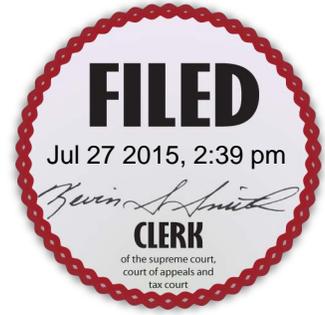


In the
Indiana Supreme Court



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

Case No. 21S00-1507-MS-445

ORDER APPROVING AMENDED LOCAL RULES

The judges of the Fayette Circuit and Superior Courts request the approval of amended local rules for special judge selection in accordance with Indiana Trial Rule 79 and Indiana Criminal Rule 13. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Fayette Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR21-TR79(H)-26, LR21-CR2.2-CR-6 and LR21-CR13-CR-7, comply with the requirements of Indiana Trial Rule 79 and Indiana Criminal Rule 13, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Fayette Circuit and Superior Court Local Rules, LR21-TR79(H)-26, LR21-CR2.2-CR-6 and LR21-CR13-CR-7, set forth as attachments to this Order, are approved effective July 31, 2015.

DONE at Indianapolis, Indiana, on 7/27/2015.



Loretta H. Rush
Chief Justice of Indiana

**LR21-TR79 (H)-26
SPECIAL JUDGE SELECTION**

In the absence of an agreement as to a particular special judge [TR 79(D)], or a selected special judge does not accept the case, then the Clerk of the Fayette Circuit and Superior Courts shall select a special judge, first from the other Fayette County court and then from a list maintained by the Clerk of judges or full-time judicial officers from courts within the judicial administrative district of which Fayette County is a member, and judges or full-time judicial officers from contiguous counties outside of the judicial administrative district who have agreed to serve as a special judge in the court where the case is pending.

In cases in which no judge or full-time judicial officer 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.

**LR21-CR2.2-CR- 6
REASSIGNMENT**

In the event it becomes necessary to reassign a felony or misdemeanor case in the Fayette Circuit or Superior Court, the Clerk shall reassign the case first to the other sitting judge within the county and then to a special judge who shall be selected randomly from a list maintained by the Clerk of eligible judges from the contiguous counties or from counties within the judicial administrative district of which Fayette County is a member.

**LR21-CR13-CR- 7
APPOINTMENT OF SPECIAL JUDGE**

In the event no judge is available for assignment or reassignment of a felony or misdemeanor case, such case shall be certified to the Indiana Supreme Court for the appointment of a special judge. In the event the judge presiding in a felony or misdemeanor case concludes that the unique circumstances presented in such proceeding require appointment by the Indiana Supreme Court of a Special Judge, the presiding judge may request the Indiana Supreme Court for such appointment.