February 23, 1999

SENATE BILL No. 27

DIGEST OF SB0027 (Updated February 18, 1999 3:08 pm - DI 44)

Citations Affected: IC 33-4; IC 33-5; IC 33-5.1; IC 33-8; IC 33-10.5; noncode.

Synopsis: Court officers. Adds: (1) three full-time magistrates in Allen County; (2) one judge in Cass County; (3) one full-time magistrate in Clark County; (4) one judge in Elkhart County; (5) one full-time magistrate in Floyd County; (6) three full-time magistrates and three judges in Lake County; (7) two full-time magistrates in LaPorte County; (8) four judges and ten full-time magistrates in Marion County; (9) four full-time magistrates in St. Joseph County; (10) one judge in Tippecanoe County; and (11) three full-time magistrates in Vanderburgh County. Converts two county courts in Tippecanoe County and one county court in Noble County to superior courts.

(Continued next page)

Effective: July 1, 1999; January 1, 2001.

Bray, Alexa, Ford, Antich, Riegsecker, Bowser, Weatherwax, Alting, Harrison, Wolf

January 6, 1999, read first time and referred to Committee on Judiciary.
January 28, 1999, amended, reported favorably — Do Pass; reassigned to Committee on Finance.
February 22, 1999, reported favorably — Do Pass.

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Digest Continued

Converts the Tippecanoe county court magistrate into a Tippecanoe superior court magistrate. Provides for one full-time magistrate in Cass County until the judge added in Cass County by this act is elected. Indicates that an application for the position of magistrate is confidential. Provides standards for the selection and conduct of a chief judge of the St. Joseph superior court. Delays the appointment of magistrates in the St. Joseph superior court until January 1, 2000. Indicates that the names of candidates applying for the office of St. Joseph superior court judge are confidential. Gives the St. Joseph superior court concurrent juvenile jurisdiction with the St. Joseph probate court, which may be exercised only if the superior and probate courts jointly adopt a rule providing for the filing of cases in the superior court. Indicates that the names of applicants for the position of judge of the St. Joseph superior court are confidential. (The introduced version of this bill was prepared by the commission on courts.)

C o p y

February 23, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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SENATE BILL No. 27

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 33-4-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 10. **(a)** The county of Clark shall constitute the Fourth Judicial Circuit of the State of Indiana.

(b) The judges of the Clark circuit court and Clark superior court may jointly appoint one (1) full-time magistrate under IC 33-4-7 to serve the circuit and superior courts.

(c) The magistrate continues in office until removed by the judges of the Clark circuit and superior courts.

SECTION 2. IC 33-4-1-20.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 20.1. (a) The judges of the Elkhart circuit and superior courts may jointly appoint ~~one (1)~~ **two (2)** full-time ~~magistrate~~ **magistrates** under IC 33-4-7 to serve the circuit and superior courts.

(b) ~~The~~ **A** magistrate continues in office until removed by the judges of the circuit and superior courts.

SECTION 3. IC 33-4-1-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 22. **(a)** The county of Floyd shall constitute the Fifty-second Judicial Circuit.

(b) The judges of the Floyd circuit court, Floyd superior court, and Floyd county court may jointly appoint one (1) full-time magistrate under IC 33-4-7 to serve the circuit, superior, and county courts.

(c) The magistrate continues in office until removed by the judges of the Floyd circuit, superior, and county courts.

SECTION 4. IC 33-4-1-45 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 45. (a) The county of Lake shall constitute the 31st judicial circuit.

(b) The judge of the Lake circuit court may appoint ~~one (1)~~ **two (2)** full-time ~~magistrate~~ **magistrates** under IC 33-4-7 to serve the **Lake circuit court. One (1) of the magistrates shall serve the** domestic relations counseling bureau established under IC 31-12-2. The judge shall specify the duties of a magistrate appointed under this subsection. A magistrate continues in office until removed by the judge of the circuit court.

SECTION 5. IC 33-4-1-46 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 46. **(a)** The county of LaPorte shall constitute the Thirty-second Judicial Circuit.

(b) The judges of the LaPorte circuit court and LaPorte superior court No. 4 may jointly appoint two (2) full-time magistrates under IC 33-4-7 to serve the circuit and superior courts.

(c) The magistrates continue in office until removed by the judges of the LaPorte circuit court and LaPorte superior court No. 4.

SECTION 6. IC 33-4-1-75.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 75.1. The judge of the St. Joseph circuit court may appoint ~~one (1)~~ **two (2)** full-time ~~magistrate~~ **magistrates** under IC 33-4-7 ~~The~~ **to serve the circuit court. A** magistrate continues in office until removed by the judge.

SECTION 7. IC 33-4-7-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 3.5. The files of applicants, including the names of applicants, for appointment as a magistrate are confidential as provided in IC 5-14-3-4(b)(8).**

SECTION 8. IC 33-5-5.1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) The court may appoint such number of probate commissioners, juvenile referees,

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bailiffs, court reporters, probation officers, and such other personnel, including but not limited to an administrative officer, as shall in the opinion of the court be necessary to facilitate and transact the business of the court. In addition to the personnel authorized under this subsection and IC 31-31-3, the judges of the Allen superior court-civil division may jointly appoint not more than ~~two (2)~~ **four (4)** full-time magistrates under IC 33-4-7 to serve the Allen superior court-civil division. The judges of the Allen superior court-civil division may jointly assign any such magistrates the duties and powers of a probate commissioner. In addition to the personnel authorized under this subsection and IC 31-31-3, the ~~judge~~ **judges** of the Allen superior court-criminal division may jointly appoint not more than ~~two (2)~~ **three (3)** full-time magistrates under IC 33-4-7 to serve the Allen superior court-criminal division. Any such magistrate serves at the pleasure of, and continues in office until jointly removed by, the judges of the division that appointed the magistrate. All appointments made under this subsection shall be made without regard to the political affiliation of the appointees. The salaries of the above personnel shall be fixed and paid as provided by law. If the salaries of any of the above personnel are not provided by law, the amount and time of payment of such salaries shall be fixed by the court, to be paid out of the county treasury by the county auditor, upon the order of the court, and be entered of record. The officers and persons so appointed shall perform such duties as are prescribed by the court. Any such administrative officer appointed by the court shall operate under the jurisdiction of the chief judge and shall serve at the pleasure of the chief judge. Any such probate commissioners, magistrates, juvenile referees, bailiffs, court reporters, probation officers, and other personnel appointed by the court shall serve at the pleasure of the court.

(b) Any probate commissioner so appointed by the court may be vested by said court with all suitable powers for the handling and management of the probate and guardianship matters of the court, including the fixing of all bonds, the auditing of accounts of estates and guardianships and trusts, acceptance of reports, accounts, and settlements filed in said court, the appointment of personal representatives, guardians, and trustees, the probating of wills, the taking and hearing of evidence on or concerning such matters, or any other probate, guardianship, or trust matters in litigation before such court, the enforcement of court rules and regulations, the making of reports to the court concerning his doings in the above premises, including the taking and hearing of evidence together with such commissioner's findings and conclusions regarding the same, all of

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such matters, nevertheless, to be under the final jurisdiction and decision of the judges of said court.

(c) Any juvenile referee so appointed by the court may be vested by said court with all suitable powers for the handling and management of the juvenile matters of the court, including the fixing of bonds, the taking and hearing of evidence on or concerning any juvenile matters in litigation before the court, the enforcement of court rules and regulations, the making of reports to the court concerning his doings in the above premises, all of such matters, nevertheless, to be under final jurisdiction and decision of the judges of said court.

(d) For any and all **of** the foregoing purposes, any probate commissioner and juvenile referee shall have the power to summon witnesses to testify before the said commissioner and juvenile referee, to administer oaths and take acknowledgments in connection with and in furtherance of said duties and powers.

SECTION 9. IC 33-5-9.7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 1. There ~~is~~ **are** established ~~a court~~ **two (2) courts** of record to be known as ~~the~~ Cass superior court **No. 1 and Cass superior court No. 2** (referred to as ~~"the~~ **a** "court" in this chapter). ~~The~~ **Each** court may have a seal containing the words "Cass Superior Court **(insert No. 1 or No. 2),** Cass County, Indiana". Cass County comprises the judicial district of ~~the~~ **each** court.

