

In the Indiana Supreme Court

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

Supreme Court Case No.
25S-MS-211



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), for court reporter services in accordance with Administrative Rule 15, and for special judge assignments in accordance with Trial Procedure 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 proposed amendments to LR48-AR00-02 and LR48-AR1-03 comply with the requirements of Administrative Rule 1(E), the amendments to LR48-AR15-04 comply with Administrative Rule 15, 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, LR48-AR1-03, LR48-AR15-04, and LR48-TR79-16, for the Madison Circuit Courts, set forth as attachments to this Order, are approved effective January 1, 2026.

Done at Indianapolis, Indiana, on 8/20/2025.

A handwritten signature in black ink, appearing to read "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

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

Offense	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%		25%
F6	15%	Educational Neglect	15%	15%	40%	15%
MR	25%		25%	25%		25%
CM	12.5%	Compulsory Attendance	12.5%	12.5%	50%	12.5%
MC						
RF	100%					
PL	33.3%		33.3%			33.3%
MF	33.3%		33.3%			33.3%
CC	Over \$3,000		Over \$3,000	Under \$3,000	Under \$3,000	Over \$3,000
CE						
CT						
SC					50%	50%
EV					50%	50%
DC	17.5%	10%	17.5%	17.5%	20%	17.5%
DN	17.5%	10%	17.5%	17.5%	20%	17.5%
GV						
DC DN (Pro se)	20%		20%	20%	20%	20%
RS						
MH						
AD						
ES/EU						
EM						
GU						
GM						

TR						
TP			100%			
RF	100%					
PO	25%		25%	25%		25%
MI	20%		20%	20%	20%	20%
OV						
XP						
RA						
JC		100%				
JD		100%				
JS		100%				
JP		20% **	40%			40%
JM		100%				
JT		100%				

* Circuit 2 added to GU case type for GU cases with an accompanying CHINS case.

** JP case w/accompanying CHINS case must be assigned to Circuit 2.

*** In civil cases, where no percentage cap exists and that division is not blacked out, the filer may select any division of the court with no restriction.

LR48-AR1-03 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 6 felonies and misdemeanor charges shall be filed in Circuit Court 5 under this provision.

C. 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. Capital cases, Murder cases, Life without parole cases will be filed according to the fixed rotation:

Circuit Court, Division 4
Circuit Court, Division 3
Circuit Court, Division 6
Circuit Court, Division 1

Codefendants in such cases are to be filed in the same court division. If codefendants are filed in the same court division, then each defendant shall count as a separate filing for the fixed rotation schedule. For example, if two codefendants are filed in Division 4 then Division 4 is removed for two full rotations. No other exceptions apply to the fixed rotation, including when a defendant has a pending case filed in a different court division.

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. 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 full-time judicial officers 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

LR48-AR15-04 COURT REPORTER SERVICES

A. Salaries and Per Page Fees.

1. Court reporters shall be paid an annual salary for time spent working under the control, direction, and direct supervision of their supervising Judge during regular work hours or overtime hours. The supervising Judge shall enter into a written agreement with the court reporter which outlines the manner in which the court reporter is to be compensated for overtime hours.

2. The maximum per page fee a court reporter may charge for the preparation of a non-expedited transcript shall be \$5.30 per page. Expedited transcripts charges are as follows:

\$6.30 per page for completion within 14 days,
\$7.00 per page for completion within 7 days,
\$8.00 per page for completion within 3 days,
\$9.00 per page for completion within 1 day.

A reporter may charge \$1.00 per page for copies of transcripts. If any public facilities, supplies or equipment are used in the recording, transcribing, or preparation of any transcript, the reporter shall reimburse the county at the rate of .10 per page. If such transcript is not paid out of county funds, the reporter shall reduce the fee invoiced by .10 per page. If such transcript is not paid out of county funds, the reporter shall bill at the full rate and remit the .10 per page portion to the county.

3. A minimum fee up to \$35.00 per transcript is permissible.
4. Index and Table of Contents pages should be charged at the per page rate being charged for the rest of the transcript.
5. An additional labor charge of \$25.00 per hour will be charged for the time spent binding the transcript and the exhibit binders.
6. A court reporter shall not be compensated for transcripts prepared during regular working hours. Private transcripts shall not be prepared during regular working hours.
7. At separation of employment, the court reporter forfeits all future claim to income derived from requested copies of previously typed transcripts.
8. Upon payment for an indigent transcript, the court reporter shall transfer the original electronic media containing the fully transcribed record to the custody of the court.

B. Private Practice.

1. If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, and the court reporter desires to utilize the court's equipment, workspace, and supplies, and the court agrees to the use of the court equipment for such purposes, the court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:
 - a. The reasonable market rate for the use of equipment, work space and supplies;
 - b. The method by which records are to be kept for the use of equipment, work space and supplies, and
 - c. The method by which the court reporter is to reimburse the court for the use of the equipment, work space and supplies.
2. If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.

C. Court Transcription Policy.

1. Any person who is a court reporter or any other responsible person directed to prepare certified transcripts of court proceedings shall be administered a court reporter's oath before said person is entitled to prepare certified transcripts of proceedings.
2. Only Court employees are authorized to make certified transcriptions from recordings for the purpose of facilitating and expediting the trial of causes and appeals.

3. The court reporter or other designated person causing a matter to be recorded shall have the first right of refusal to prepare any necessary certified transcriptions from said recording.

If the person with the first right of refusal to prepare a certified transcript declines to prepare said transcript, then other competent persons in the court of said recording's origination shall have, on a rotating basis, the next right of refusal to prepare said certified transcript.

If no person in the originating court exercises their option to prepare said certified transcript, then the person who caused the matter to be recorded shall select another responsible and competent court reporter employed by the Court to prepare said certified transcript.

4. The person who prepares the certified transcript from recordings shall be the person who certifies the transcript as being complete and accurate.

5. All court reporters must use the same invoice for submission of payment (format on file in court administration).

6. The invoice must be accompanied by a copy of the transcript (to verify page numbers) and the minute entry approving the transcript.

7. The transcript shall be certified by the Court Administrator and signed by the judge of the court of origination unless the originating judge does not require the transcript to be first approved.

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.
(Effective June 30, 2024)