

In the
Indiana Supreme Court



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

Case No. 03S00-1410-MS-689

ORDER APPROVING AMENDED LOCAL RULE

The judges of the Bartholomew 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 Bartholomew Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR03-TR79-1, complies with the requirements of Ind. Trial Rule 79, and accordingly, should be approved.

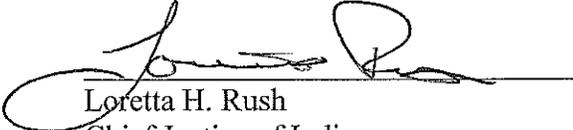
IT IS, THEREFORE, ORDERED by this Court that Bartholomew Circuit and Superior Court Local Rule, LR03-TR79-1, set forth as an attachment to this Order, is approved effective retroactive to October 10, 2014, provided further that the rule shall be posted in the county clerk's office(s) and on the county clerk's website, if any.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Stephen R. Heimann, Bartholomew Circuit Court, 234 Washington, Columbus, IN 47201-6750; to the Hon. Kathleen Tighe Coriden, Bartholomew Superior Court 2, 234 Washington, Columbus, IN 47201-6750; to the Hon. James Worton, Bartholomew Superior Court 1, 234 Washington, Columbus, IN 47201-6750; to the Clerk of the Bartholomew Circuit and Superior Courts; and to the Division of State Court Administration.

The Clerk of the Bartholomew 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, on October 30 2014.



Loretta H. Rush
Chief Justice of Indiana

LR03-TR79-1: Selection of Special Judges

In the event a special judge needs to be appointed, and the parties cannot agree to a special judge under Trial Rule 79 (D), or if the selected judge does not accept the case, then under Indiana Rule of Civil Procedure 79 (H), the clerk shall first assign the case to one of the other Bartholomew Court judges, and if that judge is ineligible to serve, then the following judges shall be eligible for appointment by the clerk of the court on a rotating basis:

Judge of the Brown Circuit Court
Judge of the Decatur Circuit Court
Judge of the Decatur Superior Court
Judge of the Jackson Circuit Court
Judge of the Jackson Superior Court #1
Judge of the Jackson Superior Court #2
Judge of the Jennings Circuit Court, and
Judge of the Jennings Superior Court

All the Judges named above are within this Court's Administrative District Number 21. In the event a case is dismissed and refiled, the Judge last having jurisdiction in the dismissed case shall be the Judge in the new case.

A person selected and appointed to serve under this rule shall accept jurisdiction in the case unless disqualified pursuant to the Code of Judicial Conduct, ineligible for service under Trial Rule 79 or is excused from service by the Indiana Supreme Court.

If the judge selected to serve is disqualified or is excused from service, then the clerk shall appoint the next judge on the list. If no judge on the list is eligible to serve as special judge or the particular circumstances in the case so warrant, the then presiding judge in the case shall certify the matter to the Indiana Supreme Court for the appointment of a special judge pursuant to TR79(H)(3).

**IN THE CIRCUIT AND SUPERIOR COURTS
BARTHOLOMEW COUNTY**

In the Matter of)

Local Court Rules)

**NOTICE OF PROPOSED AMENDMENT, FINDING GOOD CAUSE TO
DEVIATE FROM SCHEDULE, REQUEST FOR COMMENTS AND
REQUEST FOR SUPREME COURT APPROVAL**

The judges of the Bartholomew Circuit and Superior Courts give notice pursuant to Trial Rule 81(B) of proposed amendments to the local rule on special judge assignments in civil cases at **LR03-TR79-1**. Supreme Court approval is requested.

We find good cause to deviate from the schedule for amending local rules pursuant to Trial Rule 81(D). Notice has been given to the bar and public by posting on the website of the Bartholomew County Clerk and on the Indiana Judicial Website, and by furnishing a copy to the officers of the Bartholomew County Bar Association. New language is indicated by underlining and deleted language is indicated by striking through.

Comments may be made until **October 5, 2014** to any of the judges or the magistrate of the Courts.

These rule amendments will be **effective on October 10, 2014**.

ORDERED this 5th day of September, 2014 on behalf of the Judges of Bartholomew County.

_____/S/_____

Stephen R. Heimann, Judge
Bartholomew Circuit Court