SECTION 10. IC 33-5-9.7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 2. ~~The~~ **Each** court has one (1) judge, who shall be elected at the general election every six (6) years in Cass County. His term begins January 1 following his election and ends December 31 following the election of his successor.

SECTION 11. IC 33-5-9.7-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 3. ~~The~~ **(a) Cass superior** court **No. 1** has the same jurisdiction as the Cass circuit court, except that only the circuit court has juvenile jurisdiction.

(b) Cass superior court No. 2 has the same jurisdiction as Cass superior court No. 1.

SECTION 12. IC 33-5-9.7-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 4. The judge of ~~the~~ **each** court has the same powers relating to the conduct of the business of the court as the judge of the Cass circuit court. The judge of the court also may administer oaths, solemnize marriages, and take and certify acknowledgments of deeds.

SECTION 13. IC 33-5-9.7-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 8. The clerk of the Cass circuit court shall serve as the clerk of ~~the~~ **each** court, and the

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sheriff of Cass County shall serve as the sheriff of ~~the~~ **each** court. They shall attend the ~~court~~ **courts** and perform the same duties relating to their offices as they are required to do with respect to the Cass circuit court.

SECTION 14. IC 33-5-9.7-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 9. The judge of ~~the~~ **each** court shall appoint a bailiff and an official court reporter for the **judge's** court. Their salaries shall be fixed in the same manner as the salaries of the bailiff and official court reporter for the Cass circuit court. Their salaries shall be paid monthly out of the treasury of Cass County as provided by law.

SECTION 15. IC 33-5-9.7-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 10. The clerk of the court, under the direction of the judge of ~~the~~ **each** court, shall provide order books, judgment dockets, execution dockets, fee books, and other books for ~~the~~ **each** court, which shall be kept separately from the books and papers of other courts.

SECTION 16. IC 33-5-9.7-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 11. ~~The~~ **Each** court shall hold its sessions in the Cass County courthouse in Logansport, Indiana, or in such other places in the county as the board of county commissioners of Cass County may provide. The board of county commissioners shall provide and maintain ~~a~~ suitable ~~courtroom~~ **courtrooms** and other rooms and facilities, including furniture and equipment, as may be necessary. The county council of Cass County shall appropriate sufficient funds for the provision and maintenance of such rooms and facilities.

SECTION 17. IC 33-5-9.7-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 12. The jury commissioners appointed by the judge of the Cass circuit court shall serve as the jury commissioners for ~~the~~ **each** court. Juries shall be selected in the same manner as juries for the Cass circuit court. The grand jury selected for the Cass circuit court shall also serve as the grand jury for ~~the~~ **each** court as may be necessary.

SECTION 18. IC 33-5-9.7-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 14. The judge of the Cass circuit court may, with the consent of the judge of ~~the~~ **a** court, transfer any action or proceeding from the circuit court to the court. The judge of ~~the~~ **a** court may, with consent of the judge of the circuit court, transfer any action or proceeding from the court to the circuit court.

SECTION 19. IC 33-5-9.7-15 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 15. The judge of the Cass circuit court may, with the consent of the judge of ~~the~~ **a** court, sit as a judge of ~~the~~ **a** court in any matter as if he ~~was~~ **were** an elected judge of the court. The judge of ~~the~~ **a** court may, with consent of the judge of the circuit court, sit as a judge of the circuit court in any matter as if he ~~was~~ **were** an elected judge of the circuit court.

SECTION 20. IC 33-5-9.7-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 16. ~~The Cass~~ **Each** superior court has a standard small claims and misdemeanor division.

SECTION 21. IC 33-5-10-25 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 25. (a) The judges of the Clark circuit court and Clark superior court may jointly appoint one (1) full-time magistrate under IC 33-4-7 to serve the circuit and superior courts.**

(b) The magistrate continues in office until removed by the judges of the Clark circuit and superior courts.

SECTION 22. IC 33-5-13.1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) The court has, **before January 1, 2001,** five (5) **and, after December 31, 2000, six (6)** judges, who shall be elected at the general election every six (6) years in Elkhart County. A judge's term begins January 1 following the judge's election and ends December 31 following the election of the judge's successor.

(b) To be eligible to hold office as a judge of the court, a person must:

(1) be a resident of Elkhart County;

(2) be under seventy (70) years of age at the time the judge takes office; and

(3) be admitted to the bar of Indiana.

SECTION 23. IC 33-5-13.1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 10. **Before January 1, 2001,** three (3) **and, after December 31, 2000, four (4)** of the judges of the court shall hold sessions in the Elkhart County courts building in the city of Elkhart. Two (2) of the judges of the court shall hold sessions in an appropriate place in the city of Goshen selected by the county commissioners. The board of county commissioners shall provide and maintain suitable courtrooms and other rooms and facilities, including furniture and equipment, as may be necessary. The county council of Elkhart County shall appropriate sufficient funds for the provision and maintenance of such rooms and facilities.

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SECTION 24. IC 33-5-13.1-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 16. (a) The judges of the Elkhart circuit and superior courts may jointly appoint ~~one (1)~~ **two (2)** full-time ~~magistrate~~ **magistrates** under IC 33-4-7.

(b) ~~The~~ **A** magistrate continues in office until removed by the judges of the circuit and superior courts.

SECTION 25. IC 33-5-18.1-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 15. (a) The judges of the Floyd circuit court, Floyd superior court, and Floyd county court may jointly appoint one (1) full-time magistrate under IC 33-4-7 to serve the circuit, superior, and county courts.**

(b) The magistrate continues in office until removed by the judges of the Clark circuit, superior, and county courts.

SECTION 26. IC 33-5-29.5-7.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7.1. **(a)** The judges of the criminal division may appoint two (2) full-time magistrates under IC 33-4-7 ~~The magistrates continue~~ **to serve the criminal division. A magistrate appointed under this subsection continues** in office until removed by the judges of the criminal division.

(b) The judges of the civil division may appoint two (2) full-time magistrates under IC 33-4-7 to serve the civil division. A magistrate appointed under this subsection continues in office until removed by the judges of the civil division.

SECTION 27. IC 33-5-29.5-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 21. (a) The court is divided into civil (including probate), criminal, county, and juvenile divisions. The work of the court shall be divided among the divisions by the rules of the court.

(b) **Before January 1, 2001,** five (5) **and, after December 31, 2000, seven (7)** judges comprise the civil division. Four (4) judges comprise the criminal division. **Before January 1, 2001,** three (3) judges, **and, after December 31, 2000, four (4) judges** comprise the county division. One (1) judge comprises the juvenile division. However, the court by rule may alter the number of judges assigned to a division other than the county division of the court if the court determines that the change is necessary for the efficient operation of the court.

(c) The court by rule may reassign a judge of the court from one (1) division to another if the court determines that the change is necessary for the efficient operation of the court. The court by rule shall establish a rotation schedule providing for the rotation of judges through the

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various divisions. The rotation schedule may be used if a judge determines that an emergency exists. However, a senior judge of any division or a judge of the county division may not be reassigned or rotated to another division under this subsection.

(d) The chief judge of the court may assign a judge in one (1) division of the court to hear a case originating in another division of the court, and may reassign cases from one (1) judge to another, if the chief judge determines that the change is necessary for the efficient operation of the court.

SECTION 28. IC 33-5-29.5-27 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 27. The superior court of Lake County shall consist of:

(1) before January 1, 2001, thirteen (13) **judges; and**

(2) after December 31, 2000, sixteen (16) judges;

plus the Lake circuit court judge if the circuit court judge chooses to sit on the superior court of Lake County.

SECTION 29. IC 33-5-31.1-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 12. (a) The judges of the court may, by a vote of the majority of the judges, appoint one (1) full-time magistrate under IC 33-4-7.

