
HOUSE BILL No. 1986

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-8; IC 3-10; IC 3-11-2; IC 3-13; IC 5-8-1-19; IC 33-2.1-8-7; IC 33-4.2; IC 33-5; IC 33-5.1-2; IC 33-10.5-4-2.

Synopsis: Appointment of judges. Provides for the merit selection of the judges of superior and county courts. Repeals laws creating judicial nominating commissions in Allen, Lake, and St. Joseph counties.

Effective: July 1, 2003.

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January 23, 2003, read first time and referred to Committee on Judiciary.

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First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

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HOUSE BILL No. 1986



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:

1 SECTION 1. IC 3-8-1-17 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2003]: Sec. 17. **(a)** A candidate for the office
3 of judge of a ~~superior or~~ probate court must:

4 (1) be admitted to the practice of law in Indiana upon filing a
5 declaration of candidacy or petition of nomination, or upon the
6 filing of a certificate of candidate selection under IC 3-13-1-15 or
7 IC 3-13-2-8; and

8 (2) comply with any other requirement for that office set forth in
9 IC 33-5 or IC 33-8.

10 **(b) A candidate for the office of judge of a superior court must**
11 **meet the qualifications set forth in IC 33-4.2-5-3.**

12 SECTION 2. IC 3-8-1-18 IS AMENDED TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2003]: Sec. 18. A candidate for the office of
14 judge of a county court must

15 ~~(1) be a United States citizen; and~~
16 ~~(2) be admitted to the practice of law in Indiana upon filing a~~
17 ~~declaration of candidacy or petition of nomination; or upon the~~



1 ~~filing of a certificate of candidate selection under IC 3-13-1-15 or~~
 2 ~~IC 3-13-2-8. meet the qualifications set forth in IC 33-4.2-5-3.~~
 3 SECTION 3. IC 3-8-2-5 IS AMENDED TO READ AS FOLLOWS
 4 [EFFECTIVE JULY 1, 2003]: Sec. 5. A declaration of candidacy for:
 5 (1) a federal office;
 6 (2) a state office;
 7 (3) a legislative office; or
 8 (4) the local office of:
 9 (A) judge of a circuit, ~~superior~~, probate, ~~county~~, or small
 10 claims court; or
 11 (B) prosecuting attorney of a judicial circuit;
 12 shall be filed with the secretary of state.

13 SECTION 4. IC 3-10-1-19 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 19. (a) The ballot for
 15 a primary election shall be printed in substantially the following form
 16 for all the offices for which candidates have qualified under IC 3-8:

OFFICIAL PRIMARY BALLOT

17 _____ Party
 18
 19 To vote for a person make a voting mark (X or H) on or in the box
 20 before the person's name in the proper column.

21 Vote for one only
 22 Representative in Congress
 23 (1) AB _____
 24 (2) CD _____
 25 (3) EF _____
 26 (4) GH _____

27 (b) The offices with candidates for nomination shall be placed on
 28 the primary election ballot in the following order:

- 29 (1) Federal and state offices:
 30 (A) President of the United States.
 31 (B) United States Senator.
 32 (C) Governor.
 33 (D) United States Representative.
 34 (2) Legislative offices:
 35 (A) State senator.
 36 (B) State representative.
 37 (3) Circuit offices and county judicial offices:
 38 (A) Judge of the circuit court, and unless otherwise specified
 39 under IC 33, with each division separate if there is more than
 40 one (1) judge of the circuit court.
 41 ~~(B) Judge of the superior court, and unless otherwise specified~~
 42 ~~under IC 33, with each division separate if there is more than~~

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- 1 ~~one (1) judge of the superior court.~~
 2 ~~(B) Judge of the probate court.~~
 3 ~~(D) Judge of the county court, with each division separate, as~~
 4 ~~required by IC 33-10.5-4-2.~~
 5 ~~(C) Prosecuting attorney.~~
 6 ~~(D) Clerk of the circuit court.~~
- 7 (4) County offices:
 8 (A) County auditor.
 9 (B) County recorder.
 10 (C) County treasurer.
 11 (D) County sheriff.
 12 (E) County coroner.
 13 (F) County surveyor.
 14 (G) County assessor.
 15 (H) County commissioner.
 16 (I) County council member.
- 17 (5) Township offices:
 18 (A) Township assessor.
 19 (B) Township trustee.
 20 (C) Township board member.
 21 (D) Judge of the small claims court.
 22 (E) Constable of the small claims court.
- 23 (6) City offices:
 24 (A) Mayor.
 25 (B) Clerk or clerk-treasurer.
 26 (C) Judge of the city court.
 27 (D) City-county council member or common council member.
- 28 (7) Town offices:
 29 (A) Clerk-treasurer.
 30 (B) Judge of the town court.
 31 (C) Town council member.
- 32 (c) The political party offices with candidates for election shall be
 33 placed on the primary election ballot in the following order after the
 34 offices described in subsection (b):
 35 (1) Precinct committeeman.
 36 (2) State convention delegate.
- 37 (d) The following offices and public questions shall be placed on the
 38 primary election ballot in the following order after the offices described
 39 in subsection (c):
 40 (1) School board offices to be elected at the primary election.
 41 (2) Other local offices to be elected at the primary election.
 42 (3) Local public questions.

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1 (e) The offices and public questions described in subsection (d)
 2 shall be placed in a separate column on the ballot if voting is by paper
 3 ballot, ballot card voting system, or electronic voting system or in a
 4 separate column of ballot labels if voting is by voting machine.

5 (f) A public question shall be placed on the primary election ballot
 6 in the following form:

7 (The explanatory text for the public question,
 8 if required by law.)

9 "Shall (insert public question)?"

10 YES

11 NO

12 SECTION 5. IC 3-10-2-11 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 11. (a) A judge of the
 14 circuit court shall be elected at:

15 (1) the first general election following an appointment by the
 16 governor to fill a vacancy in the office of judge of the circuit
 17 court; or

18 (2) the general election before the term of the judge expires under
 19 Article 7, Section 7 of the Constitution of the State of Indiana;
 20 whichever occurs first, and every six (6) years thereafter.

21 (b) Except as otherwise provided by law, ~~judges a judge~~ of the
 22 ~~superior, probate and county courts court~~ shall be elected at the
 23 general election before ~~their terms the judge's term~~ of office ~~expire~~
 24 ~~expires~~ and every six (6) years thereafter.

25 **(c) Judges of the superior and county courts shall be selected**
 26 **under IC 33-4.2.**

27 SECTION 6. IC 3-11-2-12 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 12. The following
 29 offices shall be placed on the general election ballot in the following
 30 order:

31 (1) Federal and state offices:

32 (A) President and Vice President of the United States.

33 (B) United States Senator.

34 (C) Governor and lieutenant governor.

35 (D) Secretary of state.

36 (E) Auditor of state.

37 (F) Treasurer of state.

38 (G) Attorney general.

39 (H) Superintendent of public instruction.

40 (I) Clerk of the supreme court.

41 (J) United States Representative.

42 (2) Legislative offices:

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- 1 (A) State senator.
 2 (B) State representative.
 3 (3) Circuit offices and county judicial offices:
 4 (A) Judge of the circuit court, and unless otherwise specified
 5 under IC 33, with each division separate if there is more than
 6 one (1) judge of the circuit court.
 7 ~~(B) Judge of the superior court, and unless otherwise specified~~
 8 ~~under IC 33, with each division separate if there is more than~~
 9 ~~one (1) judge of the superior court.~~
 10 ~~(C) (B) Judge of the probate court.~~
 11 ~~(D) Judge of the county court, with each division separate, as~~
 12 ~~required by IC 33-10.5-4-2.~~
 13 ~~(E) (C) Prosecuting attorney.~~
 14 ~~(F) (D) Clerk of the circuit court.~~
 15 (4) County offices:
 16 (A) County auditor.
 17 (B) County recorder.
 18 (C) County treasurer.
 19 (D) County sheriff.
 20 (E) County coroner.
 21 (F) County surveyor.
 22 (G) County assessor.
 23 (H) County commissioner.
 24 (I) County council member.
 25 (5) Township offices:
 26 (A) Township assessor.
 27 (B) Township trustee.
 28 (C) Township board member.
 29 (D) Judge of the small claims court.
 30 (E) Constable of the small claims court.
 31 (6) City offices:
 32 (A) Mayor.
 33 (B) Clerk or clerk-treasurer.
 34 (C) Judge of the city court.
 35 (D) City-county council member or common council member.
 36 (7) Town offices:
 37 (A) Clerk-treasurer.
 38 (B) Judge of the town court.
 39 (C) Town council member.

