	destroy 7 years after release of last person named in ledger.
85-4.1-14	Record or Reports from Juvenile Institutions (ledger)	1869- +	destroy 7 years after release of last person named in ledger.
85-4.1-15	Juvenile Institutional Report (Case Files)	1869- +	destroy 7 years after individual is released from probation.
85-4.1-16R	Probation Case Files/Folders	1903- +	destroy 7 years after individual is released from probation or informal adjustment and after child reaches 18th birthday.
88-4.1-23	Juvenile Probation Officer's Copy of Report Where no Delinquency is Filed	varies	destroy after compilation of statistics.
88-4.1-24	No Probable Cause Files	varies	destroy after 2 years of filing.
88-4.1-25	Statistical Sheets	varies	destroy upon compilation of statistics.
88-4.1-26R	Shorthand Notes/Tapes/Disks Not Transcribed	varies	destroy 7 years after date of trial and final judgment.
88-4.1-27	Court Reporter Calendars "Court Reporter's Call Sheets"	varies	maintain current year and previous year and discard earlier years.
85-4.1-17	Judgment Docket, Juvenile Court	1903- +	maintain for 20 years from date of last entry.
85-4.1-18	Juvenile Fee Book/Juvenile Fine and Fee Docket (ledger)	1903- +	destroy 6 years after date of last entry.
85-4.1-19	General Index, Juvenile Court (ledger or card file) (discretionary)	1903-1990	destroy 20 years after date of last entry.
85-4.1-20	Juvenile Restitution Record (ledger) IC 35-7-2-1	1976- +	destroy 7 years after termination of probation of last person entered.

88-4.1-22	Fee Books, Juvenile	1903-c. 1913	destroy upon written approval of IOJA.
91-4.1-28	Juvenile Wardship Case Files	1903- +	maintain under 01-4.1-30.

Note: Under ACTS 1936(ss): 3:26(b), IC 12-1-3-10, 1976, County Boards of Welfare filed for “the dismissal of such guardianships”. These Case Files are not dismissed but such agency is ending its jurisdiction in such cases.

PATERNITY

85-4.2-01R	Paternity Book	1941- +	maintain Order permanently in court; may microfilm filled ledger for security.
85-4.2-02R	Docket Sheets	1941- +	maintain permanently in court; may microfilm 3 years after disposition using standards of Admin. R. 6.
85-4.2-03R	Paternity Case Files	1941- +	maintain permanently (may microfilm after 5 years).
87-4.2-04R	Dismissed Paternity Case Files	1941- +	maintain permanently (may microfilm after 2 years from order of dismissal).
91-4.2-05	Shorthand Notes/ Tapes/Disks Not Transcribed	1941- +	maintain permanently.

ADOPTIONS

85-4.3-01R	Adoption Order Book/Record	1941- +	maintain permanently. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
85-4.3-02R	Adoption Case Files	1941- +	maintain permanently (may microfilm after 5 years).
95-4.3-02.1	Dismissed Adoption Case Files	1941- +	maintain permanently (may microfilm after 2 years from order of dismissal).
85-4.3-03	Adoption Docket Sheets	1941- +	file with Adoption Case File.
85-4.3-04	Adoption General Index	1941- +	maintain permanently in original format.
91-4.3-05	Shorthand Notes/Tapes/Disks Not Transcribed	1941- +	maintain permanently.

COURT-ORDERED BIRTH CERTIFICATES

85-4.4-01R	Birth Certificate Record (Order Book Index of Judicial Judgment & Decree)	1941- +	maintain permanently. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
85-4.4-02	Birth Certificate Record-- Original Pleadings	1941- +	destroy 5 years after hearing.

COUNTY COURT AND COURTS PERFORMING COUNTY COURT FUNCTIONS (5)

85-5.1-01R	Small Claims Docket and Fee Book	1976-1990	destroy after 20 years if not used as substitute Order Book (see 85-5.1-02R).
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85-5.1-02R	Civil Order Book - Small Claims/ Small Claims Docket	1976-1990	maintain permanently. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
85-5.1-03R	Small Claims Docket Sheets	1976-1990	maintain permanently (may microfilm 3 years after disposition)
90-5.1-03.1R	Small Claims Shorthand Notes/Tapes/ Disks Not Transcribed	1971- +	destroy or reuse 3 years after date of trial. See 89-1.1-26.1R for CP cases.
85-5.1-04	Judgment Docket Small Claims Rule 11	1976- +	destroy 20 years after date of last entry.
85-5.1-05R	Small Claims Case Files	1976-1990	destroy 5 years after order releasing judgment; or 10 years where judgment has not been ordered released or where no discharge in bankruptcy is filed.
87-5.1-21R	Dismissed Small Claims Case Files	1976- +	destroy 2 years after order to dismiss is given or after discharge in bankruptcy is filed.
85-5.1-06R	Civil Order Book-- Plenary/Plenary Docket	1976-1990	maintain permanently. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
85-5.1-07R	Plenary Case Files	1976-1990	maintain in accordance with 85-1.125R
85-5.1-08R	Criminal Entry Docket and Fee Book	1976-1990	maintain 55 years in original or microfilm 10 years after last entry and destroy original.
85-5.1-09	Traffic Violation Docket	1976-1981	destroy.
85-5.1-10R	Infractions Order Book	1981-1990	destroy 10 years after date of last entry.
85-5.1-11R	Criminal and Traffic Docket	1976-1981	if it contains Class D Felonies, maintain 55 years; if misdemeanor only, destroy after 10 years.
85-5.1-12R	Criminal Order Book/Criminal & Misdemeanors	1976-1990	maintain permanently. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
85-5.1-13R	Case Packets, Traffic Infractions	1977-1990	destroy 10 years prior to 1981; after 9-01-1981 destroy after 2 years if court complies with IC 9-30-3-11(c), (d).
85-5.1-13.1R	Traffic Non-moving Violations	1979-1990	destroy 3 years after end of calendar year and after audit by State Board of Accounts.
87-5.1-22R	Case Packets, Non-Traffic Infractions	1977-1990	destroy 10 years after final judgment.
87-5.1-23R	Case Packets, Ordinance Violations	1976-1990	destroy 10 years after final judgment.
90-5.1-23.1R	Infraction/Ordinance Violations Shorthand Notes/Tapes/Disks Not Transcribed	1971- +	destroy or reuse 2 years after final judgment. For felony and misdemeanors see 85-2-27R and 89-2-27.1.

85-5.1-14	Case Files--Criminal & Misdemeanor	1976-1990	destroy misdemeanor case files 10 years after final disposition; maintain Class D Felonies for 55 years-1979 +. Sample CM case files in accordance with 90-2-21-2; sample felony cases in accordance with 85-2-21R.
90-5.1-14.1	Copy of Pretrial Diversion Contract and Papers Filed in County of Residence, Different From County of Conviction	1976- +	retain for 2 years after contract's termination date.
85-5.1-15	General Indices	1976- +	maintain for life of ledger they index.
85-5.1-16	Jury Record	1976- +	destroy 3 years after date of final entry and audit by State Board of Accounts.

JUSTICE OF THE PEACE JURISDICTION

85-5.1-17	Civil Docket	to 1976	destroy.
85-5.1-18	Civil Case Files	to 1976	destroy.
85-5.1-19R	Criminal Docket	to 1976	destroy.
85-5.1-20R	Criminal Case Files	to 1976	destroy.

NOTE: Includes Lake County JP courts through 1978. For records prior to 1941, offer to local repository or Archives Division, Indiana Archives and Records Administration before destruction.

TOWN COURT AND CITY CRIMINAL JURISDICTION

91-5.1-29	Criminal Docket	varies	destroy 10 years after last entry.
91-5.1-30	Criminal Case Files	varies	destroy 10 years after final entry.

CITY CIVIL JURISDICTION

88-5.1-24	Civil Entry Dockets	1875-1905; 1917- +	destroy after 20 years by petition to county records commission.
88-5.1-25	Civil Docket Ledgers/Sheets	1875-1905; 1917- +	destroy after 10 years.
88-5.1-26R	Order Books ("Minute Books" Lake County)	1875-1905; 1917- +	maintain permanently. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
88-5.1-27	Civil Case Files	1875-1905; 1917- +	destroy after 5 years from date of final judgment.
88-5.1-28	Fee Books, Civil	1875-1905; 1917- +	destroy 10 years after completion of volume.

NATURALIZATIONS (6)

(Formerly schedules 85-6-1 through 12). Transfer any and all naturalization records immediately to the Archives Division, Indiana Archives and Records Administration through the IOJA. See Indiana Rules of Court, 1991, page 675 for list.

COURT OF CONCILIATION (7)

85-7-01	Order Book	1853-1865	transfer to Archives Division, Indiana Archives and Records Administration.
85-7-02	Case Files	1853-1865	transfer to Archives Division, Indiana Archives and Records Administration.

SPECIAL JUDICIAL FUNCTIONS (8)

85-8.1-01R	Insane Record/Mental Health Record	1848- +	maintain permanently. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
85-8.1-02	Insanity Inquests/M.H. Hearing, Case Files	1848-1990	destroy 7 years after discharge.
85-8.1-03R	Proceedings to Recommit to a Hospital for Insane	1881-1927	maintain permanently. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
85-8.1-04R	Gen. Index to Insane/Mental Health Record (discretionary)	-1990	maintain permanently. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
94-8.1-05	Commitment Files, Alcoholism	1929- +	destroy 7 years after discharge.
85-8.2-01	Commitment Order Book, Epilepsy IC 16-14-9.1	1907-1990	transfer to Archives Division, Indiana Archives and Records Administration 20 years after last entry.
85-8.2-02	Commitment Files, Epilepsy IC 16-14-9.1	1907-1990	destroy 2 years after discharge of patient.
85-8.3-01	Commitment Order Book, Feeble-minded IC 16-15-1-2	1901-1990	transfer to Archives Division, Indiana Archives and Records Administration 20 years after last entry.
85-8.3-02	Commitment Files, Feeble-minded IC 16-15-1-2	1901-1990	destroy 2 years after discharge of patient.
85-8.4-01	Riley Hosp'l Order Book	1924-1943	transfer to Archives Division, Indiana Archives and Records Administration.
85-8.4-02	Case Files, Riley Hosp'l	1924-1943	destroy.
85-8.5-01	Commitment Files, Children to Public Hospitals	1933-1943	destroy.
85-8.6-01	IU Medical Center Order Book	1939-1943	destroy.
85-8.6-02	Case Files, IU Medical Center	1939-1943	destroy.
85-8.7-01	Record of Receiverships IC 34-2-6-1	1911-1990	destroy 20 years after date of last entry.
85-8.7-02	Files, Receivership Affidavit of Assets and Liabilities	1911-1990	destroy 20 years after filing.
85-8.7-03	Files, Receivership Claims	1911-1990	destroy 20 years after filing.
85-8.8-01R	Drainage Petitions and Case Files	1881-1990	maintain permanently (may microfilm after 10 years).

