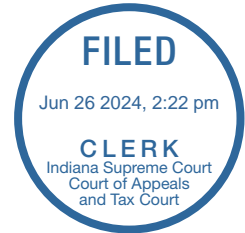


In the
Indiana Supreme Court

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

Supreme Court Case No.
24S-MS-219



Order Approving Amended Local Rules

The Judges of the Madison Circuit Courts request the approval of amended local rules for caseload allocation in accordance with Administrative Rule 1(E) and for civil case special judge assignments in accordance with Trial Rule 79. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Madison Circuit Courts, this Court finds that the amendments to LR48-AR00-02 comply with the requirements of Administrative Rule 1(E) and that the amendments to LR48-TR79-16 comply with Trial Rule 79, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended local rules, LR48-AR00-02 and LR48-TR79-16, for the Madison Circuit Courts, set forth as attachments to this Order, are approved effective June 30, 2024.

Done at Indianapolis, Indiana, on 6/26/2024.

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

Loretta H. Rush
Chief Justice of Indiana

LR48-AR00-02 CASELOAD PLAN

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.

Cases shall be filed per the following allocation:

Circuit Court No. 1

Criminal: Crimes committed on or before June 30, 2014: Felonies, which include MR (Murder), FA (Class A Felony), FB (Class B Felony), FC (Class C Felony) 25% of total filings; FD (Class D Felony) 12.5% of total filings; MC (Miscellaneous Criminal) and CM (Criminal Misdemeanors) in conjunction with Murder or A, B, C, Felonies, or D Felonies. Crimes committed on or after July 1, 2014: MR (Murder); F1 (Level 1 Felony); F2 (Level 2 Felony); F3 (Level 3 Felony); F4 (Level 4 Felony); F5 (Level 5 Felony); 25% of total filings; F6 (Level 6 Felony) 17.5% of total filings; MC (Miscellaneous Criminal) and misdemeanors in conjunction with Levels 1, 2, 3, 4, 5, and 6 felonies, RF (Red Flag) 100% of total filings.

Civil: PL (Civil Plenary), MF (Mortgage Foreclosure) 33% of total filings, CC (Civil Collections) over \$3,000 only, CT (Civil Tort), DC, DN, (Domestic Relations) 17.5% of total filings, DC, DN (pro se) 20% of total filings, RS (Reciprocal Support), MH (Mental Health), AD (Adoption), ES, EU, GU, GM, TR (Probate), PO (Protective Orders) 25% of total filings, MI (Miscellaneous) 20% of total filings (excepting MI Title IV-D 33% of total filings, OV (Ordinance Violations), RF (Red Flag) 100% of total filings.

Circuit Court No. 2

Criminal: Felonies, which include F6 (Level 6 Felony) 100% of all Educational Neglect Cases only, MC (Miscellaneous Criminal), and CM (Criminal Misdemeanors) - compulsory attendance only.

Civil: DC, DN, (Domestic Relations) 10% of total filings, RS (Reciprocal Support), MH (Mental Health), GU (only for GU cases with an accompanying CHINS case), GM (Probate), OV (Ordinance Violations).

Juvenile: JP (Juvenile Paternity) 20% of total filings (JP case with accompanying CHINS case must be assigned to Circuit 2); JD (Juvenile Delinquency), JS (Juvenile Status), JM (Juvenile Miscellaneous), JC (Juvenile CHINS), JT (Juvenile Termination), JQ (Juvenile Protective Order), JM (Juvenile Miscellaneous) 100% of total filings.

Circuit Court No. 3

Criminal: Crimes committed on or before June 30, 2014: Felonies, which include MR (Murder), FA (Class A Felony), FB (Class B Felony), FC (Class C Felony) 25% of total filings; FD (Class D Felony) 12.5% of total filings; MC (Miscellaneous Criminal) and CM (Criminal Misdemeanors) in conjunction with Murder or A, B, C, Felonies, or D Felonies. Crimes committed on or after July 1, 2014: MR (Murder); F1 (Level 1 Felony); F2 (Level 2 Felony); F3 (Level 3 Felony); F4 (Level 4 Felony); F5 (Level 5 Felony); 25% of total filings; F6 (Level 6 Felony) 17.5% of total filings; MC (Miscellaneous Criminal) and misdemeanors in conjunction with Levels 1, 2, 3, 4, 5, and 6 felonies.

Civil: PL (Civil Plenary), MF (Mortgage Foreclosure) 33% of total filings, CC (Civil Collections) over \$3,000 only, CT (Civil Tort), DC, DN, (Domestic Relations) 17.5% of total filings, DC, DN (pro se) 20% of total filings, RS (Reciprocal Support), MH (Mental Health), AD (Adoption), ES, EU, GU, GM, TR (Probate), PO (Protective Orders) 25% of total filings, MI (Miscellaneous) 20% of total filings (excepting MI Title IV-D 33% of total filings), OV (Ordinance Violations).

Juvenile: JP (Juvenile Paternity) 40% of total filings.