40 SECTION 7. IC 3-11-2-14, AS AMENDED BY P.L.83-1999,
 41 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2003]: Sec. 14. (a) The following offices and public questions

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1 shall be placed on the general election ballot in the following order
 2 after the offices and public questions described in section 13 of this
 3 chapter:

4 (1) Retention of a local judge.

5 ~~(2) Local nonpartisan judicial offices.~~

6 ~~(3)~~ **(2)** Local public questions.

7 (b) These offices and public questions shall be placed in a separate
 8 column on the ballot or ballot label if voting is by paper ballot, ballot
 9 card voting system, or electronic voting system or in a separate column
 10 of ballot labels if voting is by voting machine.

11 ~~(c) If the ballot contains a candidate for a local nonpartisan judicial~~
 12 ~~office, the ballot must also contain a statement that reads substantially~~
 13 ~~as follows: "To vote for a candidate for this office, make a voting mark~~
 14 ~~on or in the square to the left of the candidate's name."~~

15 ~~(d)~~ **(c)** If more than one (1) local public question concerning the
 16 retention of a local judge is to be placed on a ballot, the public
 17 questions shall be placed on the ballot:

18 (1) in alphabetical order according to the surname of the local
 19 judge; and

20 (2) identifying the court (including division or room) in which the
 21 judge serves.

22 SECTION 8. IC 3-13-1-15, AS AMENDED BY P.L.260-2001,
 23 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2003]: Sec. 15. (a) A county chairman filling a candidate
 25 vacancy under section 6(a)(2) of this chapter or the chairman of a
 26 meeting filling a candidate vacancy under this chapter shall file a
 27 written certificate of candidate selection on a form prescribed by the
 28 commission stating the following information for each candidate
 29 selected:

30 (1) The name of each candidate as:

31 (A) the candidate wants the candidate's name to appear on the
 32 ballot; and

33 (B) the candidate's name is permitted to appear on the ballot
 34 under IC 3-5-7.

35 (2) The address of each candidate.

36 (b) The certificate shall be filed with:

37 (1) the election division for:

38 (A) a committee acting under section 3, 4, 5, or 6(b) of this
 39 chapter; or

40 (B) a committee acting under section 6(a) of this chapter to fill
 41 a candidate vacancy in the office of judge of a circuit, ~~superior,~~
 42 probate, ~~county,~~ or small claims court or prosecuting attorney;

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1 or
 2 (2) the circuit court clerk, for a committee acting under section
 3 6(a) of this chapter to fill a candidate vacancy for a local office
 4 not described in subdivision (1).

5 (c) This subsection applies to a candidate vacancy resulting from a
 6 vacancy on the primary election ballot as described in section 2 of this
 7 chapter. The certificate required by subsection (a) shall be filed not
 8 later than noon July 3 before election day.

9 (d) This subsection applies to all candidate vacancies not described
 10 by subsection (c). The certificate required by subsection (a) shall be
 11 filed not more than three (3) days (excluding Saturdays and Sundays)
 12 after selection of the candidates.

13 SECTION 9. IC 3-13-2-8, AS AMENDED BY P.L.202-1999,
 14 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2003]: Sec. 8. (a) The chairman or chairmen filling a
 16 candidate vacancy under this chapter shall immediately file a written
 17 certificate of candidate selection on a form prescribed by the
 18 commission stating the following information for each candidate
 19 selected:

20 (1) The name of each candidate as:
 21 (A) the candidate wants the candidate's name to appear on the
 22 ballot; and
 23 (B) the candidate's name is permitted to appear on the ballot
 24 under IC 3-5-7.

25 (2) The address of each candidate.

26 (b) The certificate shall be filed with:

27 (1) the election division for:
 28 (A) one (1) or more chairmen acting under section 2, 3, 4, or
 29 5(b) of this chapter; or
 30 (B) a committee acting under section 5(b) of this chapter to fill
 31 a candidate vacancy for the office of judge of a circuit,
 32 ~~superior, probate, county,~~ or small claims court or prosecuting
 33 attorney; or

34 (2) the circuit court clerk of the county in which the greatest
 35 percentage of the population of the election district is located, for
 36 a chairman acting under section 5(a) of this chapter to fill a
 37 candidate vacancy for a local office not described in subdivision
 38 (1).

39 (c) The certificate required by ~~section~~ **subsection** (a) shall be filed
 40 not more than three (3) days (excluding Saturdays and Sundays) after
 41 selection of the candidate.

42 SECTION 10. IC 3-13-6-1 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) A vacancy that
 2 occurs, other than by resignation, in the office of judge of a circuit
 3 ~~superior, or probate or county~~ court shall be certified to the governor
 4 by the circuit court clerk of the county in which the judge resided.

5 (b) A vacancy in the office of judge of a circuit court shall be filled
 6 by the governor as provided by Article 5, Section 18 of the Constitution
 7 of the State of Indiana. The person who is appointed holds the office
 8 until:

9 (1) the end of the unexpired term; or

10 (2) a successor is elected at the next general election and
 11 qualified;

12 whichever occurs first. The person elected at the general election
 13 following an appointment to fill the vacancy, upon being qualified,
 14 holds office for the six (6) year term prescribed by Article 7, Section 7
 15 of the Constitution of the State of Indiana and until a successor is
 16 elected and qualified.

17 (c) A vacancy in the office of judge of a superior ~~probate,~~ or county
 18 court shall be filled by the governor subject to the following:

19 ~~(1) IC 33-5-5.1-37.1.~~

20 ~~(2) IC 33-5-5.1-41.1.~~

21 ~~(3) IC 33-5-29.5-39.~~

22 ~~(4) IC 33-5-40-44.~~

23 **under IC 33-4.2.** The person who is appointed holds office for the
 24 remainder of the unexpired term.

25 SECTION 11. IC 5-8-1-19 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 19. (a) Under Article
 27 7, Section 13 of the Constitution of the State of Indiana, whenever a
 28 circuit, superior, probate, or county court judge or prosecuting attorney
 29 has been convicted of corruption or any other high crime, the attorney
 30 general shall bring proceedings in the supreme court, on information,
 31 in the name of the state, for the removal from office of the judge or
 32 prosecuting attorney.

33 (b) If the judgment is against the defendant, the defendant is
 34 removed from office.

35 **(c) If the judgment is against a judge of the circuit court, a judge**
 36 **of the probate court, or a prosecuting attorney,** the governor, the
 37 officer, or the entity required to fill a vacancy under IC 3-13-6-2 shall
 38 subject to:

39 ~~(1) IC 33-5-5.1-37.1;~~

40 ~~(2) IC 33-5-5.1-41.1;~~

41 ~~(3) IC 33-5-29.5-39; and~~

42 ~~(4) IC 33-5-40-44;~~

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1 appoint or select a successor to fill the vacancy in office.

2 **(d) If the judgment is against a judge of a superior court or**
 3 **county court, the vacancy shall be filled under IC 33-4.2.**

4 SECTION 12. IC 33-2.1-8-7, AS AMENDED BY P.L.176-1999,
 5 SECTION 127, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2003]: Sec. 7. (a) The statement of economic
 7 interests must be filed with the commission:

8 (1) not later than February 1:

9 **(A) if the individual is required to file the statement as an**
 10 **officeholder; or**

11 **(B) in the year a retention vote is scheduled for the**
 12 **candidate under IC 33-4.2; or**

13 (2) if a candidate for office, before the individual (or a political
 14 party officer acting on behalf of the individual) files:

15 (A) a declaration of candidacy, if required under IC 3-8-2 or
 16 IC 3-8-4-11;

17 (B) a certified petition of nomination with the Indiana election
 18 division under IC 3-8-6;

19 (C) a certificate of nomination under IC 3-8-7-8;

20 (D) a certificate of candidate selection under IC 3-13-1 or
 21 IC 3-13-2; or

22 (E) a declaration of intent to be a write-in candidate, if
 23 required under IC 3-8-2.

