In the
Indiana Supreme Court

FILED
APR - 8 2009

IN THE MATTER OF)
)
THE APPOINTMENT AND) Case No. 94S00-0812-MS-778
)
CONTINUATION OF SENIOR JUDGES)

FIFTH SUPPLEMENTAL ORDER APPOINTING AND CONTINUING SENIOR JUDGES

On December 30, 2008, this Court issued an Order Appointing and Continuing Appointments of Senior Judges in courts for the period of January 1, 2009 to December 31, 2009. Thereafter, the presiding judges of the courts set forth below have requested appointment of senior judges in their respective courts pursuant to Ind. Code 33-23-3-1.

Pursuant to the foregoing statute and Ind. Administrative Rule 5, we find that the courts requesting senior judge assistance have demonstrated a need for additional judicial resources and that they would benefit from the appointment of senior judges to their courts. The senior judges listed below have been certified pursuant to Ind. Code 33-27-4-1 by the Indiana Judicial Nominating Commission for calendar year 2009. This Court may re-examine the appointments made herein at a later date in light of other circumstances and make adjustments accordingly.

IT IS, THEREFORE, ORDERED that the senior judges listed below are appointed to serve as senior judges in the indicated requesting courts, effective the date of this Order:

Requesting Court	Last Name	First Name	Middle Initial
Delaware Circuit 3	Jordan	James	J.
Fayette Superior	Stewart	Eugene	A.
Harrison Circuit	Donahue	Daniel	F.
Hendricks Circuit	Lowe	Robert	J.
Howard Superior 2	Burke	Rosemary	Higgins
Johnson Superior 2	Miller	Gary	L.
Lake Superior Civil 6	Webber	Thomas	W.

Requesting Court	Last Name	First Name	Middle Initial
Marshall Superior 1	Rieckhoff	James	W.
Requesting Court	Last Name	First Name	Middle Initial
Posey Circuit	O'Connor	Maurice	C.
Shelby Circuit	Curry	Norman	D.
	Harcourt	Barbara	Arnold
	Wilke	W.	Michael

The above appointments shall remain in effect until **December 31, 2009,** or further Order of this Court. All appointments of senior judges are contingent upon senior judge day limits established by this Court through separate Orders, and **it shall be incumbent upon the presiding judge of each requesting court to ensure that his/her court complies with the Orders setting senior judge day limits.** Pursuant to Ind. Code 33-4-8-5, no senior judge appointed by this Court in this Order may be compensated as a senior judge for more than one hundred (100) days during the 2009 calendar year. Pursuant to Admin. R. 5(B)(4) a senior judge shall have the same jurisdiction as the presiding judge of the court where the senior judge is appointed, but only during the days that the senior judge is serving in such court. Additionally, Admin. R. 5(B)(4) provides that a senior judge who has been appointed to serve in a court shall have the same jurisdiction as the regular judge of the court where he/she is serving to officiate at marriages at any time during the appointment. A senior judge may retain jurisdiction in an individual case beyond the day of service if the order of the presiding judge of the court in which the case is pending so orders.

The Clerk of this Court is directed to forward certified copies of this Order to the clerk of the courts listed above; to the Indiana Judicial Center; to the Indiana Commission on Judicial Qualifications; and to the Indiana Supreme Court, Division of State Court Administration, Payroll Section. **The clerk of the courts in each county is directed: 1) to distribute a copy of this order to the presiding judges of the courts within the clerk's county, 2) to enter this Order in the Record of Judgments and Orders of the courts within the clerk's county, and 3) to post this Order for public inspection.**

DONE at Indianapolis, Indiana this 8th day of April, 2009.

RT Shepard

Randall T. Shepard
Chief Justice of Indiana