(b) The judges of the LaPorte circuit court and LaPorte superior court No. 4 may jointly appoint two (2) full-time magistrates under IC 33-4-7 to serve the LaPorte circuit court and LaPorte superior court No. 4.

~~(b)~~ **(c)** The ~~magistrate continues~~ **magistrates appointed under subsection (a) continue** in office until removed by the vote of a majority of the judges of the court.

(d) The magistrates appointed under subsection (b) continue in office until removed by the judges of the LaPorte circuit court and LaPorte superior court No. 4.

SECTION 30. IC 33-5-37.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. There is established a court of record to be known as the Noble superior court (referred to as ~~"the~~ "court" in this chapter). The court may have a seal containing the words "Noble Superior Court, Noble County, Indiana". Noble County comprises the judicial district of the ~~court~~ **courts.**

SECTION 31. IC 33-5-37.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) The court has ~~one (1)~~ **two (2)** judges who shall be elected at the general election every six (6) years in Noble County. ~~His~~ **The** term **of a judge** begins January 1 following ~~his~~ **the date of the judge's** election and ends December 31 following the election of ~~his~~ **the judge's** successor.

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(b) To be eligible to hold office as judge of ~~the~~ **a** court, a person must:

(1) be a resident of Noble County;

(2) be under seventy (70) years of age at the time he takes office; and

(3) be admitted to the bar of Indiana.

SECTION 32. IC 33-5-37.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. ~~The~~ **A** court has the same jurisdiction as the Noble circuit court.

SECTION 33. IC 33-5-37.5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. The judge of ~~the~~ **a** court has the same powers relating to the conduct of the business of ~~the~~ **a** court as the judge of the Noble circuit court. The judge of ~~the~~ **a** court also may administer oaths, solemnize marriages, and take and certify acknowledgments of deeds.

SECTION 34. IC 33-5-37.5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. The judge of ~~the~~ **a** court shall appoint a bailiff and an official court reporter for the court; their salaries shall be fixed in the same manner as the salaries of the bailiff and official court reporter for the Noble circuit court. Their salaries shall be paid monthly out of the treasury of Noble County as provided by law.

SECTION 35. IC 33-5-37.5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. The clerk of ~~the~~ **a** court, under the direction of the judge of the court, shall provide order books, judgment dockets, execution dockets, fee books, and other books for ~~the~~ **a** court, which shall be kept separately from the books and papers of other courts.

SECTION 36. IC 33-5-37.5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 10. ~~The~~ **A** court shall hold its sessions in the Noble County courthouse in Albion, Indiana, or in such other places in the county as the board of county commissioners of Noble County may provide. The board of county commissioners shall provide and maintain a suitable courtroom and other rooms and facilities, including furniture and equipment, as may be necessary. The county council of Noble County shall appropriate sufficient funds for the provision and maintenance of such rooms and facilities.

SECTION 37. IC 33-5-37.5-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 11. The jury commissioners appointed by the judge of the Noble circuit court shall serve as the jury commissioners for ~~the~~ **a** court. Juries shall be selected in the same manner as juries for the Noble circuit court. The grand jury

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selected for the Noble circuit court shall also serve as the grand jury for ~~the~~ **a** court as may be necessary.

SECTION 38. IC 33-5-37.5-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 13. The judge of the Noble circuit court may, with the consent of the judge of ~~the~~ **a** court, transfer any action or proceeding from the circuit court to the court. The judge of ~~the~~ **a** court may, with consent of the judge of the circuit court, transfer any action or proceeding from the court to the circuit court.

SECTION 39. IC 33-5-37.5-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 14. The judge of the Noble circuit court may, with the consent of the judge of ~~the~~ **a** court, sit as a judge of the court in any matter as if he was an elected judge of the court. The judge of ~~the~~ **a** court may, with consent of the judge of the circuit court, sit as a judge of the circuit court in any matter as if he was an elected judge of the circuit court.

SECTION 40. IC 33-5-37.5-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 15. The court has a standard small claims and misdemeanor division.**

SECTION 41. IC 33-5-40-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. The court for the county has the following jurisdiction:

(1) Original, appellate, concurrent, and coextensive jurisdiction with the circuit court in all civil cases, criminal cases, and probate matters.

(2) Concurrent and coextensive jurisdiction with the circuit court in all cases of appeal from boards of county commissioners, and all other appellate jurisdiction vested in the circuit court.

(3) Concurrent and coextensive jurisdiction in all matters of probate and the settlement of decedents' estates, trusts, and guardianships.

(4) Jurisdiction in all other subject matters actionable in the circuit court.

(5) Original exclusive jurisdiction of all violations of ordinances of cities located in the county.

(6) Original exclusive jurisdiction in the trial of offenses constituting violation of traffic ordinances of the cities and violations of traffic laws of the state that occur in any city of St. Joseph County.

(7) Original jurisdiction of violations of traffic laws of the state that occur outside a city in St. Joseph County.

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(8) Concurrent jurisdiction with the probate court over juvenile matters.

However, the court may exercise juvenile jurisdiction only if the judges of the St. Joseph superior court and the St. Joseph probate court jointly and unanimously adopt a rule to accept juvenile cases in the St. Joseph superior court.

SECTION 42. IC 33-5-40-23.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 23.5. (a) The judges of the court shall designate by rule one (1) of the judges as chief judge.**

(b) The judge designated as chief judge under subsection (a) shall serve as chief judge until the end of the judge's term.

(c) The chief judge shall do the following:

(1) Establish divisions of the court, which may include a juvenile division, probate division, civil division, criminal division, traffic division, and small claims and misdemeanor division.

(2) Assign cases to a judge or division of the court or reassign cases from one (1) judge or division of the court to another judge or division of the court to ensure the efficient operation and conduct of the court.

(3) Assign and allocate courtrooms, other rooms, and other facilities to ensure the efficient operation and conduct of the court.

(4) Annually submit to the fiscal body of St. Joseph County a budget for the court.

(5) Make appointments or selections on behalf of the court that are required of a superior court judge under any statute.

(6) Direct the employment and management of court personnel.

(7) Conduct cooperative efforts with other courts for establishing and administering shared programs and facilities.

SECTION 43. IC 33-5-40-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 24. Whenever any action of the entire court is required, then the judges of the court will act in concert. In the event of disagreement, then the decision of the majority of the judges shall control. **However, if the judges are evenly divided, the decision joined by the chief judge controls.**

SECTION 44. IC 33-5-40-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 25. The court shall, when in its opinion it shall be necessary, appoint such additional personnel for the proper administration of the court, including but not

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limited to an administrative officer who shall operate under the jurisdiction of the ~~presiding~~ **chief** judge.

SECTION 45. IC 33-5-40-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 26. The judge of the circuit court may, with the consent of ~~this court~~ **the chief judge,** transfer any action, cause, or proceeding filed and docketed in the circuit court to this court by transferring all original papers and instruments filed in such action, cause, or proceeding without further transcript thereof to be redocketed and disposed of as if originally filed with this court.

SECTION 46. IC 33-5-40-27 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 27. ~~Any~~ **The chief** judge of this court may, with the consent of the judge of the circuit court, transfer any action, cause, or proceeding filed and docketed in this court to the circuit court by transferring all original papers and instruments filed in such action, cause, or proceeding without further transcript thereof to be redocketed and disposed of as if originally filed with the circuit court.

SECTION 47. IC 33-5-40-28 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 28. The judge of the St. Joseph Circuit Court shall be, at ~~his~~ **the judge's** discretion, authorized to sit as a judge of this court, with the ~~court's~~ **chief judge's** permission, in all matters pending before this court, without limitation and without any further order, in the same manner and stead as if ~~he~~ **the judge of the circuit court** were a judge of this court with all the rights and powers as if ~~he~~ **the judge of the circuit court** were a duly elected judge of this court.

SECTION 48. IC 33-5-40-42 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 42. The commission shall submit with the list of five (5) nominees to the governor its written evaluation of the qualifications of each candidate, and these names and written evaluations shall be publicly disclosed. Every eligible candidate whose name was not submitted to the governor shall have access to any evaluation on him by the commission and the right to make the evaluation public. Otherwise, the evaluation, **including the names of the candidates applying for the office,** shall remain confidential. If the commission should determine that there are less than five (5) persons qualified under section 44 of this chapter, they must submit a lesser number under section 44 of this chapter.