24 **(b) In a county where judges are selected by a county commission**
 25 **on judicial qualifications; A candidate for the office of a superior**
 26 **court or county court judge must file a statement with the county**
 27 **judicial nominating commission and also with the commission on**
 28 **judicial qualifications.**

29 SECTION 13. IC 33-4.2 IS ADDED TO THE INDIANA CODE AS
 30 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 31 2003]:

32 **ARTICLE 4.2. MERIT SELECTION OF JUDGES**

33 **Chapter 1. General Provisions**

34 **Sec. 1. This article applies to the selection of the judge of a**
 35 **superior court and the judge of a county court.**

36 **Sec. 2. The definitions in this chapter apply throughout this**
 37 **article.**

38 **Sec. 3. "Attorney member" refers to a member of a commission**
 39 **who is appointed under IC 33-4.2-3.**

40 **Sec. 4. "Clerk" refers to the clerk of the circuit court in a**
 41 **county.**

42 **Sec. 5. "Commission" refers to the county judicial nominating**

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commission established for a county under IC 33-4.2-2-1.

Sec. 6. "Court" refers to a court described in section 1 of this chapter.

Sec. 7. "Nonattorney member" refers to a member of a commission who is appointed to the commission in the capacity of a nonattorney member under IC 33-4.2-4.

Chapter 2. County Judicial Nominating Commission

Sec. 1. A judicial nominating commission is established in each county.

Sec. 2. The county executive shall provide the facilities, equipment, supplies, and services necessary for the administration of the duties imposed on the commission.

Sec. 3. The members of the commission shall serve without compensation. However, the county executive shall reimburse members of the commission for their actual expenses incurred in performing their duties.

Sec. 4. The commission consists of the following seven (7) members:

- (1) Three (3) attorney members appointed under IC 33-4.2-3.
- (2) Three (3) nonattorney members appointed under IC 33-4.2-4.
- (3) A justice of the supreme court or a judge of the court of appeals appointed by the chief justice of the supreme court.

Sec. 5. The term of a member of the commission is four (4) years or until the member's successor is appointed and qualified. The term of a member begins October 1, 2003, and every four (4) years thereafter. However, a judge or justice appointed under section 4(3) of this chapter serves at the pleasure of the chief justice of the supreme court.

Sec. 6. A majority of the number of members specified in section 4 of this chapter constitutes a quorum.

Sec. 7. Meetings of the commission shall be called by its chairperson, or if the chairperson fails to call a necessary meeting, upon the call of any four (4) members of the commission. When a meeting is called under this section, the commission shall give each member of the commission at least five (5) days written notice by mail of the time and place of the meeting unless the commission at its previous meeting designated the time and place of its next meeting.

Sec. 8. Meetings of the commission are to be held at the county courthouse or another place arranged by the clerk.

Sec. 9. The commission may act only at a meeting and may act

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only by the concurrence of a majority of its members attending a meeting.

Sec. 10. The commission may adopt reasonable and proper rules for the conduct of its proceedings and the discharge of its duties.

Chapter 3. Appointment of Attorney Members

Sec. 1. The Indiana State Bar Association shall:

- (1) appoint three (3) attorney members to the commission in each county in a manner prescribed by the Indiana State Bar Association;
- (2) provide a county bar association with the name of each attorney who is being considered for appointment in that county; and
- (3) consult with a county bar association before making appointments for that county.

Sec. 2. The Indiana State Bar Association may delegate the appointment of attorney members under section 1 of this chapter to a county bar association.

Sec. 3. A county bar association that receives appointment authority under section 2 of this chapter shall appoint attorney members in a manner prescribed by the county bar association.

Sec. 4. (a) To qualify to hold office as an attorney member of the commission, a person must:

- (1) be admitted to practice law in Indiana;
- (2) reside in the county in which the appointments are being considered;
- (3) not have served as a member of the commission in the immediately preceding three (3) years;
- (4) not hold an office in a political party or organization; and
- (5) not hold any other elected public office.

(b) If an attorney member of the commission terminates the attorney's residence in the county, the attorney shall be considered to have resigned from the commission.

Sec. 5. Not more than two (2) of the attorney members may be members of the same political party.

Sec. 6. An appointment under this chapter must be made not later than September 1 in the year that the term of the member's predecessor expires. If the appointing authority fails to make an appointment as required under this chapter, the chief justice of the supreme court shall make the appointment before October 1 in the year that the member's term expires.

Sec. 7. Within ten (10) days of the appointment, the appointing authority shall certify an appointment under this chapter to the

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following:

- (1) The secretary of state.
- (2) The chief justice of the supreme court.
- (3) The clerk in the county.

Sec. 8. Upon receipt of a certification under this chapter, the clerk shall notify the other members of the commission of the appointment.

Sec. 9. A vacancy on the commission involving an attorney member shall be filled for the balance of the vacating member's term in the manner prescribed for the appointment of the vacating member. The clerk shall inform the appointing authority and the chief justice of the supreme court of the existence of a vacancy on the commission. If the appointing authority fails to make an appointment under this section within thirty (30) days after the vacancy occurs, the chief justice of the supreme court shall make the appointment not later than sixty (60) days after the vacancy occurs.

Chapter 4. Appointment of Nonattorney Members

Sec. 1. (a) This section applies in a county in which the county executive has only three (3) members who are each elected from a different district in the county.

(b) Each of the three (3) members of the county executive shall appoint one (1) nonattorney member.

Sec. 2. (a) This section applies in a county to which section 1 of this chapter does not apply.

(b) The county executive shall appoint three (3) nonattorney members to the commission by majority vote.

Sec. 3. To qualify to hold office as a nonattorney member appointed under section 1 or 2 of this chapter, a person must:

- (1) reside in the:
 - (A) district represented by the member of the county executive appointing the member, if the member is appointed under section 1 of this chapter; or
 - (B) county, if the member is appointed under section 2 of this chapter;
- (2) not be an elected official or salaried employee of the state or a political subdivision;
- (3) not be admitted to practice law in Indiana or another state;
- (4) not hold an office in a political party or organization; and
- (5) not have served as a member of the commission in the immediately preceding three (3) years.

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Sec. 4. Not more than two (2) of the nonattorney members may be members of the same political party.

Sec. 5. An appointment under section 1 or 2 of this chapter must be made not later than September 1 in the year that the term of the member's predecessor expires. If the appointing authority fails to make an appointment as required under section 1 or 2 of this chapter, the chief justice of the supreme court shall make the appointment before October 1 in the year that the member's term expires.

Sec. 6. Within ten (10) days of the appointment, the appointing authority shall certify an appointment under this chapter to the following:

- (1) The secretary of state.**
- (2) The chief justice of the supreme court.**
- (3) The clerk in the county.**

Sec. 7. Upon receipt of a certification under this chapter, the clerk shall notify the other members of the commission of the appointment.

Sec. 8. A vacancy on the commission involving a nonattorney member shall be filled for the balance of the vacating member's term in the manner prescribed for the appointment of the vacating member. The clerk shall inform the appointing authority and the chief justice of the supreme court of the existence of a vacancy on the commission. If the appointing authority under section 1 or 2 of this chapter fails to make an appointment under this section within thirty (30) days after the vacancy occurs, the chief justice of the supreme court shall make the appointment not later than sixty (60) days after the vacancy occurs.

Chapter 5. Nomination of Judicial Candidates; Qualifications of Candidates

Sec. 1. When a vacancy occurs in a court, the clerk shall promptly notify the chairperson of the commission of the vacancy. The chairperson shall call a meeting of the commission within ten (10) days following this notice.

Sec. 2. (a) The commission shall nominate the five (5) most highly qualified candidates for each vacancy from among all the eligible individuals considered.

