

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

**Notice of Proposed Amendment to Local Court Rules
February 27, 2024**

In accordance with Trial Rule 81 of the Indiana Court Rules, the Jefferson Circuit and Superior Courts hereby give notice to the bar and the public that the Courts propose to amend the Local Rules on Assignment & Reassignment of Criminal Cases and Special Judge Assignment in Civil Cases, for the courts of record of Jefferson County, effective no later than May 31, 2024.

All new text is shown by underlining and deleted text is shown by ~~strike through~~. Supreme Court approval is required for Local Rules concerning special judge selection and will not take effect until approved by the Supreme Court.

Notice has been given to the public by posting on the website of the Jefferson County Clerk and at the Indiana Judiciary webpage for Local Rules (<https://www.in.gov/courts/publications/local-rules/>), and by furnishing a copy to the officers of the Jefferson County Bar Association. A paper copy of the proposed amended local rule will be made available for viewing in the office of the Clerk of Jefferson County, 300 E. Main Street, Room 203, Madison, Indiana 47250, during normal business hours.

The time period for the bar and the public to comment shall begin on March 1, 2024, and shall close on March 31, 2024. The proposed amendments to the rule will be adopted, modified or rejected before May 1, 2024, and, if required, the final version of the rule will be submitted to the Indiana Supreme Court for review and approval not later than May 31, 2024.

Comments by the bar and the public should be made in writing to:

Hon. Blaine S. Goode, Judge of the Jefferson Superior Court, Attn: Public Comment on Local Rule, Jefferson County Courthouse, 300 E. Main Street, Room 205, Madison, IN 47250.

DATED this 26th day of February, 2024 on behalf of the Judges of Jefferson County.

/s/Blaine S. Goode

Hon. Blaine S. Goode, Judge
Jefferson Superior Court

LR39-CF-2.2-CR-2

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 ~~work load~~ 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 ~~motion for a change of Judge has been granted pursuant to Criminal Rule 12(B), or an order of disqualification or recusal has been entered,~~ Administrative Rule 21(A) and a successor judge cannot be assigned in the same manner as the initial judge, the Clerk shall assign a judge full-time judicial officer or a senior judge randomly from the following list 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 ~~random~~ 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.