



1. The Judge of the Whitley County Circuit Court may, with the consent of the Judge of the Whitley Superior Court, transfer any action or proceeding from the Circuit Court to the Superior Court. The Judge of the Whitley Superior Court may, with the consent of the Judge of the Whitley Circuit Court, transfer any action or proceeding from the Whitley Superior Court to the Whitley Circuit Court. Other Local Rules previously filed with the Clerk of the Indiana Supreme Court establish rules for the filing of criminal cases in the courts of Whitley County. Pursuant to I.C. 33-33-92-5, the Whitley Superior Court has the same jurisdiction as the Whitley Circuit Court, except only the Whitley Circuit Court has juvenile jurisdiction.

2. Although no disparity in caseloads between the courts or judges of Whitley County, Indiana presently exists sufficient to require the transfer of cases or judges between the courts of Whitley County, the judges of Whitley County shall meet at least as often as annually to review the workload and caseload of each judge and court and then transfer, if necessary, such cases or judges between the courts as shall substantially equalize the workload of each of the judges of Whitley County.

**LR92-CR2.2-4      REASSIGNMENT**

In the event a change of judge is granted or it becomes necessary to assign another judge in any felony or misdemeanor proceeding, then that judge shall reassign the case to the other sitting judge in the county. If the other sitting judge in the county is disqualified or ineligible to serve, then a special judge shall be sequentially selected from an alphabetized alternative assignment list composed of judges from contiguous counties and senior judges assigned to that court.

## **LR92-TR79-1 SPECIAL JUDGE ASSIGNMENT IN CIVIL CASES**

### **(A) 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 other judges, senior judges or magistrates from Whitley County. If a sufficient number of Whitley County judges, senior judges or magistrates does not exist, then a panel shall be named including the available Whitley County judges, senior judges or magistrates and judges, senior judges or magistrates from counties selected within the Judicial Administrative District of which Whitley County is a member.

If none of the above methods produce a special judge, 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 counties selected within the Judicial Administrative District of which Whitley County is a member.

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.

### **(B) Cases involving recusal or disqualification of a 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 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 counties selected within the Judicial Administrative District of which Whitley County is a member.

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.