SECTION 49. IC 33-5-40-73 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 73. (a) After November 30, 1999,**

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the judges of the court may jointly appoint two (2) full-time magistrates under IC 33-4-7 to serve the court.

(b) A magistrate continues in office until removed by the judges of the court.

SECTION 50. IC 33-5-42.2 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]:

Chapter 42.2. Tippecanoe Superior Court No. 4, No. 5, and No. 6

Sec. 1. There are established three (3) courts of record in Tippecanoe County to be known as:

(1) Tippecanoe superior court No. 4;

(2) Tippecanoe superior court No. 5; and

(3) Tippecanoe superior court No. 6;

(referred to as "court" in this chapter). Tippecanoe superior court No. 4, No. 5, and No. 6 may each have a seal containing the words "Tippecanoe Superior Court (insert No. 4, No. 5, or No. 6), Tippecanoe County, Indiana". Tippecanoe County comprises the judicial district of each court.

Sec. 2. (a) Tippecanoe superior court No. 4, No. 5, and No. 6 each have one (1) judge, who shall be elected at the general election every six (6) years in Tippecanoe County. The judge's term begins January 1 following the election and ends December 31 following the election of the judge's successor.

(b) To be eligible to hold office as judge of the court, a person must be:

(1) a resident of Tippecanoe County;

(2) less than seventy (70) years of age at the time of taking office; and

(3) admitted to the bar of Indiana.

Sec. 3. (a) Except as provided in subsection (b), each court has the same jurisdiction as the Tippecanoe circuit court.

(b) Tippecanoe superior court No. 4, No. 5, and No. 6 do not have probate or juvenile jurisdiction.

Sec. 4. The judges of Tippecanoe superior court No. 4, No. 5, and No. 6 have the same powers relating to the conduct of the business of Tippecanoe superior court No. 4, No. 5, and No. 6 as the judge of the Tippecanoe circuit court. The judge of each court also may administer oaths, solemnize marriages, and take and certify acknowledgments of deeds.

Sec. 5. The judges of Tippecanoe superior court No. 4, No. 5, and No. 6:

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(1) shall each appoint a bailiff and an official court reporter for the court; and

(2) may each appoint other court personnel necessary to facilitate and transact the business of the court.

A person appointed under this section serves at the pleasure of the judge appointing the person. Their salaries shall be fixed in the same manner as the salaries of the bailiff, official court reporter, and other personnel for the Tippecanoe circuit court. Their salaries shall be paid monthly out of the treasury of Tippecanoe County as provided by law.

Sec. 6. The judges of Tippecanoe superior court No. 4, No. 5, and No. 6 shall jointly appoint one (1) full-time magistrate under IC 33-4-7. The magistrate continues in office until jointly removed by the judges of the courts.

Sec. 7. The clerk of the circuit court, under the direction of the judge of a court, shall provide order books, judgment dockets, execution dockets, fee books, and other books for the court, which shall be kept separately from the books and papers of other courts.

Sec. 8. Each court shall hold its sessions in the Tippecanoe County courthouse in Lafayette, Indiana, or in the other places in the county that the Tippecanoe county executive may provide. The county executive shall provide and maintain a suitable courtroom and other rooms and facilities, including furniture and equipment, as may be necessary for each court. The Tippecanoe County fiscal body shall appropriate sufficient funds for the provision and maintenance of these rooms and facilities.

Sec. 9. The jury commissioners appointed by the judge of the Tippecanoe circuit court shall serve as the jury commissioners for Tippecanoe superior court No. 4, No. 5, and No. 6. Juries shall be selected in the same manner as juries for the Tippecanoe circuit court. The grand jury selected for the Tippecanoe circuit court shall also serve as the grand jury for a court as may be necessary.

Sec. 10. The judge of the Tippecanoe circuit court or another superior court in the county may, with the consent of the judge of Tippecanoe superior court No. 4, No. 5, or No. 6, transfer any action or proceeding from the circuit court to Tippecanoe superior court No. 4, No. 5, or No. 6. The judge of Tippecanoe superior court No. 4, No. 5, or No. 6 may, with consent of the judge of the circuit court or the judge of another superior court in the county, transfer any action or proceeding from Tippecanoe superior court No. 4, No. 5, or No. 6 to the circuit court or the other superior court in the county.

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Sec. 11. The judge of the Tippecanoe circuit court or another superior court in the county may, with the consent of the judge of Tippecanoe superior court No. 4, No. 5, or No. 6, sit as a judge of the court in any matter as if the judge of the circuit court or the other superior court were an elected judge of Tippecanoe superior court No. 4, No. 5, or No. 6. The judge of Tippecanoe superior court No. 4, No. 5, or No. 6 may, with consent of the judge of the circuit court or the judge of another superior court in the county, sit as a judge of the circuit court or the other superior court in any matter as if the judge of Tippecanoe superior court No. 4, No. 5, or No. 6 were an elected judge of the circuit court or the other superior court.

Sec. 12. Tippecanoe superior court No. 4, No. 5, and No. 6 each have a standard small claims and misdemeanor division.

Sec. 13. (a) Except as provided in this section, a judge of Tippecanoe superior court No. 4, No. 5, or No. 6 may adopt rules for conducting business in the court.

(b) Rules adopted under this section must be consistent with the laws of Indiana and the rules adopted by the supreme court.

(c) When adopting local rules to govern in all the courts of record in the county, the judge of the circuit court and the judges of all of the superior courts in the county shall act in concert. In the event of a disagreement, the decision of a majority of the judges controls. In the event of a tie, the decision joined by the circuit court judge controls.

(d) The judges of Tippecanoe superior court No. 4, No. 5, and No. 6 shall jointly adopt rules to provide for the coordination and conduct of the standard small claims and misdemeanor divisions in the courts.

Sec. 14. (a) The judges of Tippecanoe superior court No. 4, No. 5, and No. 6, by rules jointly adopted by the courts, shall designate one (1) of the judges of the courts as presiding judge for the standard small claims and misdemeanor divisions of the courts.

(b) The presiding judge shall insure that the standard small claims divisions operate efficiently.

SECTION 51. IC 33-5-43-1.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1.1. (a) The judges of the Vanderburgh superior court may jointly appoint not more than ~~two (2)~~ **five (5)** full-time magistrates under IC 33-4-7.

(b) A magistrate continues in office until jointly removed by the judges.

SECTION 52. IC 33-5.1-2-1 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) There is established a superior court in Marion County, Indiana. The court consists of:

(1) thirty-one (31) judges, until January 1, 2001; and

(2) ~~thirty-two (32)~~ **thirty-six (36)** judges, after December 31, 2000.

(b) To be qualified to serve as a judge of the court, a person must be, at the time a declaration of candidacy or a petition of nomination under IC 3-8-6 is filed:

(1) a resident of Marion County; and

(2) an attorney who has been admitted to the bar of Indiana for at least five (5) years.

(c) During the term of office, a judge of the court must remain a resident of Marion County.

SECTION 53. IC 33-5.1-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) Each judge of the court shall be elected for a term of six (6) years that shall commence January 1 after the year of the judge's election and continue through December 31 in the sixth year. The judge shall hold office for the six (6) year term or until the judge's successor is elected and qualified. A candidate for judge shall run at large for the office of judge of the court and not as a candidate for judge of a particular room or division of the court.

(b) At the primary election a political party may nominate candidates for judge of the court as follows:

(1) Beginning with the primary election held in 1996 and every six (6) years thereafter, a political party may nominate not more than eight (8) candidates for judge of the court.

(2) Beginning with the primary election held in 2000 and every six (6) years thereafter, a political party may nominate not more than ~~nine (9)~~ **eleven (11)** candidates for judge of the court.

The candidates shall be voted on at the general election. Other candidates may qualify under IC 3-8-6 to be voted on at the general election.

