FILED
JAN 11 2013

In the
Indiana Supreme Court

IN THE MATTER OF THE	)	
	)	
APPROVAL OF A LOCAL RULE	)	Case No. 90S00-1301-MS- 28
	)	
FOR WELLS COUNTY	)	

ORDER APPROVING AMENDED LOCAL RULE

The judges of the Wells Circuit and Superior Courts request the approval of an amended local rule for special judge selection in accordance with Ind. Trial Rule 79. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Wells Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR90-TR-79-01complies with the requirements of Ind. Trial Rule 79, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Wells County Local Rule, LR90-TR-79-01, set forth as an attachment to this Order, is approved effective January 1, 2013, provided further that the 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. Everett E. Goshorn, Wells Superior Court, 102 Market Street West, Bluffton, IN 46714-2050; the Hon. Kenton W. Kiracofe, Wells Superior Court, 102 Market Street West, Bluffton, IN 46714-2050; to the Clerk of the Wells Circuit and Superior Courts; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Wells Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, 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 11th day of January, 2013.

Brent E. Dickson
Chief Justice of Indiana

LR90-TR-79-01 Selection of a Special Judge Pursuant to TR 79(H)

Pursuant to TR 79(D) - Within seven (7) days of the notation on the Chronological Case Summary (CCS) of an Order granting a change of judge or an order of disqualification, the parties may agree to the appointment of an eligible special judge. An eligible special judge is a judge, a full-time judicial officer, or a senior judge assigned to the Court.
The agreement of the parties must be in writing and filed in the Court where the case is pending.

If the selection of a special judge is not agreed upon, then the remaining full-time judge in the County shall be named as special judge. If that judge cannot serve, then the Clerk shall appoint a special judge, on a rotating basis, from the remaining full-time judges within the district as follows:
Adams Circuit Court; Adams Superior Court; Huntington Circuit Court; Huntington Superior Court; Wabash Circuit Court; Wabash Superior Court; Wells Circuit Court; and Wells Superior Court.
If that judge cannot serve, then the Clerk shall continue the appointment process until a special judge is selected.

If no judge is eligible to serve as special judge, or if the particular circumstances of the case warrants the selection of a special judge by the Indiana Supreme Court, then the Court shall certify that fact to the Indiana Supreme Court.

(Amended effective January 1, 2013)