85-8.8-02R	Drainage Order Book	1881-1990	maintain permanently. May microfilm after 20 years and transfer of originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
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GENERAL SCHEDULES (9)

87-9-01	Jury Lists (name slips and lists)	1790- +	maintain for 10 years unless entered in order book. If entered in order book, destroy 2 years after drawing.
87-9-02R	Order Book, Appellate Court Decisions	c. 1880- + varies	maintain permanently. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
87-9-03R	Appellate Court Decisions	1790- +	maintain permanently. May microfilm after 20 years and transfer originals to the Indiana Archives and Records Administration or otherwise dispose of upon approval of the IOJA.
90-9-04	Jury Record (List of Jurors) Serving on Specific Cases/Time Book (ledger)	1853- +	destroy 3 years after volume is filled and after audit by State Board of Accounts.
90-9-05	Jury Questionnaire Forms	1881- +	destroy after 2 years from date of creation.
05-9-06	Documentation supporting juror disqualifications, exemptions, and deferrals	2003--+	retain for a minimum of two (2) years.
05-9-07	Digital Master created in accordance with Administrative Rule 6	2005--+	deposit digital master (regardless of medium [used for generation of microfilm]) with the Indiana Archives and Records Administration Vault for security backup.

TRIAL RULE 77 SCHEDULES (10)

94-10-01	Case Files	1991- +	Apply existing schedules for each jurisdiction, adjudicated & dismissed.
94-10-02	Indexes	1991- +	Apply existing schedules for each jurisdiction.
94-10-03	Chronological Case Summary (CCS)	1991- +	For all types (except for IF/OV), maintain permanently. May microfilm 5 years after final disposition. If maintained electronically, guarantee capacity to generate hard copy at any time. For IF/OV, destroy 10 years after final disposition.
94-10-04	Record of Designated Judgments and Orders (RJO)	1991	Maintain each type permanently. May microfilm 2 years after completion of volume in accordance with standards set in Administrative Rule 6. If maintained electronically, guarantee capacity to generate hard copy at any time.

Rule 8. Uniform Case Numbering System

- (A) Application.** All trial courts in the State of Indiana shall use the uniform case numbering system as set forth under this rule.
- (B) Numbering System.** The uniform case numbering system shall consist of four groups of characters arranged in a manner to identify the court, the year/month of filing, the case type and the filing sequence. The following is an example of the case number to be employed:

55C01-1101-CF-000123

- (1) Court Identifier. The first group of five characters shall constitute the county and court identifier. The first and second character in this group shall represent the county of filing employing the following code:

01 Adams County	32 Hendricks County	63 Pike County
02 Allen County	33 Henry County	64 Porter County
03 Bartholomew County	34 Howard County	65 Posey County
04 Benton County	35 Huntington County	66 Pulaski County
05 Blackford County	36 Jackson County	67 Putnam County
06 Boone County	37 Jasper County	68 Randolph County
07 Brown County	38 Jay County	69 Ripley County
08 Carroll County	39 Jefferson County	70 Rush County
09 Cass County	40 Jennings County	71 St. Joseph County
10 Clark County	41 Johnson County	72 Scott County
11 Clay County	42 Knox County	73 Shelby County
12 Clinton County	43 Kosciusko County	74 Spencer County
13 Crawford County	44 LaGrange County	75 Starke County
14 Daviess County	45 Lake County	76 Steuben County
15 Dearborn County	46 LaPorte County	77 Sullivan County
16 Decatur County	47 Lawrence County	78 Switzerland County
17 DeKalb County	48 Madison County	79 Tippecanoe County
18 Delaware County	49 Marion County	80 Tipton County
19 Dubois County	50 Marshall County	81 Union County
20 Elkhart County	51 Martin County	82 Vanderburgh County
21 Fayette County	52 Miami County	83 Vermillion County
22 Floyd County	53 Monroe County	84 Vigo County
23 Fountain County	54 Montgomery County	85 Wabash County
24 Franklin County	55 Morgan County	86 Warren County
25 Fulton County	56 Newton County	87 Warrick County
26 Gibson County	57 Noble County	88 Washington County
27 Grant County	58 Ohio County	89 Wayne County
28 Greene County	59 Orange County	90 Wells County
29 Hamilton County	60 Owen County	91 White County
30 Hancock County	61 Parke County	92 Whitley County
31 Harrison County	62 Perry County	

The third character in the first group shall represent the court of filing employing the following code:

C	Circuit Court
D	Superior Court
E	County Court
F	Superior Municipal Division
G	Superior Court/Criminal Division
H	City Court
I	Town Court
J	Probate Court
K	Township Small Claims Court

The last two characters of the first group shall distinguish between courts in counties having more than one court of a specific type. The following code sets forth the county and court identifier for all courts:

01C01	Adams Circuit Court	10C01	Clark Circuit Court 1
01D01	Adams Superior Court	10C02	Clark Circuit Court 2 (effective January 1, 2012, formerly Clark Superior Court 2)
02C01	Allen Circuit Court	10C03	Clark Circuit Court 3 (effective January 1, 2012, formerly Clark Superior Court 3)
02D01	Allen Superior Court	10C04	Clark Circuit Court 4 (effective January 1, 2012, formerly Clark Superior Court 1)
02D02	Allen Superior Court	10C05	Clark Circuit Court 5 (effective January 1, 2025)
02D03	Allen Superior Court	10C06	Clark Circuit Court 6 (effective January 1, 2025)
02D04	Allen Superior Court	10D01	Clark Superior Court 1 (Abolished effective January 1, 2012)
02D05	Allen Superior Court	10D02	Clark Superior Court 2 (Abolished effective January 1, 2012)
02D06	Allen Superior Court	10D03	Clark Superior Court 3 (Abolished effective January 1, 2012)
02D07	Allen Superior Court	10D05	Clark Superior Court 5 (effective July 1, 2021 through December 31, 2024)
02D08	Allen Superior Court	10D06	Clark Superior Court 6 (effective July 1, 2021 through December 31, 2024)
02D09	Allen Superior Court	10E01	Clark County Court (abolished)
02H01	Allen/New Haven City Court (abolished effective December 27, 2018)	10H01	Clark/Charlestown City Court (abolished effective January 1, 2012)
03C01	Bartholomew Circuit Court	10H02	Clark/Jeffersonville City Court (abolished effective January 1, 2016)
03D01	Bartholomew Superior Court 1	10I01	Clark/Clarksville Town Court
03D02	Bartholomew Superior Court 2	10I02	Clark/Sellersburg Town Court (abolished effective January 1, 2012)
04C01	Benton Circuit Court	11C01	Clay Circuit Court
05C01	Blackford Circuit Court	11D01	Clay Superior Court
05D01	Blackford Superior Court	12C01	Clinton Circuit Court
05E01	Blackford County Court (abolished)	12D01	Clinton Superior Court
05H01	Blackford/Hartford City City Court (abolished)	12E01	Clinton County Court (abolished)
05H02	Blackford/Montpelier City Court (abolished)	12H01	Clinton/Frankfort City Court
06C01	Boone Circuit Court	13C01	Crawford Circuit Court
06D01	Boone Superior Court 1	14C01	Daviess Circuit Court
06D02	Boone Superior Court 2	14D01	Daviess Superior Court
06H01	Boone/Lebanon City Court (abolished effective December 31, 2013; reestablished January 1, 2024)	14E01	Daviess County Court (abolished)
06I01	Boone/Thorntown Town Court (abolished effective December 31, 2022)	15C01	Dearborn Circuit Court
06I02	Boone/Zionsville Town Court	15D01	Dearborn Superior Court
06I03	Boone/Jamestown Court (abolished effective April 10, 2019)	15D02	Dearborn Superior Court 2
06I04	Boone/Whitestown Town Court (abolished effective September 1, 2020)	15E01	Dearborn County Court (abolished)
07C01	Brown Circuit Court	15H01	Dearborn/Aurora City Court (abolished effective January 1, 2012)
08C01	Carroll Circuit Court	15H02	Dearborn/Lawrenceburg City Court
08D01	Carroll Superior Court	16C01	Decatur Circuit Court
08H01	Carroll/Delphi City Court	16D01	Decatur Superior Court
08I01	Carroll/Burlington Town Court (abolished effective April 29, 2014)		
09C01	Cass Circuit Court		
09D01	Cass Superior Court 1		
09D02	Cass Superior Court 2		

16E01	Decatur County Court (abolished)	24C01	Franklin Circuit Court 1
17C01	DeKalb Circuit Court	24C02	Franklin Circuit Court 2
17D01	DeKalb Superior Court	25C01	Fulton Circuit Court
17D02	DeKalb Superior Court 2	25D01	Fulton Superior Court
17H01	DeKalb/Butler City Court	25E01	Fulton County Court (abolished)
18C01	Delaware Circuit Court	26C01	Gibson Circuit Court
18C02	Delaware Circuit Court 2	26D01	Gibson Superior Court
18C03	Delaware Circuit Court 3	27C01	Grant Circuit Court
18C04	Delaware Circuit Court 4	27D01	Grant Superior Court 1
18C05	Delaware Circuit Court 5	27D02	Grant Superior Court 2
18C06	Delaware Circuit Court 6 (effective January 1, 2023)	27D03	Grant Superior Court 3
18D01	Delaware Superior Court 1 (abolished)	27E01	Grant County Court (abolished)
18D02	Delaware Superior Court 2 (abolished)	27H01	Grant/Gas City City Court
18D03	Delaware Superior Court 3 (abolished)	27H02	Grant/Marion City Court
18D04	Delaware Superior Court 4 (abolished)	28C01	Greene Circuit Court
18H01	Delaware/Muncie City Court	28D01	Greene Superior Court
18I01	Delaware/Yorktown Town Court (abolished 4/3/2015)	28E01	Greene County Court (abolished)
19C01	Dubois Circuit Court	29C01	Hamilton Circuit Court
19D01	Dubois Superior Court	29D01	Hamilton Superior Court 1
20C01	Elkhart Circuit Court	29D02	Hamilton Superior Court 2
20D01	Elkhart Superior Court 1	29D03	Hamilton Superior Court 3
20D02	Elkhart Superior Court 2	29D04	Hamilton Superior Court 4
20D03	Elkhart Superior Court 3	29D05	Hamilton Superior Court 5
20D04	Elkhart Superior Court 4 [Goshen]	29D06	Hamilton Superior Court 6
20D05	Elkhart Superior Court 5 [Elkhart]	29E01	Hamilton County Court (abolished)
20D06	Elkhart Superior Court 6 [Elkhart]	29H01	Hamilton/Carmel City Court
20E01	Elkhart County Court 1 in Elkhart (abolished)	29H02	Hamilton/Noblesville City Court
20E02	Elkhart County Court 2 in Goshen (abolished)	29H03	Hamilton/Fishers City Court (effective January 1, 2015)
20H01	Elkhart/Elkhart City Court	29I01	Hamilton/Fishers Town Court (effective January 1, 2012)(abolished January 1, 2015)
20H02	Elkhart/Goshen City Court	30C01	Hancock Circuit Court
20H03	Elkhart/Nappanee City Court	30D01	Hancock Superior Court 1
21C01	Fayette Circuit Court	30D02	Hancock Superior Court 2
22C01	Floyd Circuit Court	30E01	Hancock county Court (abolished)
22D01	Floyd Superior Court 1	31C01	Harrison Circuit Court
22D02	Floyd Superior Court 2 (effective January 1, 2009, formerly Floyd County Court)	31D01	Harrison Superior Court
22D03	Floyd Superior Court 3 (effective January 1, 2009)	31E01	Harrison County Court (abolished)
22E01	Floyd County Court (abolished January 1, 2009)	32C01	Hendricks Circuit Court
21D01	Fayette Superior Court	32D01	Hendricks Superior Court 1
23C01	Fountain Circuit Court	32D02	Hendricks Superior Court 2
23H01	Fountain/Attica City Court	32D03	Hendricks Superior Court 3
		32D04	Hendricks Superior Court 4
		32D05	Hendricks Superior Court 5
		32I01	Hendricks/Plainfield Town Court
		32I02	Hendricks/Brownsburg Town Court