(b) Whenever there are at the same time at least two (2) vacancies for a court in a judicial circuit, the commission shall nominate a list of five (5) different persons for each of the vacancies.

(c) If the commission determines, by the affirmative vote of at

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1 least five (5) members, that there are less than five (5) persons
2 qualified to fill a vacancy, the commission may nominate a lesser
3 number.

4 Sec. 3. To be eligible for nomination as a judge of a court, a
5 person must:

- 6 (1) be a resident of the judicial circuit;
- 7 (2) be a citizen of the United States;
- 8 (3) be admitted to the practice of law in Indiana;
- 9 (4) not have been rejected as judge for the court in an election
10 under IC 33-4.2-9 that created the vacancy; and
- 11 (5) not be disqualified under IC 3-8-1-5.

12 However, the judge's rejection does not disqualify a rejected judge
13 from being considered for another judicial office then vacant or
14 thereafter becoming vacant.

15 Sec. 4. The commission shall evaluate in writing each eligible
16 individual on the following factors:

- 17 (1) Law school record, including any academic honors and
18 achievements.
- 19 (2) Contributions to scholarly journals and publications,
20 legislative draftings, and legal briefs.
- 21 (3) Activities in public service, including:
 - 22 (A) writings and speeches concerning public or civic affairs
23 that are on public record, including campaign speeches or
24 writing, letters to newspapers, and testimony before public
25 agencies;
 - 26 (B) efforts and achievements in improving the
27 administration of justice; and
 - 28 (C) other conduct relating to the profession of the
29 candidate.
- 30 (4) Legal experience, including the number of years practicing
31 law, kind of practice involved, and reputation as a trial lawyer
32 or judge.
- 33 (5) Probable judicial temperament.
- 34 (6) Physical condition, including age, stamina, and possible
35 habitual intemperance.
- 36 (7) Personality traits, including the exercise of sound
37 judgment, the ability to compromise and conciliate, patience,
38 decisiveness, and dedication.
- 39 (8) Membership on boards of directors, financial interests,
40 and any other considerations that might create a conflict of
41 interest with a judicial office.
- 42 (9) Any other information that the commission feels is

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1 important in selecting the best qualified individuals for
2 judicial office.

3 **Sec. 5. The commission may consider the:**

4 (1) political affiliation of an eligible individual to remedy a
5 political imbalance among sitting superior court and county
6 court judges; and

7 (2) race, gender, or other personal characteristics of an
8 eligible individual to ensure diversity among sitting superior
9 court and county court judges;

10 as a factor secondary to the factors in section 4 of this chapter.

11 **Sec. 6. Written evaluations shall not be made on an individual**
12 **until the individual states in writing that the individual desires to**
13 **hold a judicial office that is or will be created by a vacancy.**

14 **Sec. 7. If a vacancy occurs in a judicial circuit that encompasses**
15 **more than one (1) county, an act required under this chapter or**
16 **IC 33-4.2-6 shall be taken jointly by each commission in the**
17 **judicial circuit. The clerk of the county that has the largest**
18 **population in the judicial circuit shall notify each commission of**
19 **the existence of a vacancy.**

20 **Chapter 6. Submission of Names to the Governor; Public Access**

21 **Sec. 1. The commission shall certify the names of the candidates**
22 **nominated to fill a vacancy to the governor as promptly as possible**
23 **after the commission begins its deliberations. The nominations**
24 **must be certified not later than sixty (60) days from the time the**
25 **vacancy occurs. When it is known that a vacancy will occur at a**
26 **definite future date within the term of the governor then serving,**
27 **but the vacancy has not yet occurred, the clerk shall notify the**
28 **commission immediately, and the commission may, within fifty (50)**
29 **days of the notice of vacancy, make and submit its nominations for**
30 **the forthcoming vacancy.**

31 **Sec. 2. The commission shall submit with the list of nominees to**
32 **the governor its written evaluation of the qualifications of each**
33 **candidate. These names and written evaluations shall be publicly**
34 **disclosed.**

35 **Sec. 3. Each eligible candidate whose name was not submitted**
36 **to the governor is entitled to access to any evaluation on the**
37 **candidate by the commission and the right to make the evaluation**
38 **public. Otherwise, the evaluation is confidential.**

39 **Sec. 4. After the commission has nominated and submitted to**
40 **the governor the names of the nominees for appointment to fill a**
41 **vacancy of a court, any name or names may be withdrawn for a**
42 **cause considered by the commission to be of a substantial nature**

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1 affecting the nominee's qualifications to hold office. Another name
 2 or other names may be substituted at any time before the
 3 appointment is made to fill the vacancy.

4 **Sec. 5. If a nominee dies or requests in writing that the**
 5 **nominee's name be withdrawn, the commission shall nominate**
 6 **another person to replace the withdrawing nominee. Whenever**
 7 **there are at the same time two (2) or more vacancies for a court in**
 8 **a judicial circuit, the commission may, before an appointment is**
 9 **made:**

- 10 (1) withdraw the lists of nominations;
 11 (2) change the names of any persons nominated from one (1)
 12 list to another and resubmit them as so changed; or
 13 (3) substitute a new name for any of those previously
 14 nominated.

15 **Sec. 6. If a commission determines that, of the persons**
 16 **considered for any existing or expected vacancy in the court, less**
 17 **than five (5) are qualified for judicial office, it shall certify that**
 18 **determination to the governor with the names of the nominees for**
 19 **the vacancy.**

20 **Chapter 7. Judicial Appointments**

21 **Sec. 1. A vacancy occurring in a court shall be filled by**
 22 **appointment of the governor from a list of nominees presented to**
 23 **the governor by the commission for the judicial circuit where the**
 24 **vacancy occurred.**

25 **Sec. 2. If the governor fails to make an appointment from the**
 26 **list within sixty (60) days after the day the list is presented to the**
 27 **governor, the appointment shall be made by the chief justice or the**
 28 **acting chief justice of the supreme court from the same list**
 29 **presented to the governor.**

30 **Sec. 3. The governor shall make all appointments to a court**
 31 **without regard to the political affiliation of any of the nominees**
 32 **submitted to the governor. The governor shall consider only those**
 33 **qualifications of the nominees included in IC 33-4.2-5-4.**

34 **Sec. 4. An appointment under this chapter takes effect**
 35 **immediately if a vacancy exists at the date of the appointment. The**
 36 **appointment takes effect on the date the vacancy is created if no**
 37 **vacancy exists at the date of the appointment.**

38 **Chapter 8. Term of Office; Limitation on Practice**

39 **Sec. 1. Each judge appointed under IC 33-4.2-7 shall serve an**
 40 **initial term, which begins on the effective date of the judge's**
 41 **appointment and continues through December 31 in the year of the**
 42 **general election that follows the expiration of two (2) years after**

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1 the effective date of the appointment.

2 **Sec. 2.** Except as provided in section 1 of this chapter, the term
3 of a judicial office is six (6) years. A term of office begins on
4 **January 1** following the expiration of the preceding term. A judge
5 serves until the judge's successor is selected and qualified.

6 **Sec. 3.** During a judge's term of office, the judge may not:

- 7 (1) engage in the practice of law;
8 (2) run for an elective office other than a judicial office;
9 (3) directly or indirectly make any contributions to, or hold
10 any office in, a political party or organization; or
11 (4) take part in any political campaign except the judge's
12 campaign for judicial office.

13 **Sec. 4.** Failure to comply with section 3 of this chapter is
14 sufficient cause for the commission on judicial qualifications with
15 jurisdiction over the judge to recommend to the supreme court
16 that the judge be censured or removed from office.

17 **Chapter 9. Retention Vote**

18 **Sec. 1.** The question of the retention in office or rejection of each
19 judge of a court shall be submitted to the electorate of the judicial
20 circuit at the general election immediately preceding the expiration
21 of the term of that judge.

22 **Sec. 2.** If a judge does not desire to serve a further term, the
23 judge shall notify in writing the clerk at least sixty (60) days before
24 the general election immediately preceding the expiration of the
25 judge's term. In this case the question of the judge's retention in
26 office or rejection shall not be submitted to the electorate and the
27 office is vacant at the expiration of the term.

