

In the  
**Indiana Supreme Court**



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

Cause No. 39S00-1001-MS- 14

ORDER RE-APPROVING CASELOAD ALLOCATION PLAN

Pursuant to Ind. Administrative Rule 1, the Judges of the Jefferson County Circuit and Superior Courts, request this Court to re-approve their caseload allocation plan based upon their revalidation of the plan.

And this Court being duly advised, now finds that the caseload allocation plan for Jefferson County should be re-approved.

IT IS, THEREFORE, ORDERED by this Court, based upon revalidation by the Jefferson County Judges, that the Jefferson County caseload allocation plan is re-approved.

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. Alison T. Frazier, Jefferson Superior Court, 300 East Main Street, Madison, IN 47250-3537; and to the Clerk of the Jefferson Circuit Court. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Jefferson Circuit Court is directed to enter this Order in the Record of Judgments and Orders for the Courts, to post this Order 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 6<sup>th</sup> day of January, 2010.

  
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Randall T. Shepard  
Chief Justice of Indiana

**LR 39-AR-1-AD-7**

Pursuant to AR1, the Courts of Jefferson County, Indiana adopt the following local rules as to case allocation:

1. All probate, paternity, CHINS, juvenile, and mental health cases shall be filed in the Jefferson Circuit Court.
2. All small claims cases shall be filed in the Jefferson Superior Court.
3. All criminal case shall be filed pursuant to LR39-CF-2.2-CR-2.
4. All other cases may be filed in either Court.
5. The Judges of the Jefferson Circuit and Superior Courts retain authority to reassign all types of cases between the courts whenever the workload of each court or convenience in handling the case make such a reassignment judicially desirable.

**LR 39-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 makes 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.