

**STATE OF INDIANA – COUNTY OF JEFFERSON  
IN THE JEFFERSON CIRCUIT AND SUPERIOR COURTS**

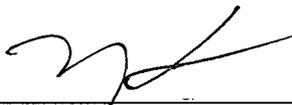
**Notice of Proposed Local Rule and Finding Good Cause to Deviate  
From Established Schedule, Request for Comments and  
Request for Supreme Court Approval**

The Judge of the Jefferson Circuit Court and the Judge of the Jefferson Superior Court give notice pursuant to Trial Rule 81(B) of proposed amendments to the local rule that adds a new local rule for Assignment and Reassignment of Criminal Cases. LR 39-CF2.2-CR-2.

Notice has been given to the public by posting on the website of the Jefferson County Clerk and on the Indiana Judicial Website, and by furnishing a copy to the officers of the Jefferson County Bar Association. Comments may be made until August 22<sup>nd</sup>, 2015.

These rule amendments will be effective on August 22<sup>nd</sup>, 2015 and after approval of the Indiana Supreme Court for those rules requiring approval.

DATED this 22<sup>nd</sup> day of July, 2015 on behalf of the Judges of Jefferson County.

  
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MICHAEL J. HENSLEY, Judge  
Jefferson Superior Court

  
\_\_\_\_\_  
DARRELL M. AUXIER, Judge  
Jefferson Circuit Court

Pursuant to Criminal Rules 2.2, 12 and 13, the Jefferson Circuit Court and the Jefferson Superior Court hereby amend Local Rule No. 2 to read as follows:

- A. Except as hereinafter 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 ~~class-D~~ Level 5 and level 6 felony non-support cases shall be filed in the Jefferson Circuit Court.
- C. All other ~~class-D~~ Level 6 felonies shall be filed in the Jefferson Superior Court.
- D. All murder and ~~class-A~~ Level 1, Level 2, Level 3 and Level 4 felony cases shall be filed in the Jefferson Circuit Court.
- E. All other ~~class-B and class-C~~ Level 5 felonies shall be filed randomly in either Court, with the Clerk choosing, by lot, which Court shall be selected.
- F. 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 an unresolved case in either Court shall be filed in the Court where the first offense is pending, except murder and class A felony charges which shall be filed in the Jefferson Circuit Court.
- G. Any cases which may be joined by statues shall be treated as one case for purposes of determining which Court shall be selected. The highest charge filed shall determine selection.
- H. 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, make such a reassignment judicially desirable.
- I. When a motion for change of judge has been granted pursuant to Criminal Rule 12(B), or an order of disqualification or recusal has been entered, the Clerk shall assign a judge randomly from the following list:
  1. Judge of the Scott Circuit Court
  2. Judge of the Scott Superior Court
  3. Judge of the Switzerland Circuit Court
  4. Judge of the Jennings Circuit Court
  5. Judge of the Jennings Superior Court
  6. Judge of the Ripley Circuit Court
  7. Judge of the Ripley Superior Court
  8. Either judge of the Jefferson Circuit Court or the Jefferson Superior Court depending from whom the change has been taken.
- J. In the event a case is dismissed and re-filed, the judge last having jurisdiction in the dismissed cause shall be the judge in the new case.