

Checklist for Local Rule Review and Proposing Amendments

Review of Local Rules:

- Please be sure Local Rules do not duplicate or conflict with current statutes and state-level Rules of Court. Trial Rule 81(A) only permits local rules that are not inconsistent with or duplicative of state level rules and statutes.
 - If something is covered by statute or state-level rules, please remove those topics from the Local Rules since parties must already follow those provisions.
- When reviewing local rules, please check the following items:
 - Courts are required to have local rules on the following areas:
 - Rules requiring Supreme Court Approval:
 - Special judge selection rule pursuant to Trial Rule 79(H)
 - Reassignment of criminal cases pursuant to Criminal Rule 2.2
 - Court reporter rule pursuant to Administrative Rule 15
 - Caseload allocation rule pursuant to Administrative Rule 1
 - Note: please check for any new case types (listed in Admin. R. 8) not previously listed in your local rule
 - Jury selection and summons pursuant to Jury Rule 4
 - Problem Solving Court and Court Alcohol and Drug Court Program fees, if operating programs certified by Indiana Office of Court Services
 - Notes on Special judge assignment rules:
 - Civil Cases (TR 79(H)) – include all full-time judicial officers in a court of record within your administrative district; you may also include full-time judicial officers in a court of record from contiguous counties considering effective use of judicial resources within the administrative district.
 - Criminal Cases (CR 2.2/CR 13) - include all full-time judicial officers in a court of record within your administrative district and include full-time judicial officers in a court of record from contiguous counties considering effective use of judicial resources within the administrative district.
 - NOTE: These rules already provide that a judicial officer appointed as special judge in either a civil or criminal case must accept jurisdiction unless the person is disqualified pursuant to the Code of Judicial Conduct.
 - If courts desire to charge late fees, they must also have a local rule in effect per IC 33-37-5-22.
 - References to individual agencies or judicial officers are accurate.
 - Examples of items to address:
 - Division of State Court Administration is an old reference and should now be Indiana Office of Judicial Administration.
 - Listing judges by name for special judge selection (i.e., Judge John Doe, Some County Circuit Court) requires frequent updating and should be avoided. It is preferable to list the courts and positions to decrease or avoid outdated references (i.e., Judge of the Some County Circuit Court; Magistrate of the Some County Circuit Court; Senior Judges available to serve Some County Circuit Court).
 - Format of the text
 - The format for Local Rule numbering set out in Trial Rule 81 should be followed.

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- The paragraph numbering, spacing, font, internal cross references should be checked for consistency and accuracy throughout the document. Please use one of the following fonts to ensure readability for ADA compliance:
 - Calisto MT
 - Garamond
 - Bodoni MT
 - Segoe UI
 - Arial
 - Calibri
- Forms or other materials should also be in Word to allow for future updates and revision via Track Changes more easily.

Proposing Local Rule Amendments:

- Prepare the amended local rule proposal using track changes format in a Word document.
 - Note the following considerations:
 - Court Reporter rules:
 - Any proposed increases in the per page amount cannot exceed \$0.50/page.
 - Minimum transcript fees cannot exceed \$35/transcript.
 - Special judge assignment rules:
 - Civil Cases (TR 79(H)) – include all full-time judicial officers in a court of record within your administrative district; you may **also** include full-time judicial officers in a court of record from contiguous counties considering effective use of judicial resources within the administrative district.
 - Criminal Cases (CR 2.2/CR 13) - include all full-time judicial officers in a court of record within your administrative district **and** include full-time judicial officers in a court of record from contiguous counties considering effective use of judicial resources within the administrative district.
 - **NOTE:** These rules provide that a judicial officer appointed as special judge in either a civil or criminal case **must** accept jurisdiction unless the person is disqualified pursuant to the Code of Judicial Conduct.
- Notice content:
 - Sample notices are available [on-line](#). One notice is for proposals submitted per Trial Rule 81 schedule and the other is for deviation from the schedule based on good cause.
 - List the rules being amended.
 - Comment period is required to be 30 days.
 - The notice can be signed manually or using /s/ with a typed name.
- Notice and proposal must be:
 - provided to local bar association officers,
 - posted at clerk's office,
 - posted on the clerk's web page, and
 - posted by OJA on <https://www.in.gov/courts/publications/local-rules/>.

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- Note: Be sure to provide enough time for both state and local web team staff to post the proposal timely at the beginning of the comment period. OJA prefers material submission **three business days prior** to the beginning of the comment period. This allows time to ensure all items are ready for posting, address any concerns, and allow the material to be timely posted for comment on-line.
- After the 30-day comment period closes and comments have been considered by the judges, finalize the text for the amended local rules. Submit the final text for any rule requiring Supreme Court approval in Word format so OJA staff can prepare the order for the court. Also, submit the complete set of updated local rules in Word format before the effective date of the amendments so OJA staff can update the local rules on-line on the effective date.