28 **Sec. 3.** The county election board for each county in the judicial
29 circuit shall submit the question of the retention in office of any
30 judge to the electorate of the county. The submission of this
31 question is subject to the provisions of IC 3 that are not
32 inconsistent with this chapter.

33 **Sec. 4.** At the general election, the question of the retention in
34 office of a judge shall be submitted to the electorate of the county
35 in the form prescribed by IC 3-11-2. The question must state:

36 "Shall Judge (insert name) of the (Name of Court) be retained
37 in office for an additional term?"

38 **Sec. 5.** If a majority of the ballots cast by the electors voting on
39 any such question is "No", the judge whose name appeared on the
40 question shall be rejected. The office of the rejected judge is vacant
41 on **January 1** following the rejection.

42 SECTION 14. IC 33-5-4.5-2 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
 2 (1) judge, who shall be elected at the general election every six ~~(6)~~
 3 years in Adams County. His term begins January 1 following his
 4 election and ends December 31 following the election of his successor:

- 5 ~~(b) To be eligible to hold office as judge of the court, a person must:~~
 6 ~~(1) be a resident of Adams County;~~
 7 ~~(2) be under seventy (70) years of age at the time he takes office;~~
 8 ~~and~~
 9 ~~(3) be admitted to the bar of Indiana: selected under IC 33-4.2.~~

10 SECTION 15. IC 33-5-4.5-10 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The judge of the
 12 Adams circuit court may, with the consent of the judge of the court, sit
 13 as a judge of the court in any matter as if ~~he was an elected~~ a judge of
 14 the court.

15 (b) The judge of the superior court may, with the consent of the
 16 judge of the circuit court, sit as a judge of the circuit court in any
 17 matter as if the judge of the superior court ~~was an elected~~ were a judge
 18 of the circuit court.

19 SECTION 16. IC 33-5-5.1-29, AS AMENDED BY P.L.176-1999,
 20 SECTION 128, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2003]: Sec. 29. (a) The Allen County superior
 22 court consists of nine (9) judges **selected under IC 33-42.2**. Two (2)
 23 judges serve in the family relations division, three (3) judges serve in
 24 the criminal division, and four (4) judges serve in the civil division.
 25 Each newly ~~elected~~ **selected** or appointed judge assumes the division
 26 assignment of the judge whom the judge replaces.

27 (b) If, at any time, in the opinion of a majority of the judges, there
 28 is an undue disparity in the number of cases in any division, the chief
 29 judge may assign specific cases normally assigned to that division to
 30 a judge in another division as a majority of the judges direct.

31 ~~(c) During the period under IC 3-8-2-4 in which a declaration of~~
 32 ~~candidacy may be filed for a primary election, any person desiring to~~
 33 ~~become a candidate for one (1) of the Allen superior court judgeships~~
 34 ~~must file with the election division a declaration of candidacy adapted~~
 35 ~~from the form prescribed under IC 3-8-2 that:~~

- 36 ~~(1) is signed by the candidate; and~~
 37 ~~(2) designates the division and the name of the incumbent judge~~
 38 ~~of the judgeship that the candidate seeks:~~

39 ~~(d) A petition without the designation required under subsection (c)~~
 40 ~~shall be rejected by the election division (or by the Indiana election~~
 41 ~~commission under IC 3-8-1-2):~~

42 ~~(e) If an individual who files a declaration under subsection (c)~~



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1 ceases to be a candidate after the final date for filing a declaration
 2 under subsection (c); the election division may accept the filing of
 3 additional declarations of candidacy for that seat not later than noon
 4 August 1.

5 SECTION 17. IC 33-5-8-1 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) There is hereby
 7 created a superior court in and for the county of Bartholomew, Indiana,
 8 which shall consist of one (1) judge, who shall hold office for six (6)
 9 years; beginning on the first day of January after election and ending
 10 December 31 following the election of the judge's successor. Every six
 11 (6) years, the voters of Bartholomew County shall elect at the general
 12 election a judge for the superior court: **be selected under IC 33-4.2.**

13 (b) An additional court of record is established to be known as the
 14 Bartholomew superior court No. 2. The Bartholomew superior court
 15 No. 2 has one (1) judge, who shall be elected at the general election
 16 every six (6) years in Bartholomew County. The judge's term begins
 17 January 1 following the election and ends December 31 following the
 18 election of the judge's successor.

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

20 (1) be a resident of Bartholomew County;

21 (2) be under seventy (70) years of age at the time of taking office;

22 and

23 (3) be admitted to the practice of law in Indiana: **selected under**
 24 **IC 33-4.2.**

25 SECTION 18. IC 33-5-8-8 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. The judge of the
 27 Bartholomew circuit court may, with the consent of the judge of a
 28 superior court, sit as a judge of the superior court in any matter as if the
 29 judge of the circuit or other superior court ~~was an elected~~ **were a** judge
 30 of the superior court. The judge of a superior court may, with the
 31 consent of the judge of the circuit or other superior court, sit as a judge
 32 of the circuit or other superior court in any matter as if the judge of the
 33 superior court ~~was an elected~~ **were a** judge of the circuit or other
 34 superior court.

35 SECTION 19. IC 33-5-8.5-2, AS ADDED BY P.L.45-2000,
 36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2003]: Sec. 2. (a) The court has one (1) judge, who shall be
 38 elected at the general election every six (6) years in Blackford County.
 39 The judge's term begins January 1 following the election and ends
 40 December 31 following the election of the judge's successor.

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



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- 1 (1) a resident of Blackford County;
 2 (2) less than seventy (70) years of age at the time of taking office;
 3 and
 4 (3) admitted to the practice of law in Indiana: **selected under**
 5 **IC 33-42.2.**

6 SECTION 20. IC 33-5-8.5-10, AS ADDED BY P.L.45-2000,
 7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2003]: Sec. 10. The judge of the Blackford circuit court may,
 9 with the consent of the judge of the court, sit as a judge of the court in
 10 any matter as if the judge of the circuit court were ~~an elected~~ a judge
 11 of the court. The judge of the court may, with the consent of the judge
 12 of the circuit court, sit as a judge of the circuit court in any matter as if
 13 the judge of the court were ~~an elected~~ a judge of the circuit court.

14 SECTION 21. IC 33-5-9-1 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) There is
 16 established a superior court No. 1 in the county of Boone, Indiana,
 17 which shall consist of one (1) judge, who shall ~~hold his office for a~~
 18 term of six (6) years, beginning on the first day of January after his
 19 election, and until his successor is elected and qualified. Every six (6)
 20 years, the voters of Boone County shall elect at the general election a
 21 judge for the superior court: **be selected under IC 33-4.2.**

22 (b) An additional court is established to be known as the Boone
 23 superior court No. 2. The Boone superior court No. 2 has one (1) judge,
 24 who is elected at the general election every six (6) years in Boone
 25 County. The judge's term begins January 1 following the election and
 26 ends December 31 following the election of the judge's successor.

27 (c) To be eligible to hold office as a judge of a Boone superior court,
 28 a person must be:

- 29 (1) a resident of Boone County;
 30 (2) under seventy (70) years of age at the time of taking office;
 31 and
 32 (3) admitted to the practice of law in Indiana: **shall be selected**
 33 **under IC 33-4.2.**

34 SECTION 22. IC 33-5-9-18 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 18. The judge of the
 36 Boone circuit court may, with the consent of the judge of a superior
 37 court, sit as a judge of the superior court in any matter as if the judge
 38 of the circuit court ~~was an elected~~ were a judge of the superior court.
 39 The judge of a superior court may, with the consent of the judge of the
 40 circuit court, sit as a judge of the circuit court in any matter as if the
 41 judge of the superior court ~~was an elected~~ were a judge of the circuit
 42 court.



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1 SECTION 23. IC 33-5-9.5-2 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
 3 (1) judge, who shall be elected at the general election every six (6)
 4 years in Carroll County. The judge's term begins January 1 following
 5 the election and ends December 31 following the election of the judge's
 6 successor.

