

**In the
Indiana Supreme Court**

IN THE MATTER OF THE)
APPROVAL OF AN) **Case No. 20S00-0512-MS-684**
EMERGENCY LOCAL RULE)
FOR ELKHART COUNTY)

**ORDER APPROVING AN EMERGENCY LOCAL RULE
FOR ELKHART COUNTY**

Come now the Judges of the Elkhart Circuit and Superior Courts and request this Court to approve an emergency local rule to accommodate the transfer of cases between the Elkhart Superior Court No. 1 and the Elkhart Superior Court No. 2, brought about by conflicts of interest arising from the new Judge of the Elkhart Superior Court No. 1 having previously served as a Deputy Prosecuting Attorney. The Judges request that effective December 30, 2005, the following local rule take effect:

In order to cure conflicts on the part of the now sitting Judge of the Elkhart Superior Court No. 1, and in keeping with the provisions of local rule 2(B)(5), the Judges of Elkhart Superior Court No. 1 and Elkhart Superior Court No. 2 are permitted to exchange cases and order that cases in which the Judge of Elkhart Superior Court No. 1 served as a deputy prosecuting attorney will be heard in Elkhart Superior Court No. 2, and a like number and kind of cases will be transferred from Elkhart Superior Court No. 2 to Elkhart Superior Court No. 1 to achieve a balancing of the caseload.

Upon examination of the proposed emergency local rule requested by the Elkhart Circuit and Superior Courts, this Court finds that the proposed local rule should be approved effective December 30, 2005.

IT IS, THEREFORE, ORDERED by this Court that the emergency local rule for Elkhart County, set forth above, is approved effective December 30, 2005. Said rule shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Terry C. Shewmaker, Elkhart Circuit Court, 101 North Main Street, Goshen, IN 46526-3232; the Stephen E. Platt, Elkhart Superior Court, 315 South Second Street, Elkhart, IN 46516-3138; the Hon. Olga H. Stickel, Elkhart Superior Court, 101 North Main Street, Goshen, IN 46526-3232; the Hon. James W. Rieckhoff, Elkhart Superior Court, 315 South Second Street, Elkhart, IN 46516-3138; the Hon. George W. Biddlecome, Elkhart Superior Court, 101 North Main Street, Goshen, IN 46526-3232; the Hon. David Bonfiglio, Elkhart Superior Court, 315 South Second Street, Elkhart, IN 46516; the Hon. Evans S. Roberts, Elkhart Superior Court, 315 South Second Street, Elkhart, IN 46516-3138, and to the Clerk of the Elkhart Circuit Court.

The Clerk of the Elkhart Circuit Court is directed to enter this Order in the Record of Judgments and Orders for the Courts, to post this Order for examination by the Bar and the general public, and if available, to publish this Order on the county clerk's website.

DONE at Indianapolis, Indiana, this _____ day of December, 2005.

FOR THE COURT

Randall T. Shepard
Chief Justice of Indiana