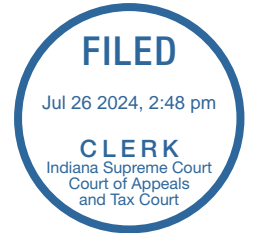


In the
Indiana Supreme Court

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

Supreme Court Case No.
24S-MS-122



Corrected Order Approving Amended Local Rules

The Judges of the Jefferson Circuit and Superior Courts request the approval of amended local rules for civil case special judge assignments in accordance with Trial Rule 79, criminal case assignment in accordance with Administrative Rule 1(E), and criminal case special judge assignments in accordance with Administrative Rule 21. This Court approved the amendments on April 8, 2024. Subsequently, it was determined that the local rule language submitted to this Court for approval was incorrect. Attached to this Corrected Order are the correct proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Jefferson Circuit and Superior Courts, this Court finds that the proposed rule amendments to LR39-TR-79-TR-3 comply with Trial Rule 79, and the amendments to LR39-AR-21 comply with Administrative Rules 1(E) and 21, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR39-TR-79-TR-3 and LR39-AR-21, for the Jefferson Circuit and Superior Courts, set forth as attachments to this Corrected Order, are approved effective July 29, 2024.

Done at Indianapolis, Indiana, on 7/26/2024 .

A handwritten signature in black ink that reads "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

LR39-AR-21
Assignment & Reassignment of Criminal Cases

- A. Except as herein 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 Level 5 and Level 6 felony non-support cases shall be filed in the Jefferson Circuit Court.
- C. All other Level 6 and Level 5 felonies shall be filed in the Jefferson Superior Court.
- D. All murder and Level 1, Level 2, Level 3 and Level 4 felony cases shall be filed in the Jefferson Circuit Court.
- E. 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 a pending petition to revoke probation case in either Court shall be filed in the Court where the probation revocation is pending, except murder and Level 1 felony charges which shall be filed in the Jefferson Circuit Court, or where such transfer would create a conflict of interest for the intended receiving judge.
- F. 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.
- G. 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. When a disqualification or recusal of a sitting judge has occurred pursuant to Code of Judicial Conduct 2.11(A)(1) and a successor judge cannot be assigned in the same manner as the initial judge, Senior Judge Richard Striegel or Senior Judge Carl Taul shall be assigned to preside over those cases for purposes of the effective use of judicial resources. Should Senior Judge Striegel or Senior Judge Taul decline appointment, be otherwise unable to serve or if a party has lodged a written objection, another Senior Judge who has elected to serve Jefferson County shall be appointed.
- H. When a change of Judge has been granted pursuant to Administrative Rule 21(A) and a successor judge cannot be assigned in the same manner as the initial judge, the Clerk shall assign a full-time judicial officer or a senior judge from Scott, Switzerland, Jennings, Ripley, Clark, Ohio and Dearborn counties, or a senior judge, including but not limited to:
1. Judge of the Scott Circuit Court
 2. Judge of the Scott Superior Court
 3. Magistrate of the Scott Circuit & Superior Courts
 4. Judge of the Switzerland Circuit Court
 5. Judge of the Jennings Circuit Court
 6. Judge of the Jennings Superior Court

7. Magistrate of the Jennings Circuit & Superior Courts
8. Judge of the Ripley Circuit Court
9. Judge of the Ripley Superior Court
10. Judge of the Clark Circuit Court 1
11. Judge of the Clark Circuit Court 2
12. Magistrate of the Clark Circuit Court 2 and Superior Court 6
13. Judge of the Clark Circuit Court 3
14. Magistrate of the Clark Circuit Court 3
15. Judge of the Clark Circuit Court 4
16. Magistrate of the Clark Circuit Court 4
17. Judge of the Clark Superior Court 5
18. Magistrate of the Clark Superior Court 5
19. Judge of the Clark Superior Court 6
20. Judge of the Dearborn/Ohio Circuit Court
21. Magistrate of the Dearborn/Ohio Circuit Court
22. Judge of the Dearborn Superior Court 1
23. Judge of the Dearborn Superior Court 2
24. Any Senior Judge who has elected to serve in Jefferson County

LR39-TR-79-TR-3
Special Judge Assignment in Civil Cases

Whenever a special judge is to be selected pursuant to Trial Rule 79(H), the following method shall be used:

- A. The Jefferson County Clerk shall select a Special Judge by making a selection from the following list, excluding the then presiding judge of the Court and the judge before whom the cases then pending:
 1. Judge of the Jefferson Circuit Court
 2. Judge of the Jefferson Superior Court
 3. Judge of the Dearborn and Ohio Circuit Courts
 4. Judge of the Dearborn Superior Court – No. 1
 5. Judge of the Dearborn Superior Court – No. 2
 6. Magistrate of the Dearborn Circuit Court
 7. Judge of the Switzerland Circuit Court
 8. Judge of the Ripley Circuit Court
 9. Judge of the Ripley Superior Court
 10. Any Senior Judge who has elected to serve in Jefferson County

B. In the event no judge listed above is eligible to serve as a special judge or the particular circumstances of a case warrant selection of a special judge by the Indiana Supreme Court, that situation shall be certified to the Indiana Supreme Court for selection of a special judge.