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

8 (1) be a resident of Carroll County;

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

11 (3) be admitted to the practice of law in Indiana: **selected under**
 12 **IC 33-4.2.**

13 SECTION 24. IC 33-5-9.5-10 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
 15 Carroll circuit court may, with the consent of the judge of the court, sit
 16 as a judge of the court in any matter as if ~~an elected~~ a judge of the
 17 court. The judge of the court may, with consent of the judge of the
 18 circuit court, sit as a judge of the circuit court in any matter as if ~~an~~
 19 ~~elected~~ a judge of the circuit court.

20 SECTION 25. IC 33-5-9.7-2, AS AMENDED BY P.L.196-1999,
 21 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2003]: Sec. 2. Each court has one (1) judge, who shall be
 23 elected at the general election every six (6) years in Cass County. His
 24 term begins January 1 following his election and ends December 31
 25 following the election of his successor: **selected under IC 33-4.2.**

26 SECTION 26. IC 33-5-9.7-15, AS AMENDED BY P.L.196-1999,
 27 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2003]: Sec. 15. The judge of the Cass circuit court may, with
 29 the consent of the judge of a court, sit as a judge of a court in any
 30 matter as if ~~he were an elected~~ a judge of the court. The judge of a
 31 court may, with consent of the judge of the circuit court, sit as a judge
 32 of the circuit court in any matter as if ~~he were an elected~~ a judge of the
 33 circuit court.

34 SECTION 27. IC 33-5-10-1.5 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1.5. ~~(a)~~ There are
 36 established three (3) superior courts in and for the county of Clark,
 37 Indiana, each of which shall consist of one (1) judge. ~~who shall hold~~
 38 ~~the judge's office for a term of six (6) years, beginning on the first day~~
 39 ~~of January after the judge's election, and until the judge's successor is~~
 40 ~~elected and qualified.~~

41 (b) To be eligible to hold office as a judge of Clark superior court,
 42 a person must be:

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1 (1) a resident of Clark County; and

2 (2) admitted to the bar of Indiana.

3 SECTION 28. IC 33-5-10-8 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. There shall be one
5 (1) judge for each of the courts, who shall be elected by the legal voters
6 of Clark County every six (6) years at the general election. His term of
7 office begins on the first day of January and continues for six (6) years
8 and until his successor is elected and qualified. The judge of each
9 superior court shall be commissioned by the governor in the same
10 manner as judges of the circuit court. All vacancies occurring in the
11 office of judge of the superior court shall be filled by appointments by
12 the governor in the same manner as vacancies in the office of judge of
13 the circuit court. **selected under IC 33-4.2.**

14 SECTION 29. IC 33-5-10-24 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 24. (a) The judge of the
16 Clark circuit court may, with the consent of a judge of the superior
17 court, transfer any action or proceeding from the circuit court to that
18 superior court. The judge of a superior court may, with the consent of
19 the judge of the circuit court, transfer any action or proceeding from
20 that superior court to the circuit court. The judge of a superior court
21 may, with the consent of the judge of the other superior court, transfer
22 any action or proceeding from that superior court to the other superior
23 court.

24 (b) The judge of the Clark circuit court may, with the consent of the
25 judge of the superior court, sit as a judge of that superior court in any
26 matter, as if he were an elected a judge of that superior court. The
27 judge of a superior court may, with consent of the judge of the circuit
28 court, sit as a judge of the circuit court as if he were an elected a judge
29 of the circuit court. The judge of a superior court may, with the consent
30 of the judge of the other superior court, sit as judge of the other
31 superior court as if he were the elected a judge of that superior court.

32 SECTION 30. IC 33-5-10.2-2, AS ADDED BY P.L.45-2000,
33 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2003]: Sec. 2. (a) The court has one (1) judge, who shall be
35 elected at the general election every six (6) years in Dearborn County.
36 The judge's term begins January 1 following the election and ends
37 December 31 following the election of the judge's successor.

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

39 (1) be a resident of Dearborn County;

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

42 (3) be admitted to the bar of Indiana. **selected under IC 33-4.2.**



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1 SECTION 31. IC 33-5-10.2-10, AS ADDED BY P.L.45-2000,
 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2003]: Sec. 10. The judge of the Dearborn circuit court may,
 4 with the consent of the judge of the court, sit as a judge of the court in
 5 any matter as if the judge of the circuit court were ~~an elected~~ a judge
 6 of the court. The judge of the court may, with the consent of the judge
 7 of the circuit court, sit as a judge of the circuit court in any matter as if
 8 the judge of the court were ~~an elected~~ a judge of the circuit court.

9 SECTION 32. IC 33-5-10.3-2 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
 11 (1) judge, who shall be ~~elected at the general election every six (6)~~
 12 ~~years in Clinton County. The judge's term begins January 1 following~~
 13 ~~the election and ends December 31 following the election of the judge's~~
 14 ~~successor.~~

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

16 (1) ~~be a resident of Clinton County;~~

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

19 (3) ~~be admitted to the practice of law in Indiana: selected under~~
 20 **IC 33-4.2.**

21 SECTION 33. IC 33-5-10.3-10 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
 23 Clinton circuit court may, with the consent of the judge of the court, sit
 24 as a judge of the court in any matter as if ~~an elected~~ a judge of the
 25 court. The judge of the court may, with the consent of the judge of the
 26 circuit court, sit as a judge of the circuit court in any matter as if ~~an~~
 27 ~~elected~~ a judge of the circuit court.

28 SECTION 34. IC 33-5-10.5-2 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. The court has one (1)
 30 judge, who shall be ~~elected at the general election every six (6) years~~
 31 ~~in Clay County. His term begins January 1 following his election and~~
 32 ~~ends December 31 following the election of his successor: selected~~
 33 **under IC 33-4.2.**

34 SECTION 35. IC 33-5-10.5-15 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 15. The judge of the
 36 Clay circuit court may, with the consent of the judge of the court, sit as
 37 a judge of the court in any matter as if ~~he was an elected~~ a judge of the
 38 court. The judge of the court may, with consent of the judge of the
 39 circuit court, sit as a judge of the circuit court in any matter as if ~~he was~~
 40 ~~an elected~~ a judge of the circuit court.

41 SECTION 36. IC 33-5-10.6-2 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one

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1 (1) judge, who shall be elected at the general election every six (6)
 2 years in Daviess County. The judge's term begins January 1 following
 3 the election and ends December 31 following the election of the judge's
 4 successor:

- 5 (b) To be eligible to hold office as judge of the court, a person must:
 6 (1) be a resident of Daviess County;
 7 (2) be less than seventy (70) years of age at the time of taking
 8 office; and
 9 (3) be admitted to the bar of Indiana: **selected under IC 33-4.2.**

10 SECTION 37. IC 33-5-10.6-10 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
 12 Daviess circuit court may, with the consent of the judge of the court, sit
 13 as a judge of the court in any matter as if the judge of the circuit court
 14 was an elected were a judge of the court. The judge of the court may,
 15 with consent of the judge of the circuit court, sit as a judge of the
 16 circuit court in any matter as if the judge of the court was an elected
 17 were a judge of the circuit court.

18 SECTION 38. IC 33-5-10.7-2 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The court has one
 20 (1) judge who shall be elected at the general election every six (6) years
 21 in Decatur County. The judge's term begins January 1 following the
 22 election and ends December 31 following the election of the judge's
 23 successor:

- 24 (b) To be eligible to hold office as a judge of the court, a person
 25 must be:
 26 (1) a resident of Decatur County;
 27 (2) less than seventy (70) years of age at the time of taking office;
 28 and
 29 (3) admitted to the practice of law in Indiana: **selected under**
 30 **IC 33-4.2.**

31 SECTION 39. IC 33-5-10.7-10 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The judge of the
 33 Decatur circuit court may, with the consent of the judge of the court, sit
 34 as judge of the court in any matter as if an elected a judge of the court.

35 (b) The judge of the court may, with the consent of the judge of the
 36 Decatur circuit court, sit as a judge of the circuit court in any matter as
 37 if an elected a judge of the circuit court.