(c) The names of the party candidates nominated and properly certified to the Marion County election board, along with the names of other candidates who have qualified, shall be placed on the ballot at the general election in the form prescribed by IC 3-11-2. All persons eligible to vote at the general election may vote for candidates for judge of the court as follows:

(1) Beginning with the 1996 general election and every six (6) years thereafter, for fifteen (15) candidates for judge of the court.

C o p y

(2) Beginning with the 2000 general election and every six (6) years thereafter, for ~~seventeen (17)~~ **twenty-one (21)** candidates for judge of the court.

(d) The candidates for judge of the court receiving the highest number of votes shall be elected to the vacancies. The names of the candidates elected as judges of the court shall be certified to the county election board as provided by law.

SECTION 54. IC 33-5.1-2-27 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 27. (a) In addition to the magistrate appointed under section 26 of this chapter, the judges of the superior court may, by a vote of a majority of the judges, appoint ~~four (4)~~ **fourteen (14)** full-time magistrates under IC 33-4-7.

(b) Not more than two (2) of the magistrates appointed under this section may be of the same political party.

(c) The magistrates continue in office until removed by the vote of a majority of the judges of the court.

(d) A party to a superior court proceeding that has been assigned to a magistrate appointed under this section may request that an elected judge of the superior court preside over the proceeding instead of the magistrate to whom the proceeding has been assigned. Upon a request made under this subsection by either party, the magistrate to whom the proceeding has been assigned shall transfer the proceeding back to the superior court judge.

SECTION 55. IC 33-8-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 10. The probate court has ~~exclusive~~ **concurrent** juvenile jurisdiction in St. Joseph County **with the St. Joseph superior court.**

SECTION 56. IC 33-8-2-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 25. In addition to any appointments made by the judge of the St. Joseph probate court under IC 31-31-3, the judge of the St. Joseph probate court may appoint ~~one (1)~~ **two (2)** full-time ~~magistrate~~ **magistrates** under IC 33-4-7. ~~The~~ **A** magistrate may exercise:

(1) probate jurisdiction under IC 33-8-2-9; and

(2) juvenile jurisdiction under IC 33-8-2-10;

and continues in office until removed by the judge.

SECTION 57. IC 33-10.5-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 6. The county courts of the following counties each have two (2) judges:

Madison County.

~~Tippecanoe County.~~

Vigo County.

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SECTION 58. IC 33-10.5-10-3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 3. (a) The judges of the Floyd circuit court, Floyd superior court, and Floyd county court may jointly appoint one (1) full-time magistrate under IC 33-4-7 to serve the circuit, superior, and county courts.**

(b) The magistrate continues in office until removed by the judges of the Floyd circuit, superior, and county courts.

SECTION 59. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 1999]: IC 33-5-40-23; IC 33-10.5-10-1; IC 33-10.5-10-2.

SECTION 60. [EFFECTIVE JULY 1, 1999] **(a) The judges of the St. Joseph superior court shall designate by rule one (1) of the judges as chief judge under IC 33-5-40-23.5, as added by this act, before September 1, 1999.**

(b) This SECTION expires September 2, 1999.

SECTION 61. [EFFECTIVE JULY 1, 1999] **(a) On July 1, 1999, the Noble county court is abolished.**

(b) Any case pending in the Noble county court after the close of business on June 30, 1999, is transferred on July 1, 1999, to the Noble superior court established by this act. All cases transferred under this SECTION that are eligible to be heard by the standard small claims and misdemeanor division shall be transferred to the standard small claims and misdemeanor division of the court. A case transferred under this SECTION shall be treated as if the case were filed in the Noble superior court.

(c) On July 1, 1999, all property and obligations of the Noble county court become the property and obligations of the Noble superior court.

(d) The initial judge of the Noble superior court added by IC 33-5-37.5-2, as amended by this act, shall be the person who is the Noble county court judge on June 30, 1999. The term of the initial judge begins July 1, 1999, and ends December 31, 2002. The initial election of a judge for the Noble superior court added by IC 33-5-37.5-2, as amended by this act, shall be the general election conducted on November 5, 2002. The term of the initial elected judge begins January 1, 2003.

(e) This SECTION expires January 2, 2003.

SECTION 62. [EFFECTIVE JULY 1, 1999] **(a) The initial judge of the Elkhart superior court added by IC 33-5-13.1-2, as amended by this act, shall be elected at the general election to be held on November 7, 2000. The initial term of a judge described in this subsection begins January 1, 2001.**

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(b) The initial judges of the Lake superior court, civil division, added by IC 33-5-29.5-21 and IC 33-5-29.5-27, both as amended by this act, shall be appointed under IC 33-5-29.5 before January 1, 2001. The initial term of a judge described in this subsection begins January 1, 2001.

(c) The initial judge of each court added to the Marion superior court by IC 33-5.1-2-1 and IC 33-5.1-2-8, both as amended by this act, shall be elected at the general election held on November 7, 2000. The initial term of a judge described in this subsection begins January 1, 2001.

(d) The initial judge of Lake superior court, county division No. 4, added to the Lake superior court by IC 33-5-29.5-21 and IC 33-5-29.5-27, both as amended by this act, shall be elected at the general election held on November 7, 2000. The initial term of a judge described in this subsection begins January 1, 2001.

(e) This SECTION expires January 2, 2001.

SECTION 63. [EFFECTIVE JULY 1, 1999] **(a) At midnight, December 31, 2000, Tippecanoe county court No. 1 is abolished.**

(b) Any case pending in Tippecanoe county court No. 1 after the close of business on December 31, 2000, is transferred on January 1, 2001, to Tippecanoe superior court No. 4, established by this act. All cases transferred under this SECTION that are eligible to be heard by the standard small claims and misdemeanor division shall be transferred to the standard small claims and misdemeanor division of the court in accordance with the venue requirements prescribed in Rule 75 of the Indiana Rules of Trial Procedure. A case transferred under this SECTION shall be treated as if the case were filed in Tippecanoe superior court No. 4.

(c) On January 1, 2001, all property and obligations of Tippecanoe county court No. 1 become the property and obligations of Tippecanoe superior court No. 4.

(d) The initial judge of Tippecanoe superior court No. 4 added by IC 33-5-42.2-1, as added by this act, shall be the person who is the Tippecanoe county court No. 1 judge on December 31, 2000. The term of the initial judge begins January 1, 2001, and ends December 31, 2002. The initial election of a judge for Tippecanoe superior court No. 4, added by IC 33-5-42.2-1, as added by this act, shall be the general election conducted on November 5, 2002. The term of the initial elected judge begins January 1, 2003.

(e) This SECTION expires January 2, 2003.

SECTION 64. [EFFECTIVE JULY 1, 1999] **(a) At midnight, December 31, 2000, Tippecanoe county court No. 2 is abolished.**

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(b) Any case pending in Tippecanoe county court No. 2 after the close of business on December 31, 2000, is transferred on January 1, 2001, to Tippecanoe superior court No. 5, established by this act. All cases transferred under this SECTION that are eligible to be heard by the standard small claims and misdemeanor division shall be transferred to the standard small claims and misdemeanor division of the court in accordance with the venue requirements prescribed in Rule 75 of the Indiana Rules of Trial Procedure. A case transferred under this SECTION shall be treated as if the case were filed in Tippecanoe superior court No. 5.

(c) On January 1, 2001, all property and obligations of Tippecanoe county court No. 2 become the property and obligations of Tippecanoe superior court No. 5.

(d) The initial judge of Tippecanoe superior court No. 5, added by IC 33-5-42.2-1, as added by this act, shall be the person who is the Tippecanoe county court No. 2 judge on December 31, 2000. The term of the initial judge begins January 1, 2001, and ends December 31, 2002. The initial election of a judge for Tippecanoe superior court No. 5, added by IC 33-5-42.2-1, as added by this act, shall be the general election conducted on November 5, 2002. The term of the initial elected judge begins January 1, 2003.

(e) This SECTION expires January 2, 2003.

