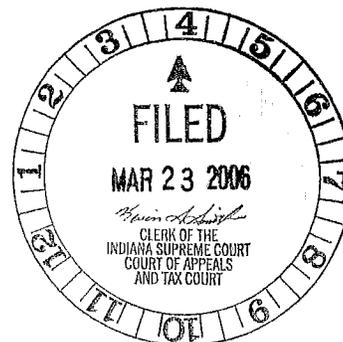


In the
Indiana Supreme Court



IN THE MATTER OF)
)
APPROVAL OF LOCAL RULES)
)
FOR JEFFERSON COUNTY)

Cause No. 39S00-0603-MS - 109

ORDER APPROVING AMENDMENTS TO LOCAL RULES

Pursuant to Ind. Trial Rule 81(D), the Hon. Ted R. Todd, Judge of the Jefferson Circuit Court and the Hon. Fred H. Hoying, Judge of the Jefferson Superior Court, request this Court's approval of amendments to Jefferson County Local Rules LR39-CF-2.2-CR-2, LR39-TR-79-TR-3 and LR39-AR15-AD-6.

Upon examination of the proposed rule amendments requested by the Jefferson Circuit and Superior Courts, this Court finds that the proposed rule amendments to Local Rules LR39-CF-2.2-CR-2, LR39-TR-79-TR-3 and LR39-AR15-AD-6 comply with the requirements of Ind. Criminal Rule 2.2, Ind. Trial Rule 79(H) and Ind. Administrative Rule 15, and, accordingly, should be approved, pursuant to Ind. Trial Rule 81(D), effective thirty (30) days after the rules have been posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

IT IS, THEREFORE, ORDERED by this Court that Jefferson County Local Rules LR39-CF-2.2-CR-2, LR39-TR-79-TR-3 and LR39-AR15-AD-6, set forth as an attachment to this Order, are approved effective thirty (30) days after the rules have been posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Ted R. Todd, Jefferson Circuit Court, 300 East Main Street, Madison, IN 47250-3537; the Hon. Fred H. Hoying, Jefferson Superior Court, 300 East Main Street, Madison, IN 47250-3537, and to the Clerk of the Jefferson Circuit Court.

The Clerk of the Jefferson Circuit Court is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 23rd day of March, 2006.



Randall T. Shepard
Chief Justice of Indiana

LR39-CF2.2-CR-2

Pursuant to Criminal Rules 2.2, 12 and 13, the Jefferson Circuit Court and the Jefferson Superior Court hereby amend Local Rule No. 2 to read as follows:

A. Except as hereinafter set forth, all misdemeanor cases shall be filed in the Jefferson Superior Court.

B. Any Title 35 offenses where the Defendant is under the age of eighteen shall be filed in the Jefferson Circuit Court. All class D felony non-support cases shall be filed in the Jefferson Circuit Court.

C. All other class D felonies shall be filed in the Jefferson Superior Court.

D. All murder and class A felony cases shall be filed in the Jefferson Circuit Court.

E. All other class B and class C felonies shall be filed randomly in either Court, with the Clerk choosing, by lot, which Court shall be selected.

F. Any criminal charge based upon the issuance of a protective order issued by either Court shall be filed in the Court that issued the protective order. Any criminal case against a person who has an unresolved case in either Court shall be filed in the Court where the first offense is pending,

except murder and class A felony charges which shall be filed in the Jefferson Circuit Court.

G. Any cases which may be joined by statutes shall be treated as one case for purposes of determining which Court shall be selected. The highest charge filed shall determine selection.

H. The judges of the two courts shall retain authority to reassign cases between the courts whenever the workload of each Court or convenience in handling the case make such a reassignment judicially desirable.

I. When a motion for change of judge has been granted pursuant to Criminal Rule 12(B), the Clerk shall assign a judge randomly from the following list:

1. Judge of the Scott Circuit Court
2. Judge of the Scott Superior Court
3. Judge of the Switzerland Superior Court
4. Judge of the Jennings Circuit Court
5. Judge of the Jennings Superior Court
6. Judge of the Ripley Circuit Court
7. Judge of the Ripley Superior Court
8. Either judge of the Jefferson Circuit Court
or the Jefferson Superior Court depending
from whom the change has been taken.

J. In the event a case is dismissed and re-filed, the judge last having jurisdiction in the dismissed case shall be the judge in the new case.

This rule shall be effective as soon as approved by the Indiana Supreme Court pursuant to Criminal Rule 2.2.

LR39-TR-79-TR-3

Whenever a special judge is to be selected pursuant to Trial Rule 79(H), the following method shall be used:

A. The Jefferson County Clerk shall select a Special Judge by making a random selection from the following list, excluding the then presiding judge of the Court and the judge before whom the case is then pending:

1. Judge of the Jefferson and Switzerland Circuit Court;
2. Judge of the Jefferson Superior Court;
3. Judge of the Dearborn and Ohio Circuit Courts;
4. Judge of the Dearborn Superior Court - No. 1;
5. Judge of the Dearborn Superior Court - No. 2;
6. Judge of the Ohio and Switzerland Superior Courts;
7. Judge of the Ripley Circuit Court;
8. Judge of the Ripley Superior Court.

B. In the event no judge listed above is eligible to serve as special judge or the particular circumstances of a case warrants selection of a special judge by the Indiana Supreme Court, that situation shall be certified to the Indiana Supreme Court for selection of a special judge.

This rule shall become effective when approved by the Indiana Supreme Court pursuant to Trial Rule 79.

LR39-AR15-AD-6

1. Court Reporters shall be paid an annual salary.
2. Court Reporters shall do all transcripts on their own time using their own equipment.
3. Court Reporters may charge ~~\$4.00~~ \$4.50 per page for appellate transcripts (including Table of Content pages and the Volume cover pages). Court Reporter may charge ~~\$4.00~~ \$4.50 per page for other transcripts and ~~\$2.00~~ \$2.25 per page for copies of transcripts. If the Court Reporter is requested to prepare an expedited transcript, the maximum per page fee shall be ~~\$7.00~~ \$7.50 per page where the transcript must be prepared within 24 hours or less and ~~\$5.50~~ \$6.00 per page where the transcript must be prepared within 3 working days. A minimum fee of ~~\$40.00~~ \$45.00 may be charged for transcripts of ten pages or less. An hourly rate of ~~\$20.00~~ \$21.00 per hour may be charged for time spent binding the transcript and exhibit volumes.
4. Court Reporters shall submit directly to the county claims for indigent transcripts.
5. Court Reporters on a form prescribed by the state, shall on an annual basis report income for transcripts to the Indiana Supreme Court Division of State Court Administration.

6. Court Reporters shall not engage in the private practice of recording depositions or of typing deposition transcripts.

7. The Court can also contract transcript preparation to non-employees at the prices heretofore stated.

8. The Court and the Court Reporter shall enter into a separate written agreement that will regulate the terms and conditions by which gap and overtime hours are governed.