38 SECTION 40. IC 33-5-10.8-2 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The court has one
 40 (1) judge, who shall be elected at the general election every six (6)
 41 years in DeKalb County. His term begins January 1 following his
 42 election and ends December 31 following the election of his successor:

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- 1 (b) To be eligible to hold office as judge of the court, a person must:
- 2 (1) be a resident of DeKalb County;
- 3 (2) be under seventy (70) years of age at the time he takes office;
- 4 and
- 5 (3) be admitted to the bar of Indiana: **selected under IC 33-4.2.**

6 SECTION 41. IC 33-5-10.8-15 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 15. The judge of the
 8 DeKalb circuit court may, with the consent of the judge of the court
 9 and of the parties or their counsel, sit as a judge of the court in any
 10 matter as if he was an elected a judge of the court. The judge of the
 11 court may, with consent of the judge of the circuit court and of the
 12 parties or their counsel, sit as a judge of the circuit court in any matter
 13 as if he was an elected a judge of the circuit court.

14 SECTION 42. IC 33-5-10.9-2 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The court has one
 16 (1) judge who shall be elected at the general election every six (6) years
 17 in Fulton County. The judge's term begins January 1 following the
 18 election and ends December 31 following the election of the judge's
 19 successor.

- 20 (b) To be eligible to hold office as a judge of the court, a person
- 21 must be:
- 22 (1) a resident of Fulton County;
- 23 (2) less than seventy (70) years of age at the time of taking office;
- 24 and
- 25 (3) admitted to the practice of law in Indiana: **selected under**
- 26 **IC 33-4.2.**

27 SECTION 43. IC 33-5-10.9-10 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The judge of the
 29 circuit court may, with the consent of the judge of the court, sit as judge
 30 of the court in any matter as if an elected a judge of the court.

31 (b) The judge of the court may, with the consent of the judge of the
 32 circuit court, sit as a judge of the circuit court in any matter as if an
 33 elected a judge of the circuit court.

34 SECTION 44. IC 33-5-11-10 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The term of the
 36 judge of the Grant superior court shall be six (6) years; if the person
 37 shall so long behave himself well, beginning on the first day of January
 38 next following his election. The voters of Grant County every six (6)
 39 years at a general election shall elect a person as judge of the court.
 40 The election shall be certified in the same manner as is provided by law
 41 for the certifying of the election of circuit court judges. If for any cause
 42 a vacancy shall occur in the judgeship of the court, the governor shall

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1 ~~appoint and commission a person to fill such vacancy for the unexpired~~
2 ~~term: selected under IC 33-4.2.~~

3 SECTION 45. IC 33-5-12.5-2 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
5 (1) judge, who shall be elected at the general election every six ~~(6)~~
6 years in Dubois County. His term begins January 1 following his
7 election and ends December 31 following the election of his successor:

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

9 ~~(1) be a resident of Dubois County;~~

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

11 ~~and~~

12 ~~(3) be admitted to the bar of Indiana: selected under IC 33-4.2.~~

13 SECTION 46. IC 33-5-12.5-15 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 15. The judge of the
15 Dubois circuit court may, with the consent of the judge of the court, sit
16 as a judge of the court in any matter as if he was an elected a judge of the
17 court. The judge of the court may, with consent of the judge of the
18 circuit court, sit as a judge of the circuit court in any matter as if he was
19 an elected a judge of the circuit court.

20 SECTION 47. IC 33-5-13.1-2, AS AMENDED BY P.L.196-1999,
21 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2003]: Sec. 2. (a) The court has, before January 1, 2001, five
23 (5) and, after December 31, 2000, six (6) judges, who shall be elected
24 at the general election every six (6) years in Elkhart County. A judge's
25 term begins January 1 following the judge's election and ends
26 December 31 following the election of the judge's successor:

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

29 ~~(1) be a resident of Elkhart County;~~

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

32 ~~(3) be admitted to the bar of Indiana: selected under IC 33-4.2.~~

33 SECTION 48. IC 33-5-13.1-14 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 14. The judge of the
35 Elkhart circuit court may, with the consent of the judge of the court, sit
36 as a judge of the court in any matter as if he was an elected a judge of
37 the court. A judge of the court may, with consent of the judge of the
38 circuit court, sit as a judge of the circuit court in any matter as if he was
39 an elected a judge of the circuit court.

40 SECTION 49. IC 33-5-17.1-2 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
42 (1) judge, who shall be elected at the general election every six (6)

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1 years in Fayette County. The judge's term begins January 1 following
 2 the election and ends December 31 following the election of the judge's
 3 successor:

- 4 (b) To be eligible to hold office as judge of the court, a person must:
 5 (1) be a resident of Fayette County;
 6 (2) be under seventy (70) years of age at the time of taking office;
 7 and
 8 (3) be admitted to the bar of Indiana: **selected under IC 33-4.2.**

9 SECTION 50. IC 33-5-17.1-10 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
 11 Fayette circuit court may, with the consent of the judge of the court, sit
 12 as a judge of the court in any matter as if ~~an elected~~ a judge of the
 13 court. The judge of the court may, with consent of the judge of the
 14 circuit court, sit as a judge of the circuit court in any matter as if ~~an~~
 15 ~~elected~~ a judge of the circuit court.

16 SECTION 51. IC 33-5-18.1-2 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. The court has one (1)
 18 judge, who shall be ~~elected at the general election every six (6) years~~
 19 ~~in Floyd County. His term begins January 1 following his election and~~
 20 ~~ends December 31 following the election of his successor: selected~~
 21 ~~under IC 33-4.2.~~

22 SECTION 52. IC 33-5-18.1-14 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 14. The judge of the
 24 Floyd circuit court may, with the consent of the judge of the court, sit
 25 as a judge of the court in any matter as if ~~he were an elected~~ a judge of
 26 the court. The judge of the court may, with consent of the judge of the
 27 circuit court, sit as a judge of the circuit court in any matter as if ~~he~~
 28 ~~were an elected~~ a judge of the circuit court.

29 SECTION 53. IC 33-5-18.3-2 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
 31 (1) judge, who shall be ~~elected at the general election every six (6)~~
 32 ~~years in Gibson County. His term begins January 1 following his~~
 33 ~~election and ends December 31 following the election of his successor:~~

- 34 (b) To be eligible to hold office as judge of the court, a person must:
 35 (1) be a resident of Gibson County;
 36 (2) be under seventy (70) years of age at the time he takes office;
 37 and
 38 (3) be admitted to the bar of Indiana: **selected under IC 33-4.2.**

39 SECTION 54. IC 33-5-18.3-10 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
 41 Gibson circuit court may, with the consent of the judge of the court, sit
 42 as a judge of the court in any matter as if ~~he was an elected~~ a judge of

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1 the court. The judge of the court may, with consent of the judge of the
2 circuit court, sit as a judge of the circuit court in any matter as if ~~he was~~
3 ~~an elected~~ a judge of the circuit court.

4 SECTION 55. IC 33-5-19-1 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. There is hereby
6 created a Superior Court No. 2, in and for the county of Grant, Indiana,
7 which court shall consist of one (1) judge, who shall ~~hold his office for~~
8 ~~a term of six (6) years, beginning on the first day of January after his~~
9 ~~election, and until his successor is elected and qualified. Every six (6)~~
10 ~~years, the voters of Grant County shall elect at the general election a~~
11 ~~judge for the superior court be selected under IC 33-4.2.~~

12 SECTION 56. IC 33-5-19.3-2 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
14 (1) judge who shall be elected at the general election every six (6) years
15 in Grant County. The judge's term begins January † following the
16 election and ends December 3† following the election of the judge's
17 successor.

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

20 ~~(1) a resident of Grant County;~~

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

23 ~~(3) admitted to the practice of law in Indiana. selected under~~
24 ~~IC 33-4.2.~~

25 SECTION 57. IC 33-5-19.3-10 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The judge of the
27 Grant circuit court, Grant superior court, or Grant superior court No. 2
28 may, with the consent of the judge of the court, sit as judge of the court
29 in any matter as if ~~an elected~~ a judge of the court.

