**LR54-CR2.2-1**

**Case Assignment**

A. All ~~traffic, infraction, misdemeanor, ordinance violation, nonsupport, Class D felony offenses against property, and motor vehicle license-related cases shall be assigned to the Montgomery Superior Court 2~~ level 6 felony cases, all misdemeanor alcohol cases with habitual vehicular offender charges, and all misdemeanor drug cases shall be assigned to the Montgomery Superior Court 1.

B. All ~~Class D felony drug and alcohol cases and all misdemeanor drug and alcohol cases with habitual substance offender charges shall be assigned to the Montgomery Superior Court 1~~ misdemeanor cases not specified in paragraph A shall be assigned to Montgomery Superior 2.

C. All murder, ~~Class A, B and C~~ level 1,2,3,4,& 5 felony cases shall be assigned to the Montgomery Circuit Court.

~~D.  All criminal cases not otherwise included in the above allocation among the courts, such as offenses against general public administration (Ind. Code 35-44.1), offenses against public health, order and decency (Ind. Code 35-45), and miscellaneous offenses (Ind. Code 35-46), shall be allocated equally among the three courts.~~

~~E~~ . D. If there is a conflict as to which court a case should be assigned pursuant to the foregoing rules, the case shall be assigned according to the highest ~~class~~  level of felony charged.

~~F.~~ E. To promote judicial economy, the foregoing assignment of cases among the three courts shall be modified with respect to offenses charging the same defendant or arising out of the same or related incidents in which litigation is pending so that the new charge may be filed in the court in which the defendant has already been charged or related litigation is pending.

~~G~~ F. This Case Assignment rule notwithstanding, consistent with LR 54-CR2.3-2, cases may be transferred from one court to another as may be appropriate.