32I03	Hendricks/Avon Town Court (abolished effective December 31, 2023)	40H01	Jennings/North Vernon city Court (abolished)
33C01	Henry Circuit Court 1	41C01	Johnson Circuit Court
33C02	Henry Circuit Court 2 (effective July 1, 2011, formerly Henry Superior Court 1)	41D01	Johnson Superior Court 1
33C03	Henry Circuit Court 3 (effective July 1, 2011, formerly Henry Superior Court 2)	41D02	Johnson Superior Court 2
33D01	Henry Superior Court 1 (abolished effective July 1, 2011)	41D03	Johnson Superior Court 3
33D02	Henry Superior Court 2 (abolished effective July 1, 2011)	41D04	Johnson Superior Court 4 (effective January 1, 2015)
33E01	Henry County Court (abolished)	41H01	Johnson/Franklin City Court
33H01	New Castle City Court	41H02	Johnson/Greenwood City Court
33I01	Henry/Knightstown Town Court (abolished effective October 31, 2011)	41I01	Johnson/New Whiteland Town Court (abolished)
34C01	Howard Circuit Court	42C01	Knox Circuit Court
34D01	Howard Superior Court 1	42D01	Knox Superior Court 1
34D02	Howard Superior Court 2	42D02	Knox Superior Court 2
34D03	Howard Superior Court 3	42E01	Knox County Court (abolished)
34D04	Howard Superior Court 4	42H01	Knox/Bicknell City Court
34E01	Howard County Court (abolished)	43C01	Kosciusko Circuit Court
35C01	Huntington Circuit Court	43D01	Kosciusko Superior Court 1
35D01	Huntington Superior Court	43D02	Kosciusko Superior Court 2
35E01	Huntington County Court (abolished)	43D03	Kosciusko Superior Court 3
35I01	Huntington/Roanoke Town Court (abolished)	43D04	Kosciusko Superior Court 4 (effective July 1, 2019)
36C01	Jackson Circuit Court	43E01	Kosciusko County Court (abolished)
36D01	Jackson Superior Court 1	44C01	LaGrange Circuit Court
36D02	Jackson Superior Court 2 (effective January 1, 2008)	44D01	LaGrange Superior Court
36E01	Jackson County Court (abolished)	44E01	LaGrange County Court (abolished)
37C01	Jasper Circuit Court	45C01	Lake Circuit Court
37D01	Jasper Superior Court	45D01	Lake Superior Court, Civil Division 1
37D02	Jasper Superior Court 2 (abolished)	45D02	Lake Superior Court, Civil Division 2
37I01	Jasper/DeMotte Town Court (abolished effective December 31, 2019)	45D03	Lake Superior Court, Civil Division 3
37I02	Jasper/Wheatfield Town Court (abolished)	45D04	Lake Superior Court, Civil Division 4
38C01	Jay Circuit Court	45D05	Lake Superior Court, Civil Division 5
38D01	Jay Superior Court	45D10	Lake Superior Court, Civil Division 6
38E01	Jay County Court (abolished)	45D11	Lake Superior Court, Civil Division 7
38H01	Jay/Dunkirk City Court (abolished effective August 1, 2017)	45D06	Lake Superior Court, Juvenile Division
38H02	Jay/Portland City Court	45D07	Lake Superior Court, County Division 1
39C01	Jefferson Circuit Court	45D08	Lake Superior Court, County Division 2
39D01	Jefferson Superior Court	45D09	Lake Superior Court, County Division 3
39E01	Jefferson County Court (abolished)	45D12	Lake Superior Court, County Division 4
40C01	Jennings Circuit Court	45G01	Lake Superior Court, Criminal Division 1
40D01	Jennings Superior Court	45G02	Lake Superior Court, Criminal Division 2
		45G03	Lake Superior Court, Criminal Division 3
		45G04	Lake Superior Court, Criminal Division 4
		45E01	Lake County Court (abolished)
		45E02	Lake County Court (abolished)
		45E03	Lake County Court (abolished)

45H01	Lake/Crown Point City Court	48H03	Madison/Elwood City Court
45H02	Lake/East Chicago City Court	48I01	Madison/Edgewood Town Court (abolished effective December 31, 2021)
45H03	Lake/Gary City Court	48I02	Madison/Pendleton Town Court (abolished effective December 31, 2023)
45H04	Lake/Hammond City Court (abolished effective December 31, 2019)	49C01	Marion Circuit Court
45H05	Lake/Hobart City Court	49D01	Marion Superior Court, Civil Division 1 (retitled Marion Superior Court 1 effective January 1, 2021)
45H06	Lake/Lake Station City Court	49D02	Marion Superior Court, Civil Division 2 (retitled Marion Superior Court 2 effective January 1, 2021)
45H07	Lake/Whiting City Court (abolished effective December 31, 2019)	49D03	Marion Superior Court, Civil Division 3 (retitled Marion Superior Court 3 effective January 1, 2021)
45I01	Lake/Merrillville Town Court	49D04	Marion Superior Court, Civil Division 4 (retitled Marion Superior Court 4 effective January 1, 2021)
45I02	Lake/Schererville Town Court	49D05	Marion Superior Court, Civil Division 5 (retitled Marion Superior Court 5 effective January 1, 2021)
45I03	Lake/Lowell Town Court	49D06	Marion Superior Court, Civil Division 6 (retitled Marion Superior Court 6 effective January 1, 2021)
46C01	LaPorte Circuit Court	49D07	Marion Superior Court, Civil Division 7 (retitled Marion Superior Court 7 effective January 1, 2021)
46D01	LaPorte Superior Court 1	49D08	Marion Superior Court, Probate Division (retitled Marion Superior Court 8 effective January 1, 2021)
46D02	LaPorte Superior Court 2	49D09	Marion Superior Court, Juvenile Division 9 (retitled Marion Superior Court 9 effective January 1, 2021)
46D03	LaPorte Superior Court 3 in LaPorte	49D10	Marion Superior Court, Civil Division 10 (retitled Marion Superior Court 10 effective January 1, 2021)
46D04	LaPorte Superior Court 4 in Michigan City	49D11	Marion Superior Court, Civil Division 11 (retitled Marion Superior Court 11 effective January 1, 2021)
47C01	Lawrence Circuit Court	49D12	Marion Superior Court, Civil Division 12 (retitled Marion Superior Court 12 effective January 1, 2021)
47D01	Lawrence Superior Court 1	49D13	Marion Superior Court, Civil Division 13 (retitled Marion Superior Court 13 effective January 1, 2021)
47D02	Lawrence Superior Court 2	49D14	Marion Superior Court, Civil Division 14 (retitled Marion Superior Court 14 effective January 1, 2021)
47E01	Lawrence County Court (abolished)	49D15	Marion Superior Court, Juvenile Division 15 (retitled Marion Superior Court 15 effective January 1, 2021)
48C01	Madison Circuit Court 1	49D16	Marion Superior Court 16 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 16)
48C02	Madison Circuit Court 2 (effective July 1, 2011, formerly Madison Superior Court 2)		
48C03	Madison Circuit Court 3 (effective July 1, 2011, formerly Madison Superior Court 3)		
48C04	Madison Circuit Court 4 (effective July 1, 2011, formerly Madison Superior Court 4)		
48C05	Madison Circuit Court 5 (effective July 1, 2011, formerly Madison Superior Court 5)		
48C06	Madison Circuit Court 6 (effective July 1, 2011, formerly Madison Superior Court 1)		
48D01	Madison Superior Court 1 (abolished effective July 1, 2011)		
48D02	Madison Superior Court 2 (abolished effective July 1, 2011)		
48D03	Madison Superior Court 3 (abolished effective July 1, 2011)		
48D04	Madison Superior Court 4 (effective January 1, 2009, formerly Madison County Court 1) (abolished effective July 1, 2011)		
48D05	Madison Superior Court 5 (effective January 1, 2009, formerly Madison County Court 2) (abolished effective July 1, 2011)		
48E01	Madison County Court 1 (abolished effective January 1, 2009)		
48E02	Madison County Court 2 (abolished effective January 1, 2009)		
48H01	Madison/Alexandria City Court (abolished)		
48H02	Madison/Anderson City Court		

49D17	Marion Superior Court 17 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 17)	49D35	Marion Superior Court 35 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 9)
49D18	Marion Superior Court 18 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 18)	49D36	Marion Superior Court 36 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 10)
49D19	Marion Superior Court 19 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 12)	49F07	Marion Superior Court, Criminal Division 7 (renumbered 49G07 effective 6/6/14)
49D20	Marion Superior Court 20 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 20)	49F08	Marion Superior Court, Criminal Division 8 (renumbered 49G08 effective 6/6/14)
49D21	Marion Superior Court 21 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 21)	49F09	Marion Superior Court, Criminal Division 9 (renumbered 49G09 effective 6/6/14)
49D22	Marion Superior Court 22 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 13)	49F10	Marion Superior Court, Criminal Division 10 (renumbered 49G10 effective 6/6/14)
49D23	Marion Superior Court 23 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 14)	49F11	Initial Hearing Court (renumbered 49G11 effective 6/6/14)
49D24	Marion Superior Court 24 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 24)	49F12	Marion Superior Court, Environmental/Community Court (renumbered 49G12 effective 6/6/14)
49D25	Marion Superior Court 25 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 25)	49F13	Marion Superior Court, Criminal Division 13 (renumbered 49G13 effective 6/6/14)
49D26	Marion Superior Court 26 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 15)	49F15	Marion Superior Court, Criminal Division 15 (renumbered 49G15 effective 6/6/14)
49D27	Marion Superior Court 27 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 1)	49F16	Marion Superior Court, Criminal Division 16 (renumbered 49G16 effective 2/1/07)
49D28	Marion Superior Court 28 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 2)	49F17	Marion Superior Court, Criminal Division 17 (renumbered 49G17 effective 2/1/07)
49D29	Marion Superior Court 29 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 3)	49F18	Marion Superior Court, Criminal Division 18 (renumbered 49G18 effective 6/6/14)
49D30	Marion Superior Court 30 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 4)	49F19	Marion Superior Court, Criminal Division 19 (renumbered 49G19 effective 6/6/14)
49D31	Marion Superior Court 31 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 5)	49F24	Marion Superior Court, Criminal Division 24 (renumbered 49G24 effective 6/6/14)
49D32	Marion Superior Court 32 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 6)	49F25	Marion Superior Court, Criminal Division 25 (effective 1/1/2013) (renumbered 49G25 effective 6/6/14)
49D33	Marion Superior Court 33 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 7)	49G01	Marion Superior Court, Criminal Division 1 (renumbered 49D27 effective January 1, 2021)
49D34	Marion Superior Court 34 (effective January 1, 2021, formerly Marion Superior Court, Criminal Division 8)	49G02	Marion Superior Court, Criminal Division 2 (renumbered 49D28 effective January 1, 2021)
		49G03	Marion Superior Court, Criminal Division 3 (renumbered 49D29 effective January 1, 2021)
		49G04	Marion Superior Court, Criminal Division 4 (renumbered 49D30 effective January 1, 2021)
		49G05	Marion Superior Court, Criminal Division 5 (renumbered 49D31 effective January 1, 2021)
		49G06	Marion Superior Court, Criminal Division 6 (renumbered 49D32 effective January 1, 2021)

