

In the  
Indiana Supreme Court



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

Case No. 21S00-0909-MS- 419

ORDER APPROVING AMENDED LOCAL RULES

The Judges of the Fayette Circuit and Superior Courts request the approval of an amended local rule for caseload allocation in accordance with Ind. Administrative Rule 1(E). Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Fayette Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR21-TR00-4 and LR21-CR00-3 comply with the requirements of Ind. Administrative Rule 1(E), and, accordingly, should be approved and posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website at least thirty (30) days prior to taking effect on January 1, 2010.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule LR21-TR00-4 and LR21-CR00-3 for Fayette County Courts, set forth as an attachment to this Order, are approved effective January 1, 2010. The Clerk of this Court is directed to forward a copy of this Order to the Hon. Daniel Lee Pflum, Fayette Circuit Court, 401 North Central Avenue, Connorsville, IN 47331-1981; the Hon. Ronald T. Urdal, Fayette Superior Court, 401 North Central Avenue, Connorsville, IN 47331-1981; and to the Clerk of the Fayette Circuit Court. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Fayette 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 at least thirty (30) days prior to January 1, 2010.

DONE at Indianapolis, Indiana, this 23<sup>rd</sup> day of September, 2009.

RT Shepard  
Randall T. Shepard  
Chief Justice of Indiana

## **LR21-TR00-TR-4**

### **CASE ASSIGNMENT**

All cases with a designation of IF, OV, PO, SC, and MF shall be filed in Superior Court. Cases with a designation of PO and filed by the Department of Children Services shall be filed in the Fayette Circuit Court. All other case types may be filed in either Court.

## **LR21-CR00-CR- 3**

### **CASE ASSIGNMENT**

The following criminal cases shall be filed in the Fayette Circuit Court: any C felony or higher and Neglect of a Dependent, Non-Support of a Dependent unless the support obligation is the result of an order issued by the Fayette Superior Court, Failure to Appear if the failure was in the Fayette Circuit Court, D felony violations of Indiana Code 35-42-4, 35-44-3-5 and 35-43-2-1.5 and all offenses filed with them, with the following exceptions: Habitual Traffic Offenders.

All other offenses and infractions shall be filed in Fayette Superior Court.

Notwithstanding the above all cases where either the defendant, a co-defendant, the alleged victim or material witness is a person who falls within the third degree of relationship of the presiding judge or the presiding judge's spouse shall be assigned to the other Court. Should it be discovered after the case is filed that the case should have been filed in the other court the case shall be transferred to the other court or reassigned to the other judge as special judge.