SECTION 65. [EFFECTIVE JULY 1, 1999] **(a) The initial election of a judge for Tippecanoe superior court No. 6, added by IC 33-5-42.2-1, as added by this act, shall be the general election conducted on November 7, 2000. The term of the initial elected judge begins January 1, 2001.**

(b) This SECTION expires January 2, 2003.

SECTION 66. [EFFECTIVE JULY 1, 1999] **At midnight, December 31, 2000, the office of magistrate of the Tippecanoe county court established by IC 33-10.5-10-2 is abolished. The magistrate serving as magistrate of the Tippecanoe county court on December 31, 2000, shall serve as the initial full-time magistrate for Tippecanoe superior court No. 4, Tippecanoe superior court No. 5, and Tippecanoe superior court No. 6 as if appointed for the superior courts under IC 33-4-7. The magistrate continues to serve until jointly removed by the judges of Tippecanoe superior court No. 4, Tippecanoe superior court No. 5, and Tippecanoe superior court No. 6.**

SECTION 67. [EFFECTIVE JULY 1, 1999] **(a) The judge of the Cass circuit court may appoint one (1) full-time magistrate under IC 33-4-7 to serve the Cass circuit court and the Cass superior**

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court until January 1, 2001.

(b) This SECTION expires January 2, 2001.

SECTION 68. [EFFECTIVE JULY 1, 1999] **(a) On January 1, 2001, the Cass superior court in existence on January 1, 1999, is renamed Cass superior court No. 1.**

(b) The initial election of the judge of Cass superior court No. 2, as added by IC 33-5-9.7-1, as amended by this act, is the general election to be held November 7, 2000. The person elected takes office January 1, 2001.

(c) This SECTION expires January 2, 2001.

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SENATE MOTION

Mr. President: I move that Senator Antich be added as coauthor of Senate Bill 27.

BRAY

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COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 27, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 2. IC 33-4-1-20.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 20.1. (a) The judges of the Elkhart circuit and superior courts may jointly appoint ~~one (1)~~ **two (2)** full-time ~~magistrate~~ **magistrates** under IC 33-4-7 to serve the circuit and superior courts.

(b) ~~The~~ **A** magistrate continues in office until removed by the judges of the circuit and superior courts.".

Page 2, line 15, delete "one (1)" and insert "**two (2)**".

Page 2, line 16, delete "magistrate" and insert "**magistrates**".

Page 2, line 17, delete "magistrate continues" and insert "**magistrates continue**".

Page 2, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 7. IC 33-4-7-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 3.5. The files of applicants, including the names of applicants, for appointment as a magistrate are confidential as provided in IC 5-14-3-4(b)(8).**".

Page 2, line 38, strike "judge" and insert "**judges**".

Page 3, after line 42, begin a new paragraph and insert:

"SECTION 9. IC 33-5-9.7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 1. There ~~is~~ **are** established ~~a court~~ **two (2) courts** of record to be known as ~~the~~ Cass superior court **No. 1 and Cass superior court No. 2** (referred to as ~~"the~~ **a** "court" in this chapter). ~~The~~ **Each** court may have a seal containing the words "Cass Superior Court **(insert No. 1 or No. 2),** Cass County, Indiana". Cass County comprises the judicial district of ~~the~~ **each** court.

SECTION 10. IC 33-5-9.7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 2. ~~The~~ **Each** court has one (1) judge, who shall be elected at the general election every six (6) years in Cass County. His term begins January 1 following his election and ends December 31 following the election of his successor.

SECTION 11. IC 33-5-9.7-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 3. ~~The~~ **(a) Cass superior** court **No. 1** has the same jurisdiction as the Cass circuit court, except that only the circuit court has juvenile jurisdiction.

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(b) Cass superior court No. 2 has the same jurisdiction as Cass superior court No. 1.

SECTION 12. IC 33-5-9.7-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 4. The judge of ~~the~~ **each** court has the same powers relating to the conduct of the business of the court as the judge of the Cass circuit court. The judge of the court also may administer oaths, solemnize marriages, and take and certify acknowledgments of deeds.

SECTION 13. IC 33-5-9.7-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 8. The clerk of the Cass circuit court shall serve as the clerk of ~~the~~ **each** court, and the sheriff of Cass County shall serve as the sheriff of ~~the~~ **each** court. They shall attend the ~~court~~ **courts** and perform the same duties relating to their offices as they are required to do with respect to the Cass circuit court.

SECTION 14. IC 33-5-9.7-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 9. The judge of ~~the~~ **each** court shall appoint a bailiff and an official court reporter for the **judge's** court. Their salaries shall be fixed in the same manner as the salaries of the bailiff and official court reporter for the Cass circuit court. Their salaries shall be paid monthly out of the treasury of Cass County as provided by law.

SECTION 15. IC 33-5-9.7-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 10. The clerk of the court, under the direction of the judge of ~~the~~ **each** court, shall provide order books, judgment dockets, execution dockets, fee books, and other books for ~~the~~ **each** court, which shall be kept separately from the books and papers of other courts.

SECTION 16. IC 33-5-9.7-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 11. ~~The~~ **Each** court shall hold its sessions in the Cass County courthouse in Logansport, Indiana, or in such other places in the county as the board of county commissioners of Cass County may provide. The board of county commissioners shall provide and maintain ~~a~~ suitable ~~courtroom~~ **courtrooms** and other rooms and facilities, including furniture and equipment, as may be necessary. The county council of Cass County shall appropriate sufficient funds for the provision and maintenance of such rooms and facilities.

SECTION 17. IC 33-5-9.7-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 12. The jury commissioners appointed by the judge of the Cass circuit court shall serve as the jury commissioners for ~~the~~ **each** court. Juries shall be

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selected in the same manner as juries for the Cass circuit court. The grand jury selected for the Cass circuit court shall also serve as the grand jury for ~~the~~ **each** court as may be necessary.

SECTION 18. IC 33-5-9.7-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 14. The judge of the Cass circuit court may, with the consent of the judge of ~~the~~ **a** court, transfer any action or proceeding from the circuit court to the court. The judge of ~~the~~ **a** court may, with consent of the judge of the circuit court, transfer any action or proceeding from the court to the circuit court.

SECTION 19. IC 33-5-9.7-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 15. The judge of the Cass circuit court may, with the consent of the judge of ~~the~~ **a** court, sit as a judge of ~~the~~ **a** court in any matter as if he ~~was~~ **were** an elected judge of the court. The judge of ~~the~~ **a** court may, with consent of the judge of the circuit court, sit as a judge of the circuit court in any matter as if he ~~was~~ **were** an elected judge of the circuit court.

SECTION 20. IC 33-5-9.7-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 16. ~~The Cass~~ **Each** superior court has a standard small claims and misdemeanor division.".

Page 4, delete lines 8 through 42.

Page 5, delete lines 1 through 28.

Page 6, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 24. IC 33-5-13.1-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 16. (a) The judges of the Elkhart circuit and superior courts may jointly appoint ~~one (1)~~ **two (2)** full-time ~~magistrate~~ **magistrates** under IC 33-4-7.

(b) ~~The~~ **A** magistrate continues in office until removed by the judges of the circuit and superior courts.".

Page 7, line 26, delete "one (1)" and insert "**two (2)**".

Page 7, line 27, delete "magistrate" and insert "**magistrates**".

Page 7, line 27, delete "circuit and superior courts." and insert "**LaPorte circuit court and LaPorte superior court No. 4.**".

Page 7, line 28, strike "magistrate".

Page 7, line 28, delete "appointed under subsection (a)".

Page 7, line 28, strike "continues" and insert "**magistrates appointed under subsection (a) continue**".

Page 7, line 31, delete "magistrate" and insert "**magistrates**".

Page 7, line 31, delete "continues" and insert "**continue**".

Page 9, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 40. IC 33-5-40-4 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. The court for the county has the following jurisdiction:

(1) Original, appellate, concurrent, and coextensive jurisdiction with the circuit court in all civil cases, criminal cases, and probate matters.

(2) Concurrent and coextensive jurisdiction with the circuit court in all cases of appeal from boards of county commissioners, and all other appellate jurisdiction vested in the circuit court.

