

Proposed changes to Local Rule – Criminal Case Assignment; effective July 1, 2014

If any person has any objection to the same, please notify the Court in writing within 30 days of June 25, 2014.

STATE OF INDIANA)
)SS:
COUNTY OF RANDOLPH)

The Judges of the Randolph Circuit Court and the Randolph Superior Court hereby amend Local Rule LR68-CR00-205 Criminal Case Assignment to read as follows:

LR68-CR00-205 CRIMINAL CASE ASSIGNMENT

(A) For purposes of this rule, the case shall be assigned according to the highest class charge. Cases filed against other defendants arising out of the same fact situation which are joinable by law shall be filed in the same court.

(B) All misdemeanor cases not filed in a city court and involving misdemeanors only shall be filed in the Randolph Superior Court. All Title 9 offenses shall be filed in the Randolph Superior Court, including homicide with a motor vehicle. All ~~Class-D~~ Level 6 Felonies shall be filed in the Randolph Superior Court except the following, which shall be filed in the Randolph Circuit Court:

1. Neglect of a dependent and offenses against the family under I.C. 35-46-1-1 et. seq.;
2. Felony non-support, I.C. 35-46-1-5, when the underlying support order was issued by the Randolph Superior Court;
3. Welfare fraud, I.C. 35-43-5-7; and
4. Failure to Register as a Sex Offender, I.C. 5-2-12-9.

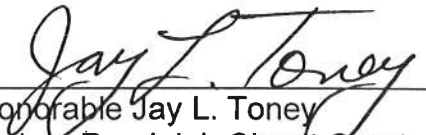
(C) All murder charges shall be filed in the Randolph Circuit Court.

(D) ~~Class A, B, and C~~ Level 1, 2, 3, 4 and 5 Felonies shall be filed in the following manner, based upon the month of commission of the crime:

1. Charges for crimes committed in January, February, April, May, July, August, October, and November shall be filed in the Randolph Circuit Court.
2. Charges for crimes committed in March, June, September, and December shall be filed in the Randolph Superior Court.
3. If multiple offenses are charged in a single information, the month of the earliest charge shall be the month used to determine in which Court the charges will be filed..

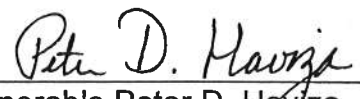
(E) Once a case has been assigned in accordance with the provisions set out herein, the case cannot be assigned to another judge by dismissal and refile if the second filing is based on the same underlying incident

Dated: June 25, 2014



Honorable Jay L. Toney
Judge, Randolph Circuit Court

Dated: June 25, 2014



Honorable Peter D. Haviza
Judge, Randolph Superior Court