Circuit Court No. 4

Criminal: Crimes committed on or before June 30, 2014: Felonies, which include MR (Murder), FA (Class A Felony), FB (Class B Felony), FC (Class C Felony) 25% of total filings; FD (Class D Felony) 12.5% of total filings; MC (Miscellaneous Criminal) and CM (Criminal Misdemeanors) in conjunction with Murder or A, B, C, Felonies, or D Felonies. Crimes committed on or after July 1, 2014: MR (Murder); F1 (Level 1 Felony); F2 (Level 2 Felony); F3 (Level 3 Felony); F4 (Level 4 Felony); F5 (Level 5 Felony); 25% of total filings; F6 (Level 6 Felony) 17.5% of total filings; MC (Miscellaneous Criminal) and misdemeanors in conjunction with Levels 1, 2, 3, 4, 5, and 6 felonies.

Civil: PL (Civil Plenary), CC (Civil Collections) under \$3,000 only, CT (Civil Tort), SC (Small Claims) 50% of total filings, EV (Evictions) 50% of total filings, DC, DN, (Domestic Relations) 17.5% of total filings, DC, DN (pro se) 20% of total filings, MH (Mental Health), PO (Protective Orders) 25% of total filings, MI (Miscellaneous) 20% of total filings, OV (Ordinance Violations).

Circuit Court No. 5

Criminal: Crimes committed on or before June 30, 2014: Felonies which include FD (Class D Felony) 50% of total filings; MC (Miscellaneous Criminal) and CM (Criminal Misdemeanors) in conjunction with D Felonies. Crimes committed on or after July 1, 2014: F6 (Level 6 Felony) 30% of total filings; MC (Miscellaneous Criminal) and misdemeanors in conjunction with Level 6 felonies.

Civil: PL (Civil Plenary), CC (Civil Collections) under \$3,000 only, CT (Civil Tort), SC (Small Claims) 50% of total filings, EV (Evictions) 50% of total filings, DC, DN, represented and pro se (Domestic Relations) 20% of total filings, MH (Mental Health), MI (Miscellaneous) 20% of total filings, OV (Ordinance Violations).

Circuit Court No. 6

Criminal: Crimes committed on or before June 30, 2014: Felonies, which include MR (Murder), FA (Class A Felony), FB (Class B Felony), FC (Class C Felony) 25% of total filings; FD (Class D Felony) 12.5% of total filings; MC (Miscellaneous Criminal) and CM (Criminal Misdemeanors) in conjunction with Murder or A, B, C, Felonies, or D Felonies. Crimes committed on or after July 1, 2014: MR (Murder); F1 (Level 1 Felony); F2 (Level 2 Felony); F3 (Level 3 Felony); F4 (Level 4 Felony); F5 (Level 5 Felony); 25% of total filings; F6 (Level 6 Felony) 17.5% of total filings; MC (Miscellaneous Criminal) and misdemeanors in conjunction with Levels 1, 2, 3, 4, 5, and 6 felonies.

Civil: PL (Civil Plenary), MF (Mortgage Foreclosure) 33% of total filings, CC (Civil Collections) over \$3,000 only, CT (Civil Tort), DC, DN, (Domestic Relations) 17.5% of total filings, DC, DN (pro se) 20% of total filings, RS (Reciprocal Support), MH (Mental Health), AD (Adoption), ES, EU, GU, GM, TR (Probate), PO (Protective Orders) 25% of total filings, MI (Miscellaneous) 20% of total filings (excepting MI Title IV-D 33% of total filings), OV (Ordinance Violations).

Juvenile: JP (Juvenile Paternity) 40% of total filings.

LR48-TR79-16 SPECIAL JUDGE SELECTION

A. A copy of each pleading or each paper filed with the Court after a Special Judge has qualified shall be mailed or delivered by counsel to the office of that Special Judge with service to that Special Judge indicated on the certificate of service.

B. Pursuant to Trial Rule 79, should all remedies listed under 79(D) fail to produce a special judge then the appointment of an eligible special judge shall be made pursuant to local rule, as follows, in accordance with 79(H).

C. The Madison County Clerk, on a rotating basis in consecutive order, shall appoint the eligible judge in Madison County as follows:

For all domestic relations, paternity cases, and all other civil case types:

- Presiding Judge of Circuit Court 1
- Presiding Judge of Circuit Court 2
- Presiding Judge of Circuit Court 3
- Presiding Judge of Circuit Court 4
- Presiding Judge of Circuit Court 5
- Presiding Judge of Circuit Court 6
- Madison County Magistrate # 1
- Madison County Magistrate # 2
- Madison County Juvenile Magistrate

D. Should none of the above referenced judges accept jurisdiction due to disqualification pursuant to the Code of Judicial Conduct, ineligibility for service under this rule Trial Rule 79 or excused from service by the Indiana Supreme Court, then the appointment shall be made at random by the Clerk from eligible Judges and Magistrates within Administrative District 14 (Grant County Circuit Court, Grant County Superior Court Divisions 1, 2, 3).

E. In the event that no judicial officer within Administrative District 14 is eligible to serve as special judge or the particular circumstances of the case warrant selection of a special judge by the Indiana Supreme Court, the judge of the court in which the case is pending shall certify the matter to the Indiana Supreme Court for appointment of a special judge.