

LR52-CR2.2-1

Pursuant to Rule 2.2 of the Indiana Rules of Criminal Procedure, the Judges of the Miami Circuit and Superior Courts hereby establish the following rules for the assignment of criminal cases, subject to approval of the Indiana Supreme Court.

1. All traffic misdemeanor and infraction cases shall be filed in the Miami Superior Court. In the event that non-traffic misdemeanor charges are filed against a defendant who is also charged with a traffic misdemeanor, the non-traffic charges shall also be filed in the Miami Superior Court.
2. All non-traffic misdemeanor cases shall be filed in the Miami Superior Court II.
3. All traffic-related felony cases shall be filed in the Miami Superior Court. If non-traffic misdemeanor counts are also filed against the same defendant arising from the same set of facts, they shall also be filed in the Miami Superior Court.
4. All Class C and D felony cases shall be filed in the Miami Superior Court II. All other felony cases with the exception of those set forth in Rule 3 above will be filed in the Miami Circuit Court.
5. In the event that a change of judge is granted because of a conflict of interest or pursuant to Criminal Rule 12, the cause shall first be randomly assigned to a judge of the other Miami County Courts who does not have a conflict of interest. In the event that no judge can hear a case, Miami Circuit Court cases shall first be assigned to the Honorable Robert McCallen. If Judge McCallen is unable to accept the case will be assigned to the Honorable Thomas Perrone. Miami Superior Courts cases shall be first assigned to the Honorable Thomas Perrone. If Judge Perrone is unable to accept, the case will be assigned to the Honorable Robert McCallen.

Effective January 1, 2009