

**STATE OF INDIANA – COUNTY OF MADISON  
IN THE MADISON CIRCUIT COURT (Divisions 1-6)**

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**Notice of Proposed New Rule or Amendment(s) to Local Court Rule(s)  
November 9, 2023**

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In accordance with Trial Rule 81 of the Indiana Court Rules, the Madison Circuit Courts hereby give notice to the bar and the public that the Courts propose to amend the Local Rule on Special Judge Selection (LR48-TR79-16) for the courts of record of Madison County, effective January 1, 2024.

All new text is shown by underlining and deleted text is shown by ~~striketrough~~. Supreme Court approval is required for Local Rules concerning special judge selection and the amended rule will not take effect until approved by the Supreme Court.

Notice has been given to the public by posting on the website of the Madison County Clerk (<https://www.madisoncounty.in.gov/departments/clerk-of-the-circuit-court>) and at the Indiana Judiciary webpage for Local Rules (<https://www.in.gov/courts/publications/local-rules/>), and by furnishing a copy to the officers of the Madison County Bar Association.

The time period for the bar and the public to comment shall begin on November 15, 2023, and close on December 14, 2023. The proposed amendments to the rule will be adopted, modified, or rejected before December 20, 2023, and the final version of the rule will be submitted to the Indiana Supreme Court for review and approval no later than December 26, 2023.

Comments by the bar and the public should be made in writing to:  
Hon. Andrew Hopper, Judge of the Madison Circuit Court 3, Attn: Public Comment on Local Rules, Madison Circuit Court, 16 East 9<sup>th</sup> St., Suite 409, Anderson, IN 46016  
[[jhunter@madisoncounty.in.gov](mailto:jhunter@madisoncounty.in.gov)].

DATED this 9<sup>th</sup> day of November 2023 on behalf of the Judges of Madison County.

/S/Andrew Hopper  
Andrew Hopper, Judge  
Madison Circuit Court 3

## **LR48-TR79-16      SPECIAL JUDGE SELECTION**

A. A copy of each pleading or each paper filed with the Court after a Special Judge has qualified shall be mailed or delivered by counsel to the office of that Special Judge with service to that Special Judge indicated on the certificate of service.

B. Pursuant to Trial Rule 79, should all remedies listed under 79 (D), (E), and (F) fail to produce a special judge then the appointment of an eligible special judge shall be made pursuant to local rule, as follows, in accordance with 79 (H)

C. The Madison County Clerk, on a rotating basis in consecutive order, shall appoint the eligible judge in Madison County as follows:

For all domestic relations, paternity cases, and all other civil case types:

Presiding Judge of Circuit Court 1

Presiding Judge of Circuit Court 2

Presiding Judge of Circuit Court 3

Presiding Judge of Circuit Court 4

Presiding Judge of Circuit Court 5

Presiding Judge of Circuit Court 6

Madison County Magistrate # 1

Madison County Magistrate # 2

Madison County Juvenile Magistrate

D. Should none of the above referenced judges accept jurisdiction due to disqualification pursuant to the Code of Judicial Conduct, ineligibility for service under this rule Trial Rule 79 or excused from service by the Indiana Supreme Court, then the appointment shall be made at random by the Clerk from eligible Judges and Magistrates within Administrative District 14 (Grant County Circuit Court, Grant County Superior Court Divisions 1, 2, 3).

E. In the event that no judicial officer within Administrative District 14 is eligible to serve as special judge or the particular circumstances of the case warrant selection of a special judge by the Indiana Supreme Court, the judge of the court in which the case is pending shall certify the matter to the Indiana Supreme Court for appointment of a special judge.

(Effective ~~July 1, 2011~~ January 1, 2024)