(3) Concurrent and coextensive jurisdiction in all matters of probate and the settlement of decedents' estates, trusts, and guardianships.

(4) Jurisdiction in all other subject matters actionable in the circuit court.

(5) Original exclusive jurisdiction of all violations of ordinances of cities located in the county.

(6) Original exclusive jurisdiction in the trial of offenses constituting violation of traffic ordinances of the cities and violations of traffic laws of the state that occur in any city of St. Joseph County.

(7) Original jurisdiction of violations of traffic laws of the state that occur outside a city in St. Joseph County.

(8) Concurrent jurisdiction with the probate court over juvenile matters.

However, the court may exercise juvenile jurisdiction only if the judges of the St. Joseph superior court and the St. Joseph probate court jointly and unanimously adopt a rule to accept juvenile cases in the St. Joseph superior court.

SECTION 41. IC 33-5-40-23.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 23.5. (a) The judges of the court shall designate by rule one (1) of the judges as chief judge.**

(b) The judge designated as chief judge under subsection (a) shall serve as chief judge until the end of the judge's term.

(c) The chief judge shall do the following:

(1) Establish divisions of the court, which may include a juvenile division, probate division, civil division, criminal division, traffic division, and small claims and misdemeanor division.

(2) Assign cases to a judge or division of the court or reassign cases from one (1) judge or division of the court to another judge or division of the court to ensure the efficient operation and conduct of the court.

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(3) Assign and allocate courtrooms, other rooms, and other facilities to ensure the efficient operation and conduct of the court.

(4) Annually submit to the fiscal body of St. Joseph County a budget for the court.

(5) Make appointments or selections on behalf of the court that are required of a superior court judge under any statute.

(6) Direct the employment and management of court personnel.

(7) Conduct cooperative efforts with other courts for establishing and administering shared programs and facilities.

SECTION 42. IC 33-5-40-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 24. Whenever any action of the entire court is required, then the judges of the court will act in concert. In the event of disagreement, then the decision of the majority of the judges shall control. **However, if the judges are evenly divided, the decision joined by the chief judge controls.**

SECTION 43. IC 33-5-40-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 25. The court shall, when in its opinion it shall be necessary, appoint such additional personnel for the proper administration of the court, including but not limited to an administrative officer who shall operate under the jurisdiction of the ~~presiding~~ **chief** judge.

SECTION 44. IC 33-5-40-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 26. The judge of the circuit court may, with the consent of ~~this court~~ **the chief judge,** transfer any action, cause, or proceeding filed and docketed in the circuit court to this court by transferring all original papers and instruments filed in such action, cause, or proceeding without further transcript thereof to be redocketed and disposed of as if originally filed with this court.

SECTION 45. IC 33-5-40-27 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 27. ~~Any~~ **The chief** judge of this court may, with the consent of the judge of the circuit court, transfer any action, cause, or proceeding filed and docketed in this court to the circuit court by transferring all original papers and instruments filed in such action, cause, or proceeding without further transcript thereof to be redocketed and disposed of as if originally filed with the circuit court.

SECTION 46. IC 33-5-40-28 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 28. The judge of the St. Joseph Circuit Court shall be, at ~~his~~ **the judge's** discretion, authorized

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to sit as a judge of this court, with the ~~court's~~ **chief judge's** permission, in all matters pending before this court, without limitation and without any further order, in the same manner and stead as if ~~he~~ **the judge of the circuit court** were a judge of this court with all the rights and powers as if ~~he~~ **the judge of the circuit court** were a duly elected judge of this court.

SECTION 47. IC 33-5-40-42 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 42. The commission shall submit with the list of five (5) nominees to the governor its written evaluation of the qualifications of each candidate, and these names and written evaluations shall be publicly disclosed. Every eligible candidate whose name was not submitted to the governor shall have access to any evaluation on him by the commission and the right to make the evaluation public. Otherwise, the evaluation, **including the names of the candidates applying for the office,** shall remain confidential. If the commission should determine that there are less than five (5) persons qualified under section 44 of this chapter, they must submit a lesser number under section 44 of this chapter.".

Page 9, line 26, delete "The" and insert "**After November 30, 1999, the**".

Page 9, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 49. IC 33-5-42.2 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]:

Chapter 42.2. Tippecanoe Superior Court No. 4, No. 5, and No. 6

Sec. 1. There are established three (3) courts of record in Tippecanoe County to be known as:

(1) Tippecanoe superior court No. 4;

(2) Tippecanoe superior court No. 5; and

(3) Tippecanoe superior court No. 6;

(referred to as "court" in this chapter). Tippecanoe superior court No. 4, No. 5, and No. 6 may each have a seal containing the words "Tippecanoe Superior Court (insert No. 4, No. 5, or No. 6), Tippecanoe County, Indiana". Tippecanoe County comprises the judicial district of each court.

Sec. 2. (a) Tippecanoe superior court No. 4, No. 5, and No. 6 each have one (1) judge, who shall be elected at the general election every six (6) years in Tippecanoe County. The judge's term begins January 1 following the election and ends December 31 following the election of the judge's successor.

(b) To be eligible to hold office as judge of the court, a person

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must be:

(1) a resident of Tippecanoe County;

(2) less than seventy (70) years of age at the time of taking office; and

(3) admitted to the bar of Indiana.

Sec. 3. (a) Except as provided in subsection (b), each court has the same jurisdiction as the Tippecanoe circuit court.

(b) Tippecanoe superior court No. 4, No. 5, and No. 6 do not have probate or juvenile jurisdiction.

Sec. 4. The judges of Tippecanoe superior court No. 4, No. 5, and No. 6 have the same powers relating to the conduct of the business of Tippecanoe superior court No. 4, No. 5, and No. 6 as the judge of the Tippecanoe circuit court. The judge of each court also may administer oaths, solemnize marriages, and take and certify acknowledgments of deeds.

Sec. 5. The judges of Tippecanoe superior court No. 4, No. 5, and No. 6:

(1) shall each appoint a bailiff and an official court reporter for the court; and

(2) may each appoint other court personnel necessary to facilitate and transact the business of the court.

A person appointed under this section serves at the pleasure of the judge appointing the person. Their salaries shall be fixed in the same manner as the salaries of the bailiff, official court reporter, and other personnel for the Tippecanoe circuit court. Their salaries shall be paid monthly out of the treasury of Tippecanoe County as provided by law.

Sec. 6. The judges of Tippecanoe superior court No. 4, No. 5, and No. 6 shall jointly appoint one (1) full-time magistrate under IC 33-4-7. The magistrate continues in office until jointly removed by the judges of the courts.

Sec. 7. The clerk of the circuit court, under the direction of the judge of a court, shall provide order books, judgment dockets, execution dockets, fee books, and other books for the court, which shall be kept separately from the books and papers of other courts.

Sec. 8. Each court shall hold its sessions in the Tippecanoe County courthouse in Lafayette, Indiana, or in the other places in the county that the Tippecanoe county executive may provide. The county executive shall provide and maintain a suitable courtroom and other rooms and facilities, including furniture and equipment, as may be necessary for each court. The Tippecanoe County fiscal body shall appropriate sufficient funds for the provision and

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maintenance of these rooms and facilities.

Sec. 9. The jury commissioners appointed by the judge of the Tippecanoe circuit court shall serve as the jury commissioners for Tippecanoe superior court No. 4, No. 5, and No. 6. Juries shall be selected in the same manner as juries for the Tippecanoe circuit court. The grand jury selected for the Tippecanoe circuit court shall also serve as the grand jury for a court as may be necessary.

Sec. 10. The judge of the Tippecanoe circuit court or another superior court in the county may, with the consent of the judge of Tippecanoe superior court No. 4, No. 5, or No. 6, transfer any action or proceeding from the circuit court to Tippecanoe superior court No. 4, No. 5, or No. 6. The judge of Tippecanoe superior court No. 4, No. 5, or No. 6 may, with consent of the judge of the circuit court or the judge of another superior court in the county, transfer any action or proceeding from Tippecanoe superior court No. 4, No. 5, or No. 6 to the circuit court or the other superior court in the county.

