

IC 33-33-48

Chapter 48. Madison County

IC 33-33-48-1

Judicial circuit

Sec. 1. Madison County constitutes the fiftieth judicial circuit.
As added by P.L.98-2004, SEC.12.

IC 33-33-48-2 Version a

Establishment of standard superior court

Note: This version of section effective until 1-1-2012. See also following repeal of this section, effective 1-1-2012.

Sec. 2. (a) There is established a court of record in Madison County to be known as the Madison superior court.

(b) The Madison superior court has five (5) judges.

(c) Except as otherwise provided in this chapter, the Madison superior court is a standard superior court as described in IC 33-29-1.
As added by P.L.98-2004, SEC.12. Amended by P.L.127-2008, SEC.14.

IC 33-33-48-2 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

Note: This repeal of section effective 1-1-2012. See also preceding version of this section, effective until 1-1-2012.

IC 33-33-48-3

Repealed

(Repealed by P.L.161-2011, SEC.19; P.L.201-2011, SEC.113.)

IC 33-33-48-4 Version a

Chief judge

Note: This version of section effective until 1-1-2012. See also following repeal of this section, effective 1-1-2012.

Sec. 4. The Madison superior court may designate by rule one (1) of the judges as chief judge and fix the time the chief judge presides. The chief judge shall be responsible for the operation and conduct of the court.

As added by P.L.98-2004, SEC.12.

IC 33-33-48-4 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

Note: This repeal of section effective 1-1-2012. See also preceding version of this section, effective until 1-1-2012.

IC 33-33-48-5 Version a

Location of court sessions

Note: This version of section effective until 1-1-2012. See also following repeal of this section, effective 1-1-2012.

Sec. 5. The Madison superior court shall hold its sessions in the Madison County courthouse or its replacement in Anderson.
As added by P.L.98-2004, SEC.12.

IC 33-33-48-5 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

Note: This repeal of section effective 1-1-2012. See also preceding version of this section, effective until 1-1-2012.

IC 33-33-48-6 Version a

Rules

Note: This version of section effective until 1-1-2012. See also following repeal of this section, effective 1-1-2012.

Sec. 6. The judges of the Madison superior court may make rules for conducting the business of the court.

As added by P.L.98-2004, SEC.12.

IC 33-33-48-6 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

Note: This repeal of section effective 1-1-2012. See also preceding version of this section, effective until 1-1-2012.

IC 33-33-48-7 Version a

Personnel

Note: This version of section effective until 1-1-2012. See also following repeal of this section, effective 1-1-2012.

Sec. 7. In addition to the personnel appointed under IC 33-29-1-5, the Madison superior court may appoint probation officers and other personnel, including an administrative officer, necessary to transact the business of the court. The salaries of the personnel shall be fixed and paid as provided by law. However, if the salaries of any of the personnel are not provided by law, the amount and time of payment of the salaries shall be fixed by the court, to be paid out of the county treasury by the county auditor upon the order of the court, and be entered of record. The officers and persons appointed shall perform duties as prescribed by the court. Personnel appointed by the court serve at the pleasure of the court.

As added by P.L.98-2004, SEC.12.

IC 33-33-48-7 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

Note: This repeal of section effective 1-1-2012. See also preceding version of this section, effective until 1-1-2012.

IC 33-33-48-7.5

Magistrates

Sec. 7.5. (a) The judges of the Madison circuit court may jointly

appoint one (1) full-time magistrate under IC 33-23-5 to serve the circuit court.

(b) The magistrate continues in office until removed by the judges of the circuit court.

As added by P.L.246-2005, SEC.221. Amended by P.L.201-2011, SEC.68.

IC 33-33-48-8 Version a

Jurors

Note: This version of section effective until 1-1-2012. See also following repeal of this section, effective 1-1-2012.

Sec. 8. Notwithstanding IC 33-29-1-8, any judge of the Madison superior court may order the selection and summoning of jurors for the court whenever necessary. Jurors shall serve the entire court and before any judge of the court where their service may be required.

As added by P.L.98-2004, SEC.12.

IC 33-33-48-8 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

Note: This repeal of section effective 1-1-2012. See also preceding version of this section, effective until 1-1-2012.

IC 33-33-48-9 Version a

Dockets

Note: This version of section effective until 1-1-2012. See also following repeal of this section, effective 1-1-2012.

Sec. 9. (a) The Madison superior court shall provide that all cases filed in the court be assigned to a particular docket, such as civil, probate, criminal, juvenile, or small claims. The responsibility for processing the cases on each of these dockets shall be assigned to the judges of the court under the rules adopted by the court.

(b) The chief judge may reassign the court dockets from one (1) judge to another and may alter the number of judges responsible for the various dockets where efficiency demands.

As added by P.L.98-2004, SEC.12.

