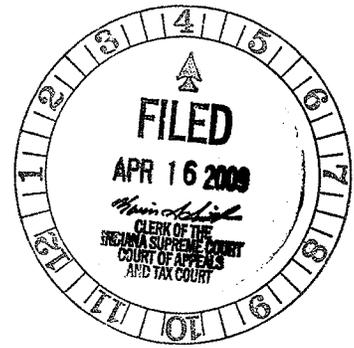


In the
Indiana Supreme Court



IN THE MATTER OF)
)
APPROVAL OF LOCAL RULES)
)
FOR JAY COUNTY)

Cause No. 38S00-0904-MS- 167

ORDER APPROVING AMENDMENT TO LOCAL RULE

Pursuant to Ind. Trial Rule 79(H), the Hon. Brian D. Hutchison and the Hon. Max C. Ludy, Jr., Judges of the Jay County Circuit and Superior Courts respectively, request this Court's approval of an amendment to Jay County Local Rule LR38-TR-79-1. The Judges also request that the amendment become effective immediately.

Upon examination of the proposed rule amendment requested by the Jay Circuit and Superior Courts, this Court finds that the proposed rule amendment to Local Rule LR38-TR-79-1 complies with the requirements of Ind. Trial Rule 79(H) and, accordingly, should be approved effective upon the date of this Order, provided further that the amendment shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Court's website.

IT IS, THEREFORE, ORDERED by this Court that Jay County Local Rule LR38-TR-79-1, set forth as an attachment to this Order, is approved effective upon the date of the Order and that the amendment shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Court's website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Brian D. Hutchison, Jay Circuit Court, 121 North Court Street, Portland, IN 47371-2116; the Hon. Max C. Ludy, Jr., Jay Superior Court, 120 North Court Street, Portland, IN 47371-2116; and to the Clerk of the Jay Circuit Court. The Clerk is also directed to post this Order on the Court's website.

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

DONE at Indianapolis, Indiana, this 16th day of April, 2009.

RT Shepard
Randall T. Shepard
Chief Justice of Indiana

LR38-TR79-1 SPECIAL JUDGE IN CIVIL AND JUVENILE CASES

Section 1- Cases involving a change of judge

In the absence of an agreement as to a particular special judge [TR 79(D)], or an agreement to have the regular sitting judge appoint a special judge [TR 79(E)], the regular sitting judge shall name a panel pursuant to TR 79(F) consisting, whenever possible, of the other Jay County judge, appointed senior judges, and judges or magistrates from these courts:

Presiding Judge, Blackford Circuit Court;
Presiding Judge, Delaware Circuit Court #3;
Presiding Judge, Madison Superior Court #2;
Presiding Judge, Delaware Circuit Court #1;
Presiding Judge, Randolph Circuit Court;
Presiding Judge, Delaware Circuit Court #2;
Presiding Judge, Jay Circuit Court;
Presiding Judge, Henry Circuit Court;
Presiding Judge, Henry Superior Court #1;
Presiding Judge, Grant Superior Court #3.

Section 2- Cases involving non-acceptance, recusal or disqualification of a judge

If none of the above methods produce a special judge, or if a judge disqualifies or recuses himself under Section (C), the clerk of the court shall select a special judge (on a rotating basis) from an alphabetical list of judges or magistrates eligible under Trial Rule 79(J) from these courts:

Delaware Circuit Court #3;
Delaware Circuit Court #1;
Randolph Circuit Court;
Delaware Circuit Court #2;
Jay Circuit Court;
Delaware Circuit Court #4;
Jay Superior Court;
Delaware Circuit Court #5;
Randolph Superior Court.

In cases in which no judge is eligible to serve as special judge or the particular circumstance of a case warrants selection of a special judge by the Indiana Supreme Court, the regular sitting judge may certify the case to the Supreme Court for appointment of a special judge.