49G07	Marion Superior Court, Criminal Division 7 (renumbered 49D33 effective January 1, 2021)	49I01	Marion/Cumberland Town Court (abolished effective December 31, 2023)
49G08	Marion Superior Court, Criminal Division 8 (renumbered 49D34 effective January 1, 2021)	49K01	Marion County Small Claims Court, Center Division
49G09	Marion Superior Court, Criminal Division 9 (renumbered 49D35 effective January 1, 2021)	49K02	Marion County Small Claims Court, Decatur Division
49G10	Marion Superior Court, Criminal Division 10 (renumbered 49D36 effective January 1, 2021)	49K03	Marion County Small Claims Court, Lawrence Division
49G11	Initial Hearing Court	49K04	Marion County Small Claims Court, Perry Division
49G12	Marion Superior Court, Criminal Division 12 (renumbered 49D19 effective January 1, 2021)	49K05	Marion County Small Claims Court, Pike Division
49G13	Marion Superior Court, Criminal Division 13 (renumbered 49D22 effective January 1, 2021)	49K06	Marion County Small Claims Court, Warren Division
49G14	Marion Superior Court, Criminal Division 14 (renumbered 49D23 effective January 1, 2021)	49K07	Marion County Small Claims Court, Washington Division
49G15	Marion Superior Court, Criminal Division 15 (renumbered 49D26 effective January 1, 2021)	49K08	Marion County Small Claims Court, Wayne Division
49G16	Marion Superior Court, Criminal Division 16 (renumbered 49D16 effective January 1, 2021)	49K09	Marion County Small Claims Court, Franklin Township
49G17	Marion Superior Court, Criminal Division 17 (renumbered 49D17 effective January 1, 2021)	50C01	Marshall Circuit Court
49G18	Marion Superior Court, Criminal Division 18 (renumbered 49D18 effective January 1, 2021)	50D01	Marshall Superior Court 1
49G19	Marion Superior Court, Criminal Division 19 (renumbered 49D15 effective January 1, 2019)	50D02	Marshall Superior Court 2
49G20	Marion Superior Court, Criminal Division 20 (renumbered 49D20 effective January 1, 2021)	50D03	Marshall Superior Court 3 (effective July 1, 2021)
49G21	Marion Superior Court, Criminal Division 21 (renumbered 49D21 effective January 1, 2021)	50E01	Marshall County Court (abolished)
49G22	Marion Superior Court, Criminal Division 22 (renumbered 49F25 effective 1/1/2013)	50H01	Marshall/Plymouth City Court (abolished)
49G23	Marion Superior Court, Criminal Division 23 (abolished 2012)	50I01	Marshall/Argos Town Court (abolished)
49G24	Marion Superior Court, Criminal Division 24 (renumbered 49D24 effective January 1, 2021)	51C01	Martin Circuit Court
49G25	Marion Superior Court, Criminal Division 25 (renumbered 49D25 effective January 1, 2021)	51H01	Martin/Loogootee City Court (abolished)
49H01	Marion/Beech Grove City Court	52C01	Miami Circuit Court
		52D01	Miami Superior Court 1
		52D02	Miami Superior Court 2
		52H01	Miami/Peru City Court
		52I01	Miami/Bunker Hill Town Court (Abolished effective January 1, 2019)
		53C01	Monroe Circuit Court 1
		53C02	Monroe Circuit Court 2
		53C03	Monroe Circuit Court 3
		53C04	Monroe Circuit Court 4
		53C05	Monroe Circuit Court 5
		53C06	Monroe Circuit Court 6
		53C07	Monroe Circuit Court 7
		53C08	Monroe Circuit Court 8
		53C09	Monroe Circuit Court 9
		53D01	Monroe Superior Court (abolished)
		53D02	Monroe Superior Court (abolished)
		53D03	Monroe Superior Court (abolished)
		53D04	Monroe Superior Court (abolished)

53D05	Monroe Superior Court (abolished)	65C01	Posey Circuit Court
54C01	Montgomery Circuit Court	65D01	Posey Superior Court
54D01	Montgomery Superior Court	65E01	Posey County Court (abolished)
54D02	Montgomery Superior Court 2	66C01	Pulaski Circuit Court
54E01	Montgomery County Court (abolished)	66D01	Pulaski Superior Court
54H01	Montgomery/Crawfordsville City Court (abolished)	66E01	Pulaski County Court (abolished)
55C01	Morgan Circuit Court	67C01	Putnam Circuit Court
55D01	Morgan Superior Court 1	67D01	Putnam Superior Court
55D02	Morgan Superior Court 2	67E01	Putnam County Court (abolished)
55D03	Morgan Superior Court 3	68C01	Randolph Circuit Court
55E01	Morgan County Court (abolished)	68D01	Randolph Superior Court
55H01	Morgan/Martinsville City Court	68E01	Randolph County Court (abolished)
55I01	Morgan/Mooresville Town Court	68H01	Randolph/Winchester City Court (abolished effective December 31, 2023)
56C01	Newton Circuit Court	68H02	Randolph/Union City City Court
56D01	Newton Superior Court	69C01	Ripley Circuit Court
57C01	Noble Circuit Court	69D01	Ripley Superior Court
57D01	Noble Superior Court 1	69H01	Ripley/Batesville City Court
57D02	Noble Superior Court 2 7/1/1999	69I01	Ripley/Versailles Town Court (Abolished effective January 1, 2019)
57E01	Noble County Court (to be abolished) 7/1/1999	70C01	Rush Circuit Court
57I01	Noble/Avilla Town Court (abolished)	70D01	Rush Superior Court
57I02	Noble/Cromwell Town Court (abolished)	70E01	Rush County Court (abolished)
58C01	Ohio Circuit Court	71C01	St. Joseph Circuit Court
58D01	Ohio Superior Court (abolished effective January 1, 2009)	71D01	St. Joseph Superior Court
59C01	Orange Circuit Court	71D02	St. Joseph Superior Court
59D01	Orange Superior Court	71D03	St. Joseph Superior Court
59E01	Orange County Court (abolished)	71D04	St. Joseph Superior Court
60C01	Owen Circuit Court 1	71D05	St. Joseph Superior Court
60C02	Owen Circuit Court 2 (effective January 1, 2015)	71D06	St. Joseph Superior Court
61C01	Parke Circuit Court	71D07	St. Joseph Superior Court
62C01	Perry Circuit Court	71D08	St. Joseph Superior Court
62H01	Perry/Cannelton Town Court (abolished)	71I01	St. Joseph/Walkerton Town Court
62H02	Perry/Tell City City Court (abolished)	71J01	St. Joseph Probate Court
63C01	Pike Circuit Court	72C01	Scott Circuit Court
63H01	Pike/Petersburg City Court (abolished)	72D01	Scott Superior Court
64C01	Porter Circuit Court	72E01	Scott County Court (abolished)
64D01	Porter Superior Court 1	73C01	Shelby Circuit Court
64D02	Porter Superior Court 2	73D01	Shelby Superior Court 1
64D03	Porter Superior Court 3	73D02	Shelby Superior Court 2
64D04	Porter Superior Court 4	73E01	Shelby County Court (abolished)
64D05	Porter Superior Court 5 (Circuit Judge)	74C01	Spencer Circuit Court
64D06	Porter Superior Court 6	74H01	Spencer/Rockport City Court (abolished)
64E01	Porter County Court (abolished)	75C01	Starke Circuit Court
64I01	Porter/Chesterton Town Court (abolished)	75H01	Starke/Knox City Court
		76C01	Steuben Circuit Court

76D01	Steuben Superior Court	84D02	Vigo Superior Court 2
76E01	Steuben County Court (abolished)	84D03	Vigo Superior Court 3 (Circuit Judge)
76I01	Steuben/Fremont Town Court (abolished effective December 31, 2023)	84D04	Vigo Superior Court 4
77C01	Sullivan Circuit Court	84D05	Vigo Superior Court 5
77D01	Sullivan Superior Court	84D06	Vigo Superior Court 6
77E01	Sullivan County Court (abolished)	84E04	Vigo County Court, Division 4 (abolished)
78C01	Switzerland Circuit Court	84E05	Vigo County Court, Division 5 (abolished) (84E01, 84E02, and 84E03 not used)
78D01	Switzerland Superior Court (abolished effective January 1, 2009)	84H01	Vigo/Terre Haute City Court
79C01	Tippecanoe Circuit Court	85C01	Wabash Circuit Court
79D01	Tippecanoe Superior Court 1	85D01	Wabash Superior Court
79D02	Tippecanoe Superior Court 2	85E01	Wabash County Court (abolished)
79D03	Tippecanoe Superior Court 3	85H01	Wabash/Wabash City Court
79D04	Tippecanoe Superior Court 4	85I01	Wabash/N. Manchester Town Court (abolished effective January 1, 2012)
79D05	Tippecanoe Superior Court 5	86C01	Warren Circuit Court
79D06	Tippecanoe Superior Court 6	87C01	Warrick Circuit Court
79D07	Tippecanoe Superior Court 7 (effective July 1, 2019)	87D01	Warrick Superior Court 1
79H01	Tippecanoe/West Lafayette City Court	87D02	Warrick Superior Court 2
80C01	Tipton Circuit Court	88C01	Washington Circuit Court
80H01	Tipton/Tipton City Court (abolished effective December 31, 2019)	88D01	Washington Superior Court
80I01	Tipton/Sharpsville Town Court (abolished effective December 31, 2019)	88H01	Washington/Salem City Court (abolished)
81C01	Union Circuit Court	89C01	Wayne Circuit Court
82C01	Vanderburgh Circuit Court	89D01	Wayne Superior Court 1
82D01	Vanderburgh Superior Court	89D02	Wayne Superior Court 2
82D02	Vanderburgh Superior Court	89D03	Wayne Superior Court 3
82D03	Vanderburgh Superior Court	89D03	Wayne Superior Court 4 (transfer judge)
82D04	Vanderburgh Superior Court	89I01	Wayne/Hagerstown Town Court
82D05	Vanderburgh Superior Court	90C01	Wells Circuit Court
82D06	Vanderburgh Superior Court	90D01	Wells Superior Court
82D07	Vanderburgh Superior Court	90H01	Wells/Bluffton City Court
83C01	Vermillion Circuit Court	91C01	White Circuit Court
83H01	Vermillion/Clinton City Court	91D01	White Superior Court
84C01	Vigo Circuit Court	91I01	White/Monon Town Court (abolished effective January 1, 2011)
84D01	Vigo Superior Court 1	92C01	Whitley Circuit Court
		92D01	Whitley Superior Court

