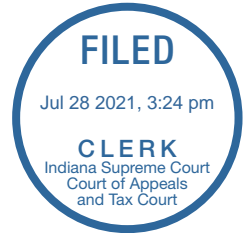


# In the Indiana Supreme Court

In the Matter of the Approval of Local  
Rules for Madison County

Supreme Court Case No.  
21S-MS-356



## Order Approving Amended Local Rule

The Judges of the Madison Circuit and Superior Courts request the approval of amended local rules for caseload allocation in accordance with Indiana Administrative Rule 1(E) and for criminal case assignments in accordance with Indiana Criminal Procedure Rule 2.2. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Madison Circuit and Superior Courts, this Court finds that the proposed rule amendments at LR48-AR00-02 comply with the requirements of Indiana Administrative Rules 1(E) and LR48-CR2.2-08 comply with Criminal Procedure Rule 2.2, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR48-AR00-02 and LR48-CR2.2-08, for Madison Circuit and Superior Courts, set forth as an attachment to this Order, are approved effective August 1, 2021.

Done at Indianapolis, Indiana, on 7/28/2021.

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Loretta H. Rush  
Chief Justice of Indiana

**LR48-AR00-02      CASELOAD PLAN**

A. In compliance with Administrative Rule 1(E), the following chart reflects the caseload allocation for the Madison Circuit Court. No part of this rule shall prohibit the transfer of individual cases to promote efficiency, fair distribution, or the timely resolution of cases.

CASELOAD ALLOCATION						
	Circuit 1	Circuit 2	Circuit 3	Circuit 4	Circuit 5	Circuit 6
F1	25%		25%	25%		25%
F2	25%		25%	25%		25%
F3	25%		25%	25%		25%
F4	25%		25%	25%		25%
F5	25%		25%	25%	*see below	25%
F6	12.5%		12.5%	12.5%	50%	12.5%
MR	25%		25%	25%		25%
FA	25%		25%	25%		25%
FB	25%		25%	25%		25%
FC	25%		25%	25%		25%
FD	12.5%		12.5%	12.5%	50%	12.5%
CM	12.5%	Compulsory Attendance	12.5%	12.5%	50%	12.5%
MC						
PL						
MF	33.3%		33.3%			33.3%
CC	Over \$3,000		Over \$3,000	Under \$3,000		Over \$3,000
CT						
SC				50%	50%	
EV				50%	50%	
DC	22.5%	10%	22.5%	22.5%		22.5%
DN	22.5%	10%	22.5%	22.5%		22.5%
DC DN (Pro se)	25%		25%	25%		25%
RS						
MH						
AD						

ES/EU						
GU						
GM						
TR						
PO	25%		25%	25%		25%
MI	20%		20%	20%	20%	20%
MI (IV-D)	33.3%		33.3%			33.3%
OV						
JC		100%				
JD		100%				
JS		100%				
JP			50%			50%
JM		100%				
JT		100%				

\*Any new F5 where Defendant has pending charge in Circuit Court 5

## **CRIMINAL RULES**

### **LR48-CR2.2-08      CRIMINAL DOCKETS (ASSIGNMENT)**

A. All felonies and misdemeanors filed in the Madison Circuit Court shall be assigned and docketed in accordance with this Rule. Charges shall be filed and assigned pursuant to Section B, if applicable. If Section B is not applicable, charges shall be filed and assigned in accordance with Section C. Effective as of July 1, 2014: Unless Section B applies, cases with multiple defendants or with co-defendants shall be considered one case for filing purposes and shall be assigned to a single court, although each defendant may be given a separate cause number.

B. New felony and misdemeanor charges shall be filed in the Court where other charges are pending against the defendant or where the defendant is on probation or otherwise under supervision. However, only level 5 and 6 felonies and misdemeanor charges shall be filed in Circuit Court 5 under this provision. (Effective 8/1/2021)

C. Capital cases, life without parole cases, Murder cases, Class A felonies, Class B felonies and Class C felonies shall be randomly filed pursuant to the Madison County caseload allocation table.

Effective July 1, 2014: Capital cases, life without parole cases, Murder cases, Class A felonies, Class B felonies, Class C felonies, Level 1 felonies, Level 2 felonies, Level 3 felonies, Level 4 felonies and Level 5 felonies shall be randomly filed pursuant to the Madison County caseload allocation table.

D. When a case requires a change of Judge, the Clerk shall randomly select a new Judge from the remaining judges exercising comparable jurisdiction. The Clerk shall so notify the new Judge of the appointment as Special Judge. If a selected Special Judge is unable to accept jurisdiction due to conflict of interest, or the Special Judge is later disqualified, the Clerk shall select a successor Special Judge at random from the remaining Judges of the Circuit Court exercising criminal jurisdiction. In the event the Clerk cannot select a special judge from the Judges of the Circuit Court, then the Clerk shall select on a rotating basis a special judge from a list of judges from the following counties: Grant, Delaware, Henry, Hancock, Hamilton, Tipton.

In the event no Judge is available for assignment or reassignment of a criminal case, such a case shall be certified to the Indiana Supreme Court for appointment of a special judge. In the event the presiding Judge in a criminal case concludes that the unique circumstances presented in such a preceding require appointment of a special Judge, the presiding Judge may request that the Indiana Supreme Court make such an appointment.