30 (b) The judge of the court may, with the consent of the judge of the
31 Grant circuit court, Grant superior court, or Grant superior court No. 2,
32 sit as a judge of the Grant circuit court, Grant superior court, or Grant
33 superior court No. 2 in any matter as if ~~an elected~~ a judge of the Grant
34 circuit court, Grant superior court, or Grant superior court No. 2.

35 SECTION 58. IC 33-5-19.5-2 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
37 (1) judge, who shall be elected at the general election every six (6)
38 years in Greene County. The judge's term begins January † following
39 the election and ends December 3† following the election of the judge's
40 successor.

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

42 ~~(1) be a resident of Greene County;~~

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- 1 (2) be less than seventy (70) years of age at the time of taking
- 2 office; and
- 3 (3) be admitted to the practice of law in Indiana: **selected under**
- 4 **IC 33-4.2.**

5 SECTION 59. IC 33-5-19.5-10 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
 7 Greene circuit court may, with the consent of the judge of the court, sit
 8 as a judge of the court in any matter as if ~~an elected~~ a judge of the
 9 court. The judge of the court may, with consent of the judge of the
 10 circuit court, sit as a judge of the circuit court in any matter as if ~~an~~
 11 ~~elected~~ a judge of the circuit court.

12 SECTION 60. IC 33-5-19.8-2 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
 14 (1) judge who shall be elected at the general election every six (6) years
 15 in Harrison County. The judge's term begins January 1 following the
 16 election and ends December 31 following the election of the judge's
 17 successor.

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

- 20 (1) a resident of Harrison County;
- 21 (2) less than seventy (70) years of age at the time of taking office;
- 22 and
- 23 (3) admitted to the practice of law in Indiana: **selected under**
- 24 **IC 33-4.2.**

25 SECTION 61. IC 33-5-19.8-10 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The judge of the
 27 circuit court may, with the consent of the judge of the court, sit as judge
 28 of the court in any matter as if ~~an elected~~ a judge of the court.

29 (b) The judge of the court may, with the consent of the judge of the
 30 circuit court, sit as a judge of the circuit court in any matter as if ~~an~~
 31 ~~elected~~ a judge of the circuit court.

32 SECTION 62. IC 33-5-20.1-1 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. There shall be and
 34 is hereby established a superior court in Howard County, Indiana,
 35 which shall consist of two (2) judges. ~~who shall hold their offices for~~
 36 ~~six (6) years and until their successor shall have been elected and~~
 37 ~~qualified. Each judge shall be selected under IC 33-4.2.~~

38 SECTION 63. IC 33-5-20.1-23 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 23. The judge of the
 40 Howard County circuit court shall, at his discretion and with the court's
 41 permission, be authorized to sit and to act as a judge of this court in all
 42 matters pending before this court, without limitation and without any

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1 further order, in the same manner and stead as if ~~he were~~ a judge of this
 2 court, with all the rights and powers as if ~~he were~~ a **duly elected** judge
 3 of this court, including the right to act as presiding judge and otherwise
 4 participate in the organization and administration of this court.

5 SECTION 64. IC 33-5-20.1-24 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 24. The judge for this
 7 court shall be ~~elected every six (6) years at the general election. The~~
 8 ~~term of office shall begin the first day of January following his election;~~
 9 ~~and continue for six (6) years and until his successor is elected and~~
 10 ~~qualified. **selected under IC 33-4.2.**~~

11 SECTION 65. IC 33-5-20.2-2 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
 13 (1) judge who shall be ~~elected at the general election every six (6) years~~
 14 ~~in Howard County. The judge's term begins January 1 following the~~
 15 ~~election and ends December 31 following the election of the judge's~~
 16 ~~successor.~~

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

19 (1) a resident of Howard County;

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

22 (3) admitted to the practice of law in Indiana. **selected under**
 23 **IC 33-4.2.**

24 SECTION 66. IC 33-5-20.2-10 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The judge of the
 26 Howard circuit court, Howard superior court, or Howard superior court
 27 No. 2 may, with the consent of the judge of the court, sit as judge of the
 28 court in any matter as if ~~an elected~~ a judge of the court.

29 (b) The judge of the court may, with the consent of the judge of the
 30 Howard circuit court, Howard superior court, or Howard superior court
 31 No. 2, sit as a judge of the Howard circuit court, Howard superior
 32 court, or Howard superior court No. 2 in any matter as if ~~an elected~~ a
 33 judge of the Howard circuit court, Howard superior court, or Howard
 34 superior court No. 2.

35 SECTION 67. IC 33-5-21-1 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) There hereby is
 37 established a superior court No. 1 in and for the county of Henry,
 38 Indiana. The court shall consist of one (1) judge, who shall ~~hold his~~
 39 ~~office for six (6) years, beginning on the first day of January after his~~
 40 ~~election; and until his successor is elected and qualified. Every six (6)~~
 41 ~~years; the voters of Henry County shall elect at the general election a~~
 42 ~~judge for the superior court No. 1. **be selected under IC 33-4.2.**~~



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(b) An additional court is established to be known as Henry superior court No. 2. Henry superior court No. 2 has one (1) judge, who is elected at the general election every six (6) years in Henry County. The judge's term begins January 1 following the election and ends December 31 following the election of the judge's successor.

(c) To be eligible to hold office as a judge of a Henry superior court, a person must be:

- (1) a resident of Henry County;
- (2) less than seventy (70) years of age at the time of taking office; and
- (3) admitted to the practice of law in Indiana: **shall be selected under IC 33-4.2.**

SECTION 68. IC 33-5-21-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 14. (a) The judge of the Henry circuit court may, with the consent of the judge of a court, sit as a judge of the court in any matter as if the judge of the circuit court ~~was an elected~~ **were a** judge of the court.

(b) The judge of a court may, with the consent of the judge of the circuit court, sit as a judge of the circuit court in any matter as if the judge of the court ~~was an elected~~ **were a** judge of the circuit court.

(c) The judge of a court may, with the consent of the judge of the other court, sit as a judge of the other court in any manner as if ~~elected~~ **as the** judge of the other court.

SECTION 69. IC 33-5-22-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. ~~(a)~~ There are created five (5) superior courts in Hamilton County, Indiana, each consisting of one (1) judge, who shall hold office for a term of six (6) years, beginning January 1 after the election for the office is held and until a successor is elected and qualified. Every six (6) years, the voters of Hamilton County shall elect at the general election a judge for each superior court.

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

- (1) a resident of Hamilton County;
- (2) under seventy (70) years of age when taking office; and
- (3) admitted to the practice of law in Indiana: **be selected under IC 33-4.2.**

SECTION 70. IC 33-5-22-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 11. The judge of the Hamilton circuit court may, with the consent of the judge of the superior court, sit as a judge of either superior court in any matter as if the judge of the circuit court were ~~an elected~~ **a** judge of the superior

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1 court. The judge of either superior court may, with the consent of the
 2 judge of the circuit court, sit as judge of the circuit court in any matter
 3 as if the judge of the superior court were ~~an elected~~ a judge of the
 4 circuit court.

5 SECTION 71. IC 33-5-23-1 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. There are established
 7 two (2) superior courts in and for the county of Hancock, Indiana, each
 8 of which shall consist of one (1) judge, who shall ~~hold his office for six~~
 9 ~~(6) years; beginning on January 1 after his election and until his~~
 10 ~~successor is elected and qualified. Every six (6) years, the voters of~~
 11 ~~Hancock County shall elect at the general election a judge for each~~
 12 ~~superior court: be selected under IC 33-4.2.~~

13 SECTION 72. IC 33-5-24-1 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. ~~(a)~~ There are
 15 established three (3) superior courts in and for the county of Johnson,
 16 Indiana, each of which shall consist of one (1) judge, who shall ~~hold~~
 17 ~~the judge's office for a term of six (6) years; beginning on the first day~~
 18 ~~of January after the judge's election, and until the judge's successor is~~
 19 ~~elected and qualified. Every six (6) years, the voters of Johnson County~~
 20 ~~shall elect at the general election a judge for each superior court.~~

21 ~~(b) To be eligible to hold office as a judge of a superior court, a~~
 22 ~~person must be:~~

23 ~~(1) a resident of Johnson County;~~

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

26 ~~(