- (2) Year/Month of Filing. The second group of four characters shall represent the year and month of filing. As shown above, digits one and two of this group denote the last two digits of the calendar year and digits three and four reflect the month of filing.
- (3) Case type. The third group of two characters shall designate the type of proceeding utilizing the following case classification code:

Civil Case Types

AD-- Adoption

CC-- Civil Collection (new CC case numbers shall not be used for residential and commercial evictions after 12/31/2020)

CP--	Civil Plenary (New CP case numbers shall not be issued after 12/31/2001. CP cases filed before 1/1/2002 shall continue to bear the CP case type.)
CT--	Civil Tort
DC--	Domestic Relations with Children (to be used for cases filed on or after 1/1/2017)
DN--	Domestic Relations No Children (to be used for cases filed on or after 1/1/2017)
DR--	Domestic Relation (includes Dissolution of Marriage, Annulment, and Legal Separation) (New DR case numbers shall not be issued after 12/31/2016. DR cases filed before 1/1/2017 shall continue to bear the DR case type.)
EV--	Petition for Eviction (to be used for residential and commercial evictions filed on or after 1/1/2021—including claims for related damages; however other landlord/tenant disputes such as damages without request for eviction, suits regarding habitability, and other contract breaches, shall, depending on the amount in controversy, continue to be filed using the small claims (SC) or civil collections (CC) case types.)
MF--	Mortgage Foreclosure
MH--	Mental Health
MI--	Miscellaneous (Civil cases other than those specifically identified--i.e. change of name, appointment of appraisers, marriage waivers, etc.)
PC--	Post Conviction Relief Petition
PL--	Civil Plenary (Civil Plenary cases filed after 1/1/2002--All Civil cases except those otherwise specifically designated)
PO--	Order of Protection
RF--	Warrantless seizure of firearm from individual believed to be dangerous (for affidavits filed under I.C. 35-47-14-3 Indiana's "red flag" law)
RS--	Reciprocal Support
TP--	Verified Petition for Issuance of a Tax Deed
TS--	Application for Judgment in a Tax Sale
XP--	Expungement Petition (for petitions filed under I.C. 35-38-9)

Criminal Case Types

CF--	Criminal Felony (New CF case numbers shall not be issued after 12/31/2001. CF cases filed prior to 1/1/2002 shall continue to bear the CF case type designation.)
CM--	Criminal Misdemeanor
F1--	Level 1 Felony (to be used for crimes committed on or after 7/1/2014)
F2--	Level 2 Felony (to be used for crimes committed on or after 7/1/2014)
F3--	Level 3 Felony (to be used for crimes committed on or after 7/1/2014)
F4--	Level 4 Felony (to be used for crimes committed on or after 7/1/2014)
F5--	Level 5 Felony (to be used for crimes committed on or after 7/1/2014)
F6--	Level 6 Felony (to be used for crimes committed on or after 7/1/2014)
FA--	Class A Felony (to be used for crimes committed on or before 6/30/2014)
FB--	Class B Felony (to be used for crimes committed on or before 6/30/2014)
FC--	Class C Felony (to be used for crimes committed on or before 6/30/2014)
FD--	Class D Felony (to be used for crimes committed on or before 6/30/2014)
MC--	Miscellaneous Criminal
MR--	Murder
RF--	Warrant to search for and seize a firearm in possession of dangerous individual (for affidavits filed under I.C. 35-47-14-2 Indiana's "red flag" law)

Infraction and Ordinance Violation Case Types

- IF-- Infraction
- OE-- Exempted Ordinance Violation
- OV-- Local Ordinance Violation

Juvenile Case Types

- JC-- Juvenile CHINS
- JD-- Juvenile Delinquency
- JM-- Juvenile Miscellaneous
- JP-- Juvenile Paternity
- JQ-- Child Protection Order
- JS-- Juvenile Status
- JT-- Juvenile Termination of Parental Rights

Probate Case Types

- EM-- Estate, Miscellaneous
- ES-- Estate, Supervised
- EU-- Estate, Unsupervised
- GM-- Guardianship Miscellaneous (for petitions filed under I.C. 29-3-4 (concerning protected proceedings or ratification of transactions) on or after 1/1/2020).
- GU-- Guardianship (shall not use for petitions filed under I.C. 29-3-4 (concerning protected proceedings or ratification of transactions) on or after 1/1/2020).
- TR-- Trust

Small Claims Case Types

- SC-- Small Claim (new SC case numbers shall not be used for residential and commercial evictions after 12/31/2020)

Miscellaneous Case Types

- CB-- Court Business record--i.e. court orders that refer to non-case matters such as the appointment of judge pro tem, drawing the jury, etc.

Separate dockets need not be maintained for each type.

- (4) Filing Sequence. The fourth group shall consist of six (6) characters assigned sequentially to a case when it is filed. It shall begin with a "000001" at the beginning of each year for each case classification (or for each docket book or case pool if more than one case classification is grouped within a single docket or case pool) and continue sequentially until the end of the year. No court is required to change to using six (6) characters in the fourth group to the extent that it requires re-programming that court's existing electronic case management system. The same sequence for each case classification (or for each docket book or case pool if more than one case classification is grouped within a single docket or case pool) shall be used in common for all circuit, probate and superior courts within a county using the same case management system. No court is required to use the same sequence in common to the extent that it requires re-programming that court's existing electronic case management system.

(C) Transferring Cases Between Courts Within County. Whenever a case is transferred between circuit, probate or superior courts within the same county, only the court identifier in the first group of characters in the case number shall be changed. No change shall be made to the fourth group of characters in the case number. The following is an example of how a case number should appear before and after the case has been transferred from one court to another:

55C01-1101-CF-000123 (Case number as it appears in originating court).

55D02-1101-CF-000123 (Case number as it appears in court to which case transferred).

The restriction prohibiting a change to the fourth group of characters does not apply to the extent that implementation of this restriction would require re-programming of the court's existing electronic case management system.

Commentary

The following changes to the uniform case numbering system shall take effect January 1, 2011:

1. *Administrative Rule 8(2) is amended to require that any case number must contain the month in which a case is filed. (Previously, including the month of filing was optional.) The reason for this change is to facilitate the collection of case filing statistics for periods of time of less than one year.*
2. *Administrative Rule 8(4) is amended to require that the fourth group of characters (the "filing sequence") in a case number consist of six (6) characters. (Previously, the filing sequence could contain any number of characters up to six (6)). The reasons for this change are to, first, facilitate on-line searches for cases and, second, achieve greater statewide uniformity in the case numbering system. No court is required to comply with this change to the extent that it would require re-programming of that court's existing electronic case management system. In the process of converting a court's legacy data to a new case management system, the filing sequence may be expanded to consist of six (6) characters.*
3. *Administrative Rule 8(4) is further amended to require that the same sequence for each case classification (or for each docket book or case pool if more than one case classification is grouped within a single docket or case pool) shall be used in common for all circuit and superior courts within a county using the same case management system. (Previously, each court could use its own filing sequence). In addition, Administrative Rule 8 is further amended by adding a new paragraph "C" providing that when a case is transferred between any circuit, probate, and superior court in the same county, only the court identifier is to be changed; the filing sequence is to remain the same. The reason for these changes is to facilitate the transfer of cases between courts in the same county. Without this change, two cases may, after a transfer, have the same case number, requiring a new filing sequence to be assigned. For example, under current practice, C Felony cases could be filed in Circuit and Superior Courts in Morgan County under case numbers 55C01-1101-CF-000123 and 55D01-1101-CF-000123. Absent this amendment, if the case in Circuit Court is transferred to Superior Court, there would be two cases in Superior Court with the case number 55C01-1101-CF-000123. This change will also achieve greater statewide uniformity in the case numbering system. No court is required to comply with this change to the extent that it would require re-programming of that court's existing electronic case management system.*

Rule 8.1. Uniform Appellate Case Numbering System

- (A) **Application.** The Clerk of the Supreme Court shall use the uniform case numbering system set forth below for cases filed in the Supreme Court, Court of Appeals and Tax Court.
- (B) **Numbering System.** The uniform appellate case numbering system shall consist of three groups of characters arranged in a manner to identify the court, the year of filing, the case type and the filing sequence. The following is an example of the case number to be employed:

17S-SJ-00001

- (1) *Year of Filing and Court Identifier.* In cases filed in the Supreme Court, Court of Appeals, and Tax Court, the first group of three characters shall constitute the year of the filing and the third character in the first group shall represent the court in which the proceeding is being filed employing the following codes:

S Supreme Court
A Court of Appeals
T Tax Court

- (2) *Case Type.* The second group of two characters shall designate the type of proceeding.

- i. The following codes shall be used for matters originating in the Supreme Court:

BL Board of Law Examiners
CO Contempt Proceedings
CQ Certified Questions
DI Attorney Discipline
JD Judicial Discipline
MS Miscellaneous Matters
OR Original Actions

SJ Special Judges

- ii. In appeals, the same case type code used in the lower court, as specified in Administrative Rule 8(B)(3), shall be used except as indicated below:

EX Appeals in certain administrative proceedings
TA Tax Court cases and appeals therefrom
DP Direct capital appeals
PD Post-conviction capital appeals
LW Direct Life without Parole (LWOP) appeals
CR Direct appeals (non-capital, non-LWOP)
PC Post-conviction appeals (non-capital)
SD Requests to file successive capital post-conviction petitions
SP Requests to file successive post-conviction petitions (non-capital)
JV Juvenile delinquency appeals with a trial court designation of "JD".

- (3) *Filing Sequence.* The third group may consist of any number of characters assigned sequentially to a case when it is filed. It shall begin with "1" at the beginning of each year for each case classification and continue sequentially until the end of the year.

Rule 9. Court Records and Fees

(A) [Repealed and replaced by Access to Court Records Rule 1].

(B) [Repealed and replaced by Access to Court Records Rule 2].

(C) Definitions. For purpose of this rule:

- (1) "Remote Access" means the ability of a person to inspect and copy information in a Court Record in electronic form through an electronic means.
- (2) "In Electronic Form" means any information in a Court Record in a form that is readable through the use of an electronic device, regardless of the manner in which it was created.
- (3) "Bulk Distribution" means the distribution of all, or a subset of, the information in Court Records in electronic form, as is, and without modification or compilation.
- (4) "Compiled Information" means information that is derived from the selection, aggregation or reformulation of all, or a subset of all, the information from more than one individual Court Record in electronic form.
- (5) All terms defined in Access to Court Records Rule 3 shall also apply to this rule.

