

In the  
Indiana Supreme Court



CAUSE NUMBER: 94S00-1205-MS-275

ORDER AMENDING INDIANA RULES OF CRIMINAL PROCEDURE

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Indiana Rule of Criminal Procedure 12 is amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

...

**Rule 12. Change of venue in criminal cases**

...

**(D) Time Period for Filing Request for Change of Judge or Change of Venue.** In any criminal action, no change of judge or change of venue from the county shall be granted except within the time herein provided.

- (1) ~~Thirty Ten~~ Day Rule. An application for a change of judge or change of venue from the county shall be filed within thirty (30) days of the initial hearing ~~ten (10) days after a plea of not guilty, or if a date less than ten (10) days from the date of said plea, the case is set for trial, the application shall be filed within five (5) days after setting the case for trial.~~ Provided, that where a cause is remanded for a new trial by the court on appeal ~~Supreme Court or Court of Appeals~~, such application must be filed not later than thirtyten (1030) days after the the defendant first appears in person before the trial court following remand ~~party has knowledge that the cause is ready to be set for trial.~~

...

This amendment shall take effect January 1, 2013.

The Clerk of this Court is directed to forward a copy of this Order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Prosecuting Attorney's Council; Public Defender's Council; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers Assistance Program; the libraries of all law schools in this state; the Michie Company; and Thomson Reuters. The Clerk is also directed to post this Order to the Court's website.

Thomson Reuters is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit and Superior Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public.

DONE at Indianapolis, Indiana, this 7<sup>th</sup> day of September, 2012.

/s/Brent E. Dickson  
Brent E. Dickson  
Chief Justice of Indiana

All Justices concur.