

**STATE OF INDIANA – COUNTY OF WASHINGTON
IN THE WASHINGTON CIRCUIT AND SUPERIOR COURTS**

**NOTICE OF PROPOSED NEW LOCAL RULE
CONCERNING PROBLEM SOLVING COURTS**

August 31, 2015

In accordance with Trial Rule 81 of the Indiana Court Rules, the Washington Circuit and Superior Courts hereby give notice to the bar and the public that the Courts propose to add a new local rule on **Court Building Security Order at LR88-AR19-11**, to be effective **January 1, 2016**.

In accordance with Trial Rule 81(B), and because good cause exists under TR 81(D) to deviate from the schedule for adopting local court rules, the time period for the bar and the public to comment shall begin on **September 1, 2015** and shall close on **October 1, 2015**.

Comments by the bar and the public should be made in writing by email to:

superior@washingtoncounty.in.gov

Washington Co Superior Court
801 Jackson Street
Salem, IN 47167

A paper copy of the proposed amended local rules will be made available for viewing in the office of the Clerk of Washington County during normal business hours. Persons with Internet access may view the proposed amended local rules at the following website:

<http://www.in.gov/judiciary/2883.htm>

For the Courts of Record of Washington County

_____/S/_____
Frank Newkirk, Jr.
Judge, Washington Superior Court

LR88-AR19-11 -- COURT BUILDING SECURITY ORDER

Pursuant to Ind. Code 35-47-11.1-4(5) and/or the inherent power of the Judges of Washington Circuit and Superior Court (“the Courts”); in order to provide for the orderly operating of the Courts, the safety of the public, the litigants, the witnesses, and the Court staff; the Judges of The Courts have promulgated this local Court Rule.

1. Anyone entering the locations listed below (collectively “the courtroom buildings”) must consent to a search of their person, including any package, briefcase or purse:
 - a. The Washington County Courthouse (Circuit Court);
 - b. The Washington County Detention Center (Superior Court);
2. If a courtroom building has more than one entrance/exit, the Courts may designate one or more of the entrances/exits to be used only for restricted purposes.
3. Unless exempt under Paragraph 6 below, anyone entering a courtroom building is prohibited from having any of the following in his or her possession while in the courtroom building:
 - a. A loaded or unloaded firearm; or
 - b. A weapon, device, taser (as defined in Ind. Code 35-47-8-3) or electronic stun weapon (as defined by Ind. Code 35-47-8-1), equipment, chemical substance or other material, including a knife, razor, box-cutter and switchblade that in the manner it is used, or could ordinarily be used, is readily capable of causing serious bodily injury.
4. Anyone refusing to comply with this Order is to be denied entrance to the courtroom buildings.
5. Anyone violating this Order maybe found to be:
 - a. In direct contempt of court under IC 34-47-2, if the violation occurs in the presence of a judicial officer;
 - b. In direct contempt of court under IC 34-47-3, if the violation is willful and occurs out of the presence of a judicial officer.

6. The following individuals are exempt from this order:
 - a. A law enforcement officer, as defined in IC 35-31-5-2-185;
 - b. A judicial officer, as defined in IC 35-31.5-2-177.7;
 - c. A probation officer appointed pursuant to IC 11-13-1-1;
 - d. An employee of a locally or regionally operated Community Corrections Program, who is authorized to carry a firearm by his or her supervisory judge(s);
 - e. An employee, who works in a courtroom building, who carries a chemical spray device for personal protection; and
 - f. Any other person authorized by the Washington Circuit or Superior Court Judge shall be exempt until either Judge withdraws the exemption. The Judges are to promptly provide the Washington County Sheriff with a copy of the authorization or the withdrawal of the authorization.
7. Any person listed in Paragraph 6 SHALL NOT BE EXEMPT whenever they or any member of their family is a party to any proceeding taking place. This does not include appearing in the individual's official capacity.
8. The statues cited above may change from time to time. This local rule shall automatically refer to the relevant statues in effect at any given time.

(Adopted effective on January 1, 2016.)