

In the  
Indiana Supreme Court



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

Case No. 57S00-1409-MS-000

ORDER APPROVING AMENDED LOCAL RULES

The judges of the Noble Circuit and Superior Courts request the approval of amended local rules for appointment of special judges in accordance with Ind. Trial Rule 79 and Ind. Criminal Rule 13, and caseload allocation in accordance with Ind. Administrative Rule 1(E). Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Noble Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR57-TR79(H), LR57-CR2.2-2 and LR57-CR2.2-1 comply with the requirements of Ind. Trial Rule 79, Ind. Criminal Rule 13 and Ind. Administrative Rule 1(E), and accordingly, should be approved.

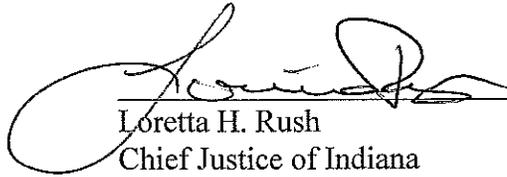
IT IS, THEREFORE, ORDERED by this Court that Noble Circuit and Superior Local Rules, LR57-TR79(H), LR57-CR2.2-2 and LR57-CR2.2-1, set forth as an attachment to this Order, are approved effective retroactive to July 1, 2014, provided further that the rules shall be posted in the county clerk's office(s) and on the county clerk's website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Robert Kirsch, Noble Superior Court, 101 North Orange Street, Albion, IN 46701-1095; to the Hon. Michael J. Kramer, Noble Superior Court, 101 North Orange Street, Albion, IN 46701-1095; to the Hon. G. David Laur, Noble Circuit Court, 101 North Orange Street, Albion, IN 46701-1095; to the Clerk of the Noble Circuit and Superior Courts; and to the Division of State Court Administration.

The Clerk of the Noble 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 September 25, 2014.



Loretta H. Rush  
Chief Justice of Indiana

**LR57-CR 2.2-1 Initial Criminal Case Assignment**

The Prosecuting Attorney of Noble County shall file cases according to the classification of the highest level of offense charged in the information or indictment. If the highest level of offense charged is murder, capital murder, Class A felony, Class D felony, Level 1 felony, Level 2 felony or Level 6 felony, the case shall be filed in the Noble Superior Court, Div. 1. If the highest level of offense charged is a Class B felony, Class C felony, Level 3 felony, Level 4 felony or Level 5 felony, the case shall be filed in the Noble Circuit Court. If the highest level of offense charged is a misdemeanor or infraction, the case shall be filed in the Noble Superior Court, Div. 2.

**LR57-CR 2.2-2 Appointment of Special Judge in a Criminal Case:**

In the event a change of judge is granted pursuant to Criminal Rule 12, or an order of disqualification or recusal is entered, the case will be randomly assigned by the clerk to one of the two other courts in Noble County in which the regular sitting judge of that court is not otherwise disqualified. If neither of the other two judges in Noble County are eligible to hear the case, then the clerk shall appoint an eligible judge (including senior judges) from a contiguous county as special judge for the case in which the change of judge is required. If the case is not transferred as provided for herein, or if a special judge is not appointed by the foregoing method, or if the particular circumstances of a case warrants selection of a special judge by the Indiana Supreme Court, the court shall certify the case to the Supreme Court of Indiana for the appointment of a special judge.

**LR57-TR-79(H)-5 Appointment of Special Judge in a Civil Case**

In the event of a change of judge resulting from (1) the judge disqualifying or recusing under Trial Rule 79(C), or (2) the judge does not accept the special judge appointment under Trial Rule 79(D), or (3) a motion for change of judge is granted as provided for in Trial Rule 76, then unless the parties agree to the appointment of a special judge pursuant to Trial Rule 79(D) the case will be randomly assigned by the clerk to one of the two other courts in Noble County in which the regular sitting judge of that court is not otherwise disqualified. If neither of the other two judges in Noble County are eligible to hear the case, then the clerk shall appoint an eligible judge (including senior judges) from a contiguous county within the court's administrative district as special judge for the case in which the change of judge is required. If the case is not transferred as provided for herein, or if a special judge is not appointed by the foregoing method, or if the particular circumstances of a case warrants selection of a special judge by the Indiana Supreme Court, the court shall certify the case to the Supreme Court of Indiana for the appointment of a special judge.

