

STATE OF INDIANA – COUNTY OF MADISON
IN THE MADISON CIRCUIT COURT (Divisions 1-6)

Notice of Proposed New Caseload Plan
June 30, 2022

The Judges of the Madison Circuit Court (Divisions 1-6), pursuant to Trial Rule 81 (B), give notice of a proposed new caseload allocation at LR 48-AR00-02 and changes to LR48-CR2.2-08 Criminal Dockets (Assignment) at Sections B and C, and finds good cause to deviate from the schedule for adopting local rules under Trial Rule 81 (D). All changes are noted in ~~Strikethrough~~ and Underline. Notice is given to the public on the website of the Madison County Clerk and on the State of Indiana Judicial Website (courts.IN.gov), and by furnishing a copy to the officers of the Madison County Bar Association. Comments may be made until **August 4, 2022** to:

Circuit Court Administration,

Attn: Jim Hunter (e-mail: jhunter@madisoncounty.in.gov)

16 E. 9th Street, Suite 417

Anderson, IN 46016.

This rule amendment is subject to Supreme Court approval, and if approved, will be effective on **August 15, 2021**.

DATED this 30th day of June, 2022 on behalf of the Judges of Madison County.

Angela Sims, Judge
Circuit Court – Division 1

Stephen J. Koester, Judge
Circuit Court – Division 2

Andrew Hopper, Judge
Circuit Court – Division 3

David A. Happe, Judge
Circuit Court – Division 4

Scott Norrick, Judge
Circuit Court – Division 5

Mark Dudley, Judge
Circuit Court - Division 6

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~~ Effective July 30, 2022: ~~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.~~ Capital cases, Murder cases, Life without parole cases will be filed according to the fixed rotation established in Administrative Order 48C02-2206-CB-000016.

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
(Effective 8/15/2022)

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 * and ** *	25%
F6	15% <u>17.5%</u>		15% <u>17.5%</u>	15% <u>17.5%</u>	40% <u>30%</u>	15% <u>17.5%</u>
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	19% <u>17.5%</u>	10%	19% <u>17.5%</u>	19% <u>17.5%</u>	14% <u>20%</u>	19% <u>17.5%</u>
DN	20% <u>17.5%</u>	10%	20% <u>17.5%</u>	20% <u>17.5%</u>	10% <u>20%</u>	20% <u>17.5%</u>

DC DN (Pro se)	25%-20%		25%-20%	25%-20%	20%	25%-20%
RS						
MH						
AD						
ES/EU						
GU		<u>*** see below</u>				
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		<u>20%****</u>	50% <u>40%</u>			50% <u>40%</u>
JM		100%				
JT		100%				

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

*Circuit 5 will no longer be assigned F5 case type, F5 box will be blacked out.

** Circuit 2 added to MC case type (previously blacked out).

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

**** Circuit 2 added to JP case type, JP case w/accompanying CHINS case must be assigned to Circuit 2 (Effective date is 8/15/2022)