IC 33-33-48-9 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

Note: This repeal of section effective 1-1-2012. See also preceding version of this section, effective until 1-1-2012.

IC 33-33-48-10 Version a

Jurisdiction of the superior court

Note: This version of section effective until 1-1-2012. See also following repeal of this section, effective 1-1-2012.

Sec. 10. (a) The Madison superior court has:

- (1) original and appellate jurisdiction, concurrent and coextensive with the Madison circuit court, in all civil, probate,

and criminal cases; and

(2) jurisdiction concurrent and coextensive with the circuit court in all cases of appeal from the board of county commissioners and city courts.

(b) The Madison superior court has original and exclusive juvenile jurisdiction.

As added by P.L.2-2005, SEC.91.

IC 33-33-48-10 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

Note: This repeal of section effective 1-1-2012. See also preceding version of this section, effective until 1-1-2012.

IC 33-33-48-11 Version a

Small claims and misdemeanor division

Note: This version of section effective until 1-1-2012. See also following repeal of this section, effective 1-1-2012.

Sec. 11. Beginning January 1, 2009, the Madison superior court has a standard small claims and misdemeanor division.

As added by P.L.2-2005, SEC.92. Amended by P.L.127-2008, SEC.15.

IC 33-33-48-11 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

Note: This repeal of section effective 1-1-2012. See also preceding version of this section, effective until 1-1-2012.

IC 33-33-48-12

Judges; jurisdiction; dockets

Sec. 12. (a) The Madison circuit court is a court of general jurisdiction with six (6) judges. The divisions of the court shall be known as Madison circuit court No. 1, No. 2, No. 3, No. 4, No. 5, and No. 6. Madison County constitutes the judicial district of the court and each of the court's divisions. The court shall maintain the following:

(1) A small claims and misdemeanor division under IC 33-28-3 that has:

(A) a small claims docket; and

(B) a minor offenses and violations docket.

(2) A criminal docket.

(3) A juvenile docket.

(4) A civil docket.

(5) A probate docket.

(6) A problem solving docket.

(b) The assignment of judges of the circuit court to the dockets specified in subsection (a) must be by rule of the circuit court.

As added by P.L.201-2011, SEC.69.

IC 33-33-48-13

Chief judge

Sec. 13. The judges of the circuit court shall select from among themselves a chief judge of the circuit court. The chief judge shall be selected for a minimum term of twelve (12) months.

As added by P.L.201-2011, SEC.70.

IC 33-33-48-14

Concerted action by the judges; majority rules

Sec. 14. When any action of the entire circuit court is required, the judges of the circuit court shall act in concert. If the judges disagree, the decision of the majority of the judges present and voting controls.

As added by P.L.201-2011, SEC.71.

IC 33-33-48-15

Chief judge; duties

Sec. 15. In accordance with rules adopted by the judges of the circuit court under section 16 of this chapter, the chief judge shall do the following:

- (1) Ensure that the circuit court operates efficiently and judicially under rules adopted by the circuit court.
- (2) Annually submit to the fiscal body of Madison County a budget for the court, including amounts necessary for:
 - (A) the operation of the circuit's probation department;
 - (B) the defense of indigents; and
 - (C) maintaining an adequate legal research facility.
- (3) Make the appointments or selections required of a circuit or superior court judge.

As added by P.L.201-2011, SEC.72.

IC 33-33-48-16

Rules

Sec. 16. (a) The judges of the circuit court shall adopt rules to provide for the administration of the circuit court, including rules governing the following:

- (1) Allocation of case load.
- (2) Legal representation for indigents.
- (3) Budgetary matters of the circuit court.
- (4) Operation of the probation department.
- (5) Term of administration of the chief judge.
- (6) Employment and management of circuit court personnel.
- (7) Cooperative efforts with other courts for establishing and administering shared programs and facilities.

(b) The circuit court shall file with the division of state court administration a copy of the rules adopted under this section.

As added by P.L.201-2011, SEC.73.

IC 33-33-48-17

Personnel

Sec. 17. (a) Each judge of the circuit court may, subject to the budget approved for the court by the fiscal body of Madison County, employ personnel necessary for the proper administration of the circuit court.

(b) Personnel employed under this section:

(1) include court reporters, bailiffs, clerical staff, and any additional officers necessary for the proper administration of the circuit court; and

(2) are subject to the rules concerning employment and management of circuit court personnel adopted by the circuit court under section 16 of this chapter.

As added by P.L.201-2011, SEC.74.

IC 33-33-48-18

Court administrator

Sec. 18. (a) Subject to the budget approved for the circuit court by the fiscal body of Madison County, the circuit court may appoint a court administrator.

(b) A court administrator appointed under this section is subject to the rules concerning employment and management of circuit court personnel adopted by the circuit court under section 16 of this chapter.

As added by P.L.201-2011, SEC.75.