

LR16-CR2.2-1 Criminal Case Filings

1. When a court has personal jurisdiction of the defendant under a pending criminal cause or probation, any new criminal cause against that defendant shall be filed in that same court having such jurisdiction. The filing rule under this paragraph shall have priority over all other provisions of the filing rules.
2. If a court does not already have personal jurisdiction over the defendant, the Decatur Superior Court shall have exclusive jurisdiction over all charges filed under Titles 7.1, 9, and 14 of the Indiana Code.
3. In all other criminal actions presented for filing, the Decatur County Clerk shall, by random selection, assign one-third (1/3) of the felony cases and two-thirds (2/3) of the misdemeanor cases to the Decatur Superior Court and shall, by random selection, assign two-thirds (2/3) of the felony cases and one-third (1/3) of the misdemeanor cases to the Decatur Circuit Court.
4. Where multiple counts or defendants have been charged, the most serious offense shall dictate the classification to be assigned to the case for purposes of implementing the random selection process in paragraph 3. If there is any further conflict under these rules, the method of random selection used to determine court assignment, as provided in paragraph 3, will be utilized.
5. Where the investigation of an event results in criminal charges against more than one defendant, all criminal charges arising from the investigation shall be filed with the same court. If among the group of defendants, charges are pending in both courts against more than one in the group, the Clerk shall determine the appropriate court by random selection, as provided under paragraph 3.
6. When charges against a defendant have been filed and dismissed, any subsequent charges filed against the same defendant arising out of the same investigation shall be filed with the court to which the case was originally assigned.
7. Judges of the Decatur Circuit Court and the Decatur Superior Court, by appropriate order entered in the Record of Judgments and Orders, may transfer and reassign to the other court any pending case, subject to acceptance by that court. In addition, in order to comply with Criminal Rule 13, reassignment shall be made on a rotating basis to one of the judges of the following courts: Shelby Circuit Court, Shelby Superior Courts 1 and 2, Bartholomew Circuit Court, Bartholomew Superior Courts 1 and 2, Rush Circuit Court, Rush Superior Court, Jennings Circuit Court, Jennings Superior Court, Ripley Circuit Court, Ripley Superior Court, and Franklin Circuit Court.