(D) [Repealed and replaced by Access to Court Records Rule 4].

(E) Remote Access to Court Records.

- (1) The Indiana Supreme Court shall decide which Court Records will be available via Remote Access to the public. The Office of Court Services shall create and maintain a list available to judicial officers, attorneys, litigants, and the public.
- (2) Trial courts may not provide Remote Access to additional records unless specifically authorized by the Indiana Supreme Court. However, trial courts shall make available, in an electronic or other format, daily calendars or dockets of court proceedings, including case numbers and captions, date, time, and location of hearings.
- (3) Unless expressly provided by these Rules or state law, no fee shall be charged for Remote Access to Court Records.

Commentary

This rule does not impose an affirmative obligation to preserve information or data or to transform information or data received into a format or medium that is not otherwise routinely maintained by the court. While this section encourages courts to make the designated information available to the public through remote access, this is not required, even if the information already exists in an electronic format.

(F) Bulk Distribution and Compiled Information.

- (1) Upon written request as provided in this section, Bulk Distribution or Compiled Information that is not excluded by Access to Court Records Rule 5 may be provided. Bulk Distribution or Compiled Information that is excluded Access to Court Records Rule 5, copies of documents and financial information may also be allowed by written contract with the Office of Judicial Administration.
- (2) Except as provided in 2(b):
 - (a) Requests for Bulk Distribution or Compiled Information shall be made to the Indiana Office of Judicial Administration.
 - (b) Courts and clerks within a judicial circuit may provide nonconfidential, Compiled Information from their case management system in response to a request for information that is normally available to the public via public access.
- (3) The Chief Administrative Officer may establish fees for Bulk Distribution or Compiled Information.

Commentary

Section (F)(2)(b) authorizes Courts, in their discretion, to provide access to Bulk Distribution and Compiled Information that is accessible to the public. It does not require that such information be made available. Permitting Bulk Distribution or Compiled Information should not be authorized if providing the data will interfere with the normal operations of the court. In allowing Bulk Distribution or Compiled Information requests, Courts shall limit bulk data to Court Records, even if those requesting this information are seeking other information which is governed by other agencies' policies.

(G) [Repealed and replaced by Access to Court Records Rule 5].

(H) When Court Records May Be Accessed.

- (1) Court Records which are publicly accessible will be available for Public Access in the courthouse during regular business hours established by the court. Court Records in electronic form to which the court allows Remote Access under this policy will be available for access during hours established by the court, subject to unexpected technical failures or normal system maintenance announced in advance.
- (2) Upon receiving a request pursuant to section 9(F) or Access to Court Records Rule 5, a court will respond within a reasonable period of time.

Commentary

This section does not preclude or require “after hours” access to Court Records in electronic form. Courts are encouraged to provide access to records in electronic form beyond the hours access is available at the courthouse, however, it is not the intent of this rule to compel such additional access.

(I) Contracts With Vendors Providing Information Technology Services Regarding Court Records.

- (1) If a court or other private or governmental entity contracts with a vendor to provide information technology support to gather, store, or make accessible Court Records, the contract will require the vendor to comply with the intent and provisions of this access policy. For purposes of this section, the term “vendor” also includes a state, county, or local governmental agency that provides information technology services to a court.
- (2) Each contract shall require the vendor to assist the court in its role of educating litigants and the public about this rule. The vendor shall also be responsible for training its employees and subcontractors about the provisions of this rule.
- (3) Each contract shall prohibit vendors from disseminating Bulk Distribution or Compiled Information, without first obtaining approval as required by this Rule.
- (4) Each contract shall require the vendor to acknowledge that Court Records remain the property of the court and are subject to the directions and orders of the court with respect to the handling and access to the Court Records, as well as the provisions of this rule.
- (5) These requirements are in addition to those otherwise imposed by law.

Commentary

This section is intended to apply when information technology services are provided to a court by an agency outside the judicial branch, or by outsourcing of court information technology services to non-governmental entities. Implicit in this rule is the concept that all Court Records are under the authority of the judiciary, and that the judiciary has the responsibility to ensure Public Access to Court Records and to restrict access where appropriate. This applies as well to Court Records maintained in systems operated by a Clerk of Court or other non-judicial governmental department or agency.

This section does not supersede or alter the requirements of Trial Rule 77(K) which requires that, before Court Records may be made available through the internet or other electronic method, the information to be posted, its format, pricing structure, method of dissemination, and changes thereto must receive advance approval by the IOJA.

(J) [Repealed and replaced by Access to Court Records Rule 12].

Rule 10. Security of Court Records

(A) Court Responsibilities. All court records are the exclusive property of the courts and subject to the authority of the Supreme Court of Indiana. Each judge is administratively responsible for the integrity of the judicial records of the court and must ensure that (a) the judicial records of the court are recorded and maintained pursuant to Supreme Court directives, and (b) measures and procedures are employed to protect such records from mutilation, false entry, theft, alienation, and any unauthorized alteration, addition, deletion, or replacement of items or data elements.

Commentary

The court is required to preserve the integrity of audio and video recordings of court proceedings. The judge may employ various methods for ensuring the recording is not altered, including but not limited to supervised playback for listening or copying, creating a copy of the recording for use during said playback, serving notice to the parties that the recording is being accessed, and providing a copy, clearly identified as such. As prescribed by Indiana Judicial Conduct Rule 2.17 [former Canon 3(B)(13)], because the court is further required to prohibit broadcasting or televising court proceedings, the court may employ methods to restrict publication of copies of court proceedings made during the pendency of the case.

(B) Clerk Responsibilities. Each Clerk is the custodian of all court records and is responsible for the maintenance of court records pursuant to the directives of the Supreme Court of Indiana, and the judges of the trial courts directly served by the Clerk. The Clerks of the court must safeguard the integrity and security of all court records in their custody and diligently guard against any prohibited practice.

(C) Prohibited Practices. The following practices are prohibited and may subject an individual to contempt of court or constitute damage to a public record under IC 35-43-1-2(a):

- (1) Mutilation, vandalism, or theft;
- (2) False entry, unauthorized alterations, additions, or deletions or replacement of item or data elements;
- (3) Alienation or any unauthorized release of court records;
- (4) Use of non-reversible lamination; and
- (5) Use of unauthorized repair procedures on records deemed permanent under Administrative Rule 7.

(D) Reconstruction of Records. Trial courts of this state, after a hearing, may reconstruct judicial records that have been lost or destroyed. A judicial officer whose court exercised jurisdiction of a case whose records have been lost or destroyed may reconstruct the lost or destroyed records, under the procedures set forth in this rule, and any party or interested person, for good cause shown, may file a verified petition seeking a judicial ruling on reconstruction from the best available sources. Notice of the petition shall be given by the petitioner in accordance with the Indiana Rules of Trial Procedure to all parties and any other interested persons in advance of the hearing, which shall take place no sooner than sixty (60) days after the petition is filed, unless good cause exists for a shorter period. Unless determined otherwise by the court, costs of notice shall be borne by the petitioner. Interested persons include the custodian of the lost or destroyed records and any person the court so designates, considering the facts and nature of the case. Certified copies of original records shall be as acceptable to such reconstruction as the original. "Best available sources" are the most credible sources to determine the contents of the lost or destroyed records and include, without limitation, certified copies, copies accompanied by verified statements, and verified

statements. The court shall settle and reconstruct the lost or destroyed records following the hearing unless parties and any interested persons file a verified waiver of the hearing. Within one (1) year of the date of the court's settlement and reconstruction of a record, any party or interested person not receiving notice of the proceedings may seek to set aside the court's order, provided, however, that any reconstruction shall be conclusively presumed to be final following this period.

(E) Transfer of Court Records - Court Creation or Closure.

- (1) Creation of a New City or Town Court. Cases pending in another city or town court under an inter-local agreement that would otherwise be in the jurisdiction of the newly created city or town court shall be transferred to the newly created court as a part of its initial caseload. Notice of the transfer and docketing of each pending Court Record shall be given to all parties of record as required by the Rules of Trial Procedure.
- (2) Termination of a Court. Upon the adoption of an ordinance or statute that terminates the existence of a court, the judge of the court subject to termination shall immediately notify the Indiana Office of Judicial Administration (IOJA).
 - (a) City and Town Courts.
 - (i) All disposed Court Records subject to retention under Administrative Rule 7 and pending Court Records together with the CCS and monies held in trust by the clerk of the terminated court shall be transferred to the Clerk of the Circuit Court upon closure of the terminated court.
 - (ii) Pending Case Records shall be docketed equally, by case type, in the Circuit or Superior Courts within the Judicial Circuit or according to their adopted and approved Caseload Allocation Plan for the case types transferred.
 - (iii) Court Administrative Records for pending cases shall be delivered to the court to which the relevant Case Record is docketed.
 - (iv) All monies received by the Circuit Court Clerk from the abolished court shall be deposited in the appropriate accounts of the Circuit Court Clerk and remitted to the appropriate recipient as established by law or an entered final judgment.
 - (v) Notice of the transfer and docketing of each pending Case Record shall be given to all parties of record as required by the Rules of Trial Procedure.
 - (vi) Retention Schedules - All closed Case Records subject to retention shall be transferred to the Circuit Court Clerk and held for the balance of the retention period.
 - (b) Circuit or Superior Courts - Notice of transfer and docketing of each pending Case Record shall be given to all parties of record as required by the Rules of Trial Procedure.

Rule 11. Paper Size

Effective January 1, 1992, all pleadings, copies, motions and documents filed with any trial court or appellate level court, typed or printed, with the exception of exhibits and existing wills, shall be prepared on 8 1/2 " x 11" size paper. Through December 31, 1991, such papers and records will be accepted on either 8 1/2 " x 11" or 8 1/2 " x 14" size paper.

Rule 12. Facsimile Transmission

(A) Definitions. For the purposes of this rule, the definitions set forth in this paragraph shall apply:

- (1) *Cover Sheet* means a descriptive initial page that accompanies an electronic facsimile transmission;
- (2) *Electronic Facsimile Transmission*, commonly referred to as "FAX," means a method of transmitting and receiving information in paper medium over telephone lines or other forms of electronic transmissions;
- (3) *Original Document* means the initially prepared written document or any counterpart intended to have the same effect by the creator; and
- (4) *Duplicate Document* means a written counterpart of the original produced by the same impression as the original or from the same matrix or by digitized electronic transmission, readable by sight, which accurately reproduces the original.

(B) Filing by Electronic Facsimile Transmission. In counties where a majority of judges of the courts of record, by posted local rule, have authorized electronic facsimile filing and designated a telephone number to receive such transmissions, pleadings, motions, and other papers may be sent to the Clerk of Circuit Court by electronic facsimile transmission for filing in any case, provided:

- (1) such matter does not exceed ten (10) pages, including the cover sheet;
- (2) such matter does not require the payment of fees other than the electronic facsimile transcription fee set forth in paragraph (E) of this rule;
- (3) the sending party creates at the time of transmission a machine generated log for such transmission; and
- (4) the original document and the transmission log are maintained by the sending party for the duration of the litigation.