Sec. 11. The judge of the Tippecanoe circuit court or another superior court in the county may, with the consent of the judge of Tippecanoe superior court No. 4, No. 5, or No. 6, sit as a judge of the court in any matter as if the judge of the circuit court or the other superior court were an elected judge of Tippecanoe superior court No. 4, No. 5, or No. 6. The judge of Tippecanoe superior court No. 4, No. 5, or No. 6 may, with consent of the judge of the circuit court or the judge of another superior court in the county, sit as a judge of the circuit court or the other superior court in any matter as if the judge of Tippecanoe superior court No. 4, No. 5, or No. 6 were an elected judge of the circuit court or the other superior court.

Sec. 12. Tippecanoe superior court No. 4, No. 5, and No. 6 each have a standard small claims and misdemeanor division.

Sec. 13. (a) Except as provided in this section, a judge of Tippecanoe superior court No. 4, No. 5, or No. 6 may adopt rules for conducting business in the court.

(b) Rules adopted under this section must be consistent with the laws of Indiana and the rules adopted by the supreme court.

(c) When adopting local rules to govern in all the courts of record in the county, the judge of the circuit court and the judges of all of the superior courts in the county shall act in concert. In the event of a disagreement, the decision of a majority of the judges controls. In the event of a tie, the decision joined by the circuit court judge controls.

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(d) The judges of Tippecanoe superior court No. 4, No. 5, and No. 6 shall jointly adopt rules to provide for the coordination and conduct of the standard small claims and misdemeanor divisions in the courts.

Sec. 14. (a) The judges of Tippecanoe superior court No. 4, No. 5, and No. 6, by rules jointly adopted by the courts, shall designate one (1) of the judges of the courts as presiding judge for the standard small claims and misdemeanor divisions of the courts.

(b) The presiding judge shall insure that the standard small claims divisions operate efficiently.".

Page 11, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 54. IC 33-8-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 10. The probate court has ~~exclusive~~ **concurrent** juvenile jurisdiction in St. Joseph County **with the St. Joseph superior court.**".

Page 11, delete lines 28 through 36, begin a new paragraph, and insert:

"SECTION 56. IC 33-10.5-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 6. The county courts of the following counties each have two (2) judges:

Madison County.

~~Tippecanoe County.~~

Vigo County.".

Page 12, line 3, after "35." insert "THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 1999]: IC 33-5-40-23;".

Page 12, line 3, delete "IS REPEALED [EFFECTIVE JULY" and insert "; IC 33-10.5-10-2.".

Page 12, delete line 4, begin a new paragraph, and insert:

"SECTION 59. [EFFECTIVE JULY 1, 1999] **(a) The judges of the St. Joseph superior court shall designate by rule one (1) of the judges as chief judge under IC 33-5-40-23.5, as added by this act, before September 1, 1999.**

(b) This SECTION expires September 2, 1999.".

Page 12, delete lines 27 through 42.

Page 13, delete lines 1 through 6.

Page 13, after line 27, begin a new paragraph and insert:

"SECTION 60. [EFFECTIVE JULY 1, 1999] **(a) At midnight, December 31, 2000, Tippecanoe county court No. 1 is abolished.**

(b) Any case pending in Tippecanoe county court No. 1 after the close of business on December 31, 2000, is transferred on January 1, 2001, to Tippecanoe superior court No. 4, established by this act. All cases transferred under this SECTION that are eligible to be

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heard by the standard small claims and misdemeanor division shall be transferred to the standard small claims and misdemeanor division of the court in accordance with the venue requirements prescribed in Rule 75 of the Indiana Rules of Trial Procedure. A case transferred under this SECTION shall be treated as if the case were filed in Tippecanoe superior court No. 4.

(c) On January 1, 2001, all property and obligations of Tippecanoe county court No. 1 become the property and obligations of Tippecanoe superior court No. 4.

(d) The initial judge of Tippecanoe superior court No. 4 added by IC 33-5-42.2-1, as added by this act, shall be the person who is the Tippecanoe county court No. 1 judge on December 31, 2000. The term of the initial judge begins January 1, 2001, and ends December 31, 2002. The initial election of a judge for Tippecanoe superior court No. 4, added by IC 33-5-42.2-1, as added by this act, shall be the general election conducted on November 5, 2002. The term of the initial elected judge begins January 1, 2003.

(e) This SECTION expires January 2, 2003.

SECTION 61. [EFFECTIVE JULY 1, 1999] **(a) At midnight, December 31, 2000, Tippecanoe county court No. 2 is abolished.**

(b) Any case pending in Tippecanoe county court No. 2 after the close of business on December 31, 2000, is transferred on January 1, 2001, to Tippecanoe superior court No. 5, established by this act. All cases transferred under this SECTION that are eligible to be heard by the standard small claims and misdemeanor division shall be transferred to the standard small claims and misdemeanor division of the court in accordance with the venue requirements prescribed in Rule 75 of the Indiana Rules of Trial Procedure. A case transferred under this SECTION shall be treated as if the case were filed in Tippecanoe superior court No. 5.

(c) On January 1, 2001, all property and obligations of Tippecanoe county court No. 2 become the property and obligations of Tippecanoe superior court No. 5.

(d) The initial judge of Tippecanoe superior court No. 5, added by IC 33-5-42.2-1, as added by this act, shall be the person who is the Tippecanoe county court No. 2 judge on December 31, 2000. The term of the initial judge begins January 1, 2001, and ends December 31, 2002. The initial election of a judge for Tippecanoe superior court No. 5, added by IC 33-5-42.2-1, as added by this act, shall be the general election conducted on November 5, 2002. The term of the initial elected judge begins January 1, 2003.

(e) This SECTION expires January 2, 2003.

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SECTION 62. [EFFECTIVE JULY 1, 1999] **(a) The initial election of a judge for Tippecanoe superior court No. 6, added by IC 33-5-42.2-1, as added by this act, shall be the general election conducted on November 7, 2000. The term of the initial elected judge begins January 1, 2001.**

(b) This SECTION expires January 2, 2003.

SECTION 63. [EFFECTIVE JULY 1, 1999] **At midnight, December 31, 2000, the office of magistrate of the Tippecanoe county court established by IC 33-10.5-10-2 is abolished. The magistrate serving as magistrate of the Tippecanoe county court on December 31, 2000, shall serve as the initial full-time magistrate for Tippecanoe superior court No. 4, Tippecanoe superior court No. 5, and Tippecanoe superior court No. 6 as if appointed for the superior courts under IC 33-4-7. The magistrate continues to serve until jointly removed by the judges of Tippecanoe superior court No. 4, Tippecanoe superior court No. 5, and Tippecanoe superior court No. 6.**

SECTION 64. [EFFECTIVE JULY 1, 1999] **(a) The judge of the Cass circuit court may appoint one (1) full-time magistrate under IC 33-4-7 to serve the Cass circuit court and the Cass superior court until January 1, 2001.**

(b) This SECTION expires January 2, 2001.

SECTION 65. [EFFECTIVE JULY 1, 1999] **(a) On January 1, 2001, the Cass superior court in existence on January 1, 1999, is renamed Cass superior court No. 1.**

(b) The initial election of the judge of Cass superior court No. 2, as added by IC 33-5-9.7-1, as amended by this act, is the general election to be held November 7, 2000. The person elected takes office January 1, 2001.

(c) This SECTION expires January 2, 2001.".

Renumber all SECTIONS consecutively.

and when so amended that said bill be reassigned to the Senate Committee on Finance.

(Reference is to SB 27 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 10, Nays 0.

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SENATE MOTION

Mr. President: I move that Senator Antich be added as coauthor of Senate Bill 27.

BRAY

SENATE MOTION

Mr. President: I move that Senators Riegsecker, Bowser, Weatherwax, Alting, Harrison and Wolf be added as coauthors of Senate Bill 27.

BRAY

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COMMITTEE REPORT

Mr. President: The Senate Committee on Finance, to which was referred Senate Bill No. 27, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 27 as printed January 29, 1999.)

BORST, Chairperson

Committee Vote: Yeas 8, Nays 6.

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