

In the  
Indiana Supreme Court



IN THE MATTER OF )  
 )  
APPROVAL OF LOCAL RULES ) Cause No. 68S00-1410-MS- 692  
 )  
FOR RANDOLPH COUNTY )

ORDER APPROVING REVALIDATED CASELOAD ALLOCATION PLAN

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

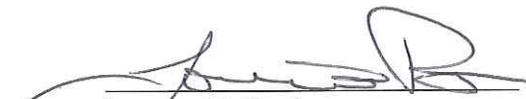
And this Court being duly advised, now finds that the revalidated caseload allocation plan for Randolph County should be approved.

IT IS, THEREFORE, ORDERED by this Court, that the Randolph County revalidated caseload allocation plan is approved.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Peter D. Haviza, Randolph Superior Court, 100 South Main Street, 2nd Floor, Winchester, IN 47394-1892; to the Hon. Jay L. Toney, Randolph Circuit Court, 100 South Main Street, Winchester, IN 47394-1888; to the Clerk of the Randolph Circuit and Superior Courts; and to the Division of State Court Administration.

The Clerk of the Randolph Circuit and Superior Courts 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 on the county clerk's website.

DONE at Indianapolis, Indiana, on October 30, 2014.

  
Loretta H. Rush  
Chief Justice of Indiana

**LR68-AR1-701 PLAN FOR CASELOAD ALLOCATION**

**(A) CIRCUIT COURT** The following cases shall be filed solely in the Randolph Circuit Court:

Murder (MR);  
Mental Health (MH);  
Adoption (AD);  
Estate Supervised (ES);  
Estate, Unsupervised (EU);  
Guardianship (GU);  
Trust (TR);  
Juvenile CHINS (JC);  
Juvenile Delinquency (JD);  
Juvenile Status (JS);  
Juvenile Termination of Parental Rights (JT);  
Juvenile Paternity (JP); and  
Juvenile Miscellaneous (JM)

**(B) SUPERIOR COURT** The following case shall be filed solely in the Randolph Superior Court:

Criminal Misdemeanor (CM), unless part of multiple charges which include a felony being filed in Circuit Court;  
Infraction (IF), unless part of multiple charges which include a felony being charged in Circuit Court;  
Local Ordinance Violation (OV);  
Exempted Ordinance Violation (OE);  
Small Claims (SC); and  
All Title 9 offenses, including homicide with a motor vehicle

**(C) All Class D Felonies** shall be filed in Superior Court except the following which shall be filed in Circuit Court:

Neglect of a dependent and offenses against the family under I.C. 35-46-1-1 et. seq.;  
Felony non-support, I.C. 35-46-1-5, when the underlying support order was issued by the Randolph Superior Court;  
Welfare fraud, I.C. 35-43-5-7; and  
Failure to Register as a Sex Offender, I.C. 5-2-12-9

**(D) Class A, B, and C Felonies** shall be filed in the following manner, based upon the month of commission of the crime:

Charges for crimes committed in January, February, April, May, July, August, October, and November shall be filed in the Randolph Circuit Court.

Charges for crimes committed in March, June, September, and December shall be filed in the Randolph Superior Court.

If multiple offenses are charged in a single information, the month of the earliest charge shall be the month used to determine in which Court the charges will be filed.

(E) Once a case has been assigned in accordance with the provisions set out herein, the case cannot be assigned to another judge by dismissal and refileing if the second filing is based on the same underlying incident.

(F) In criminal cases, the case shall be assigned according to the highest class charge. Cases filed against other defendants arising out of the same fact situation which are joinable by law shall be filed in the same court.

(G) All other cases may be filed in either Court at the election of the filer.

(H) Per I.C. 33-29-1-9, the Judge of the Randolph Circuit Court, with consent of the Judge of the Randolph Superior Court, may transfer any action or proceeding from the Circuit Court to the Superior Court, and the Judge of the Randolph Superior Court, with consent of the Judge of the Randolph Circuit Court, may transfer any action or proceeding from the standard Superior Court to the Circuit Court.