(C) Time of Filing. During normal, posted business hours, the time of filing shall be the time the duplicate document is produced in the office of the Clerk of the Circuit Court. Duplicate documents received at all other times shall be filed as of the next normal business day.

If the receiving FAX machine endorses its own time and date stamp upon the transmitted documents and the receiving machine produces a delivery receipt which is electronically created and transmitted to the sending party, the time of filing shall be the date and time recorded on the transmitted document by the receiving FAX machine.

(D) Cover Sheet. Any document sent to the Clerk of the Circuit Court by electronic facsimile transmission shall be accompanied by a cover sheet which states the title of the document, case number, number of pages, identity and voice telephone number of the sending party and instructions for filing. The cover sheet shall contain the signature of the attorney or party, pro se, authorizing the filing.

(E) Electronic Facsimile Transmission Fee. Upon request and at an amount approved by the majority of judges of courts of record in the county, the County Board of Commissioners may adopt an electronic facsimile transmission fee not to exceed ten dollars (\$10.00) per transmission.

(F) Standards. Electronic facsimile transmission equipment used by courts and their offices under this rule shall comply with "Group III" level equipment standards established by the CCITT (Consultative Committee International Telegraph and Telephone of the International Telecommunications Union), which provides standards for operating speed and image resolution available for use over public telephone networks. Pleadings and papers filed by electronic facsimile transmission shall be letter size.

Rule 13. [Vacated]

Interim Administrative Rule 14. Remote Proceedings

A. Definitions

1. A "remote proceeding" is any proceeding, including without limitation entire proceedings or parts of it, using telephone or videoconferencing capabilities to allow case participants to appear virtually.
2. A "case participant" includes the judge presiding over the case, court staff, parties, lawyers, guardians ad litem, witnesses, experts, interpreters, and any other persons the judge determines are directly related to the case.
3. A "testimonial proceeding" is a proceeding in which the judge receives sworn oral testimony.

B. Authority in Non-Testimonial Proceedings. In all non-testimonial hearings or conferences, a court may, upon request or on its own order, conduct the hearing or conference as a remote proceeding.

C. Authority in Testimonial Proceedings. A court must conduct all testimonial proceedings in person except that a court may conduct the proceedings remotely for all or some of the case participants for good cause shown or by agreement of the parties. Remote proceedings must comply with constitutional and statutory guarantees.

D. Opportunity for Confidential Communication. During a remote proceeding, a court must provide the opportunity for confidential communication between a party and the party's counsel.

E. Record. A court must create a record of the proceeding sufficient to enable a transcript to be produced for the Record on Appeal.

- F. **Oaths.** Court reporters and other persons qualified to administer an oath in the State of Indiana may swear a person remotely provided the person is positively identified.

Commentary

Telephone versus Video Technology. Courts should determine on a case-by-case basis whether telephone or video technology is appropriate. Some case participants may appear by telephone, some by video, and some in person all on the same case.

Testimonial Court Proceedings. Presenting live testimony in court remains of utmost importance. For this reason, Rule 14(C) requires showings of good cause or agreement of the parties prior to allowing a remote appearance. A court must also have safeguards in place to ensure adequate identification of the witness and to protect against influences by persons present with the witness. To participate in a remote proceeding, case participants must have adequate internet service allowing for uninterrupted audio and visual transmission.

Objections. Case participants may object to a request for a remote proceeding or to a court's order setting a remote proceeding. The Rule does not place any specific deadlines or set out any procedures for objections. Courts are expected to handle objections in accordance with usual practice and procedure; however, case participants should object or indicate their ability to participate remotely as soon as reasonably possible.

Guidance. The Indiana Office of Judicial Administration shall develop guidance and best practices on remote proceedings and make those available on a public website.

Rule 15 Court Reporters

- A. **Application of Rule.** All courts of record in each county of the State of Indiana shall adopt for approval by the Indiana Supreme Court a local rule by which all court reporter services shall be governed. Should a county fail to adopt such a plan, the Supreme Court shall prescribe a plan for use by the county. The local rule shall be in substantial compliance with the provisions of this rule.
- B. **Definitions.** The following definitions shall apply under this administrative rule:
- (1) **A Court reporter** is a person who is specifically designated by a court to perform the official court reporting services for the court including preparing a transcript of the record.
 - (2) **Equipment** means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording and storing, and transcribing electronic data.
 - (3) **Work space** means that portion of the court's facilities dedicated to each court reporter, including but not limited to actual space in the courtroom and any designated office space.
 - (4) **Page** means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 28(A).
 - (5) **Recording** means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.
 - (6) **Regular hours worked** means those hours which the court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court and county to county, but remain the same for each work week.
 - (7) **Gap hours worked** means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per work week.
 - (8) **Overtime hours worked** means those hours worked in excess of forty (40) hours per work week.
 - (9) **Work week** means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.
 - (10) **Court** means the particular court for which the court reporter performs services. Depending upon the county, Court may also mean a group of courts; i.e. "X County Courts".
 - (11) **County indigent transcript** means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.

- (12) **State indigent transcript** means a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a court.
- (13) **Private Transcript** means a transcript, including but not limited to a deposition transcript, that is paid for by a private party.

C. Court Reporter Models. The court or courts of each county shall uniformly adopt by local court rule one of the following Court Reporter Models:

- (1) *Model Option One.* The local rule shall:
 - (a) designate that a court reporter shall be paid an annual salary for time spent working under the control, direction and direct supervision of the court during any regular work hours, gap hours or overtime hours;
 - (b) designate a per page fee for county indigent transcript preparation;
 - (c) designate that the court reporter shall submit directly to the county a claim for the preparation of the county indigent transcript;
 - (d) designate a maximum per page fee that the court reporter may charge for a state indigent transcript;
 - (e) designate a maximum per page fee that the court reporter may charge for a private transcript;
 - (f) require the court reporter to report at least on an annual basis to the Indiana Supreme Court Indiana Office of Judicial Administration (IOJA), on forms prescribed by the IOJA, all transcript fees (either county indigent, state indigent, or private) received by the court reporter;
 - (g) designate that if a court reporter elects to engage in private practice through recording of a deposition and/or preparing of a deposition transcript, and the court reporter desires to utilize the court's equipment, work space and supplies, and the court agrees to the use of court equipment for such purpose, the court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:
 - (1) the reasonable market rate for the use of equipment, work space and supplies;
 - (2) the method by which records are to be kept for the use of equipment, work space and supplies;
 - (3) the method by which the court reporter is to reimburse the court for the use of the equipment, work space and supplies;
 - (h) designate that if a court reporter elects to engage in private practice through recording a deposition and/or the preparing of a deposition transcript, that such private practice shall be conducted outside of regular working hours; and
 - (i) designate that the court shall enter into a written agreement with the court reporter which outlines the manner in which the court reporter is to be compensated for gap and overtime hours; i.e. either monetary compensation or compensatory time off regular work hours.
- (2) *Model Option Two.* The local rule shall:
 - (a) designate that a court reporter shall be paid an annual salary for time spent working under the control, direction and direct supervision of the court during any regular work hours, gap hours or overtime hours;
 - (b) designate that subject to the approval of each county's fiscal body, the amount of the annual salary shall be set by the court;
 - (c) designate that the annual salary paid to the court reporter shall be for a fixed schedule of regular working hours;
 - (d) designate that a court reporter shall, if requested or ordered, prepare any transcript during regular working hours;
 - (e) designate that in the event that preparing a transcript cannot be completed during regular hours worked, a court reporter shall be entitled to additional compensation beyond regular salary under one of the two options set forth as follows:

- (1)(a) Gap hours shall be paid in the amount equal to the hourly rate of the annual salary; and
- (b) Overtime hours shall be paid in the amount of one and one-half (1 1/2) times the hourly rate of the annual salary; or,
- (2)(a) Compensatory time off from regular work hours shall be given in the amount equal to the number of gap hours worked; and
- (b) Compensatory time off from regular work hours shall be given in the amount of one and one-half (1 1/2) times the number of overtime hours worked;
- (f) designate that the court and each court reporter may freely negotiate between themselves as to which of the preceding two (2) options in (e) shall be utilized and that the court and court reporter shall enter into a written agreement designating the terms of such agreement;
- (g) designate that if a court reporter elects to engage in private practice through recording a deposition and/or preparing a deposition transcript, that such private practice shall be conducted outside of regular working hours;
- (h) designate that if a court reporter elects to engage in private practice through recording a deposition and/or preparing of a deposition transcript, and the court reporter desires to utilize the court's equipment, work space and supplies, and the court agrees to the use of court equipment for such purposes, the court and the court reporter shall enter into a written agreement which must at a minimum designate the following:
 - (1) the reasonable market rate for the use of equipment, work space and supplies;
 - (2) the method by which records are to be kept for the use of equipment, work space and supplies;
 - (3) the method by which the court reporter is to reimburse the court for the use of the equipment, work space and supplies.
- (i) designate a maximum per page fee that a court reporter may charge for private practice work;
- (j) designate a maximum per page fee that the court reporter may charge for a private transcript; and
- (k) require the court reporter to report at least on an annual basis to the State Court Administrator all transcript fees (either county indigent, state indigent or private) received by the court reporter.
- (3) *Model Option Three.* The court(s) may, by adopting a local rule to that effect, elect to procure all court reporter services by private contract and submit such contract for approval by the Indiana Supreme Court in accordance with Section A of this rule. Any such procedure must conform with all applicable state and local statutes, rules and regulations.

Rule 16. [Reserved]

Rule 17. Emergency petition for Administrative orders

- (A) Supreme Court Authority. Under the authority vested in the Indiana Supreme Court to provide by rule for the procedure employed in all courts of this state and the Court's inherent authority to supervise the administration of all courts of this state, the Court has the power upon petition from any trial court as set forth herein, or sua sponte, in the event of natural disaster, civil disobedience, wide spread disease outbreak, or other exigent circumstances requiring the closure of courts or inhibiting the ability of litigants and courts to comply with statutory deadlines and rules of procedure applicable in courts of this state, to enter such order or orders as may be appropriate to ensure the orderly and fair administration of justice. This order shall include, without limitation, those rules and procedures affecting time limits currently imposed for speedy trials in criminal and juvenile proceedings, public health, mental health, appellate, and all other civil and criminal matters.

The Court also may authorize any petitioning court to move its location from its statutory location to any location the Court deems appropriate, and the Court may authorize any judge of a Circuit or Superior Court to exercise general jurisdiction over any civil or criminal matter.

- (B) Trial court petition. When it becomes apparent to the local trial court(s) that an emergency exists, the local trial court(s) shall:

1. Confer with the clerk, bar representative and local official, as the trial court(s) deem necessary and appropriate.
2. Petition the Supreme Court for emergency relief stating: the emergency, the effect it is having or will have on the local administration of justice, the anticipated duration, and any additional information that would aid the Court in its decision making process.
3. Submit the trial court's plan for all civil and criminal matters during the emergency.

The petition shall be filed with the Clerk of the Court, with a copy provided to the Indiana Office of Judicial Administration (IOJA). The IOJA shall create form petitions available for trial court use.

- (C) When the Supreme Court determines that the petition is made for good cause shown, the Supreme Court may promptly issue an administrative order addressing the emergency on such terms and conditions as it deems appropriate.

Rule 18. County Probation Departments

- (A) **Application of Rule.** The courts of record in a county that are authorized to impose probation shall adopt a plan by which the county will operate a unified or consolidated probation department.
- (B) The management and governance of the department and any divisions within the department is to be determined by the supervising judge, and may include arrangements on who shall have the authority to appoint probation officers, assign probation officers to a particular court, and remove probation officers.
- (C) **Definitions.** The following definitions shall apply under this administrative rule:
- (1) **Chief probation officer** means a probation officer designated to direct and supervise the work of the probation department.
 - (2) **Separate juvenile probation department** means a probation department established before January 1, 2010, with a chief probation officer that supervises only juvenile probation officers and probation officers that supervise only juvenile offenders.
 - (3) **Supervising judge** means the judge, judges, board of judges, or chief judge responsible for the governance/oversight of the probation department.
 - (4) **Unified or Consolidated probation department** means a single, county-funded probation department that is directed by a single chief probation officer. A unified or consolidated probation department may contain separate divisions such as felony, misdemeanor, adult, juvenile, Court Alcohol & Drug, or pre-trial divisions.
- (D) **Annual Certification Reports.** A report certifying that a county has adopted a plan for a unified or consolidated probation department, or has adopted a plan for a unified or consolidated adult probation department and a separate juvenile probation department, shall be filed with the Indiana Office of Judicial Administration (IOJA) by March 1 annually. The annual report shall be submitted on a form drafted by the IOJA and shall also include certification of department compliance with education and salary standards for probation officers.
- (E) **Judge's Confirmation of Reporting.** The supervising judge of the unified or consolidated probation department shall review and confirm, through a process established by the IOJA, the completion and filing of the annual certification report.
- (F) **Plan for Unified or Consolidated Probation Department.**
- (1) **Counties in which only one court of record is authorized to impose probation.** Counties in which only one court of record is authorized to impose probation shall certify to the IOJA by October 1, 2011 that the county operates a unified or consolidated probation department.
 - (2) **Counties in which more than one court of record is authorized to impose probation.** Counties in which more than one court of record is authorized to impose probation shall certify to the IOJA that the county operates a unified or consolidated probation department or file an initial plan for the implementation of a unified or consolidated probation department by October 1, 2011. The initial plan shall be filed with the IOJA and shall consist of information on, including but not limited to, judicial governance/oversight of the probation department, any

assignment of probation officers to a specific court or division, any divisions created within the consolidated department (such as circuit, superior, felony, misdemeanor, adult, juvenile, Court Alcohol & Drug, pre-trial or any other divisions agreed upon by the supervising judges), judicial oversight of any divisions within the department, appointment of a chief probation officer, appointment of assistant chief probation officers/supervisors assigned to a specific court or division, and probation officer salaries. The plan must be implemented by January 1, 2012. An extension for filing the plan and implementation may be granted at the discretion of the Judicial Conference Board of Directors for good cause shown. Any amendments to the initial plan after the implementation date shall be reported in the annual certification report.

- (3) **Counties in which the circuit, superior, or probate court has established a separate juvenile probation department.** Counties in which the circuit, superior, or probate court has established a separate juvenile probation department before January 1, 2010, may elect to operate a unified or consolidated adult probation department and a separate juvenile probation department. These counties shall certify to the IOJA by October 1, 2011 that the county operates a unified or consolidated adult probation department and a separate juvenile probation department.
- (4) **Review and Approval of Plans.** The Judicial Conference shall review plans submitted pursuant to standards adopted by the Conference. The Judicial Conference may approve the plan in whole or in part, may modify the plan, or deny the plan in whole or in part. If the Judicial Conference denies a plan in whole or in part, the Judicial Conference may require all or part of the plan to be resubmitted and may approve or reject the resubmitted plan in whole or in part. Should a county fail to submit a plan for review, the Judicial Conference may prescribe a plan for use by the county.

(G) **Preparation of Forms.** The IOJA shall draft forms to be used in filing initial plans, certification reports, and annual reports.

Rule 19. Court Security Plans

The courts of each county shall develop and implement a court security plan to ensure security in court facilities. The security plan shall include a continuity of operations plan. The courts of each county shall implement a single court security plan, but consider the needs for each court facility within that county. The plan should conform to the Indiana Courthouse Security Minimum Standards unanimously adopted by the Judicial Conference of Indiana. The courts of each county shall submit their court security plan to the Indiana Office of Court Services biennially.

To ensure security in court facilities, a court security plan, including any security policy and procedures manual adopted as part of the security plan, shall be excluded from public access pursuant to Indiana Code 5-14-3-4(b)(19).

Rule 20. Office of Judicial Administration

- A. **Office of Judicial Administration and Chief Administrative Officer.** The Office of Judicial Administration, pursuant to Indiana Code § 33-24-6-1, is headed by the CAO of the Indiana Supreme Court. OJA and the CAO assist the Chief Justice and the Court in discharging their constitutional responsibilities to serve as Indiana's court of last resort, regulate the practice and profession of law, provide for the administration of justice, and supervise the exercise of jurisdiction by the other courts.
- B. **Organization of the Office of Judicial Administration.** With the approval of the Supreme Court and Chief Justice, the CAO shall organize the OJA's work into such offices as are necessary and appoint appropriate personnel to manage and staff them.
- C. **Appellate Clerk.** The Clerk of the Supreme Court, Court of Appeals, and Tax Court is subject to and governed by the policies and processes of OJA and the CAO with respect to personnel management and human resources; facilities and security; fiscal matters, such as budgeting, procurement, purchasing, and payment of claims; technology; public information, communications, and outreach, including website presence; negotiation, format, and execution of non-case-related contracts; and any other approved general policies and procedures.

Rule 21. Criminal Case Reassignment and Special Judges

(A) **Selection under Local Rule Adopted by Counties.** Upon granting a change of judge or the disqualification or recusal of a judge in a criminal case, post-conviction proceeding, infraction, or ordinance

violation, a successor judge shall be assigned in the same manner as the initial judge. Where this process does not result in the selection of a successor judge, selection shall be made by local rule. The local rule required must include an alternative assignment list of full-time judicial officers from contiguous counties and counties within the administrative district of the court as set forth in Administrative Rule 3(A) and senior judges. The local rule must take into account the effective use of all judicial resources within an administrative district. Except for those serving pursuant to Criminal Rule 2.4(E)(6), judges previously assigned to the case are ineligible for reassignment.

A person appointed to serve as special judge must accept jurisdiction in the case unless the appointed special judge is disqualified pursuant to the Code of Judicial Conduct, ineligible for service under this Rule, or excused from service by the Indiana Supreme Court.

(B) Appointment by Indiana Supreme Court. A trial court may request the Indiana Supreme Court to appoint a special judge in the following circumstances:

- (1) no judge under the local rule is available for appointment; or
- (2) the circumstance warrants selection of a special judge by the Indiana Supreme Court.

(C) Qualification and Oath. A judge assigned under the provision of this rule must accept jurisdiction unless disqualified under the Code of Judicial Conduct or excused from service by the Indiana Supreme Court. The reassignment of a case or assignment of a special judge must be entered in the Chronological Case Summary of the case. An oath or special order accepting jurisdiction is not required.

(D) Discontinuance of Service. In the event the case has been reassigned or a special judge assumes jurisdiction and thereafter ceases to act for any reason, further reassignment or the selection of a successor special judge must be in the same manner as set forth in section (A).

(E) Compensation. A full-time judge, magistrate, or other employee of the judiciary must not be paid a special judge fee for serving as a special judge or serving in a case reassigned pursuant to this rule. All other persons serving as special judge shall be paid a special judge fee of twenty-five dollars per day for each jurisdiction served for the entry of judgments and orders and hearings incidental to such entries. All judges, magistrates, and other persons who serve in courts outside of their county of residence shall be entitled to mileage at a rate equal to other public officials as established by state law, hotel accommodations, and reimbursement for meals and other expenses. Senior Judges who serve as special judges shall be paid in accordance with a schedule published by the Chief Administrative Officer of the Office of Judicial Administration. At the discretion of the special judge and following consultation with the parties, a special judge or a judge reassigned a case in another court may schedule conferences, entertain motions, and perform all administrative tasks without travel to the court where the case is pending. All hearings involving testimony by witnesses, unless the parties agree to the contrary on record, shall be held in the court where the case is assigned. Special judges are encouraged to employ procedures that reduce the necessity for travel, such as telephone conferences, facsimile exchange of information, and other time-saving measures of communication. Compensation as permitted under this provision shall be paid by the State upon presentation of a claim for such services signed by the special judge.

(F) Continuation of Jurisdiction. A special judge appointed by the Indiana Supreme Court retains jurisdiction of the case for all future proceedings unless:

- (1) a specific statute or rule provides to the contrary; or
- (2) the judge is unavailable by reason of death, sickness, absence, or unwillingness to serve.

Rule 22. Transfer of Criminal Cases

(A) Transfer of Cases from City and Town Courts. In all counties where there are circuit, superior, or juvenile courts, and where there also exist in the same county a city or town court, the judge of the city or town court may, with the consent of the judge of such circuit, superior, county, or juvenile court, transfer to the circuit, superior, or juvenile court any cause of action filed and docketed in such city or town court. Transfer may occur by transferring to the receiving court all original pleadings and documents and bail bonds filed in such cause of action. The cause of action must be re-docketed in the receiving court and disposed as if originally filed with the receiving court, provided that the receiving court has jurisdiction over the matter.

(B) Transfer of Cases to City and Town Courts. The judge of a circuit, superior, or juvenile court may, with the consent of the judge of a city or town court within the county, transfer to such city or town court any cause of action filed and docketed in the circuit, superior, or juvenile court, provided that the receiving court has jurisdiction over the matter. Transfer may occur by transferring to the receiving court all original pleadings and

documents and bail bonds filed in such cause of action. The cause of action must be re-docketed in the receiving court and disposed as if originally filed with the receiving court.

(C) Transfer of Probation Supervision between Counties after Sentencing. The judge of a circuit, superior, city or town court, when transferring probation supervision to a court of another jurisdiction, may also transfer sanctioning authority for probation violations, including revocation of probation. If the original sentencing court transfers sanctioning authority, the consent of the judge in the receiving court is required.

(D) Fee for Intra-State Transfer of Probation Supervision. An offender on probation who applies to have the probation supervision transferred to a court in another jurisdiction must pay a transfer fee of seventy-five dollars to the receiving court. The transfer fee is deposited in the county supplemental adult probation services fund. The receiving court may waive the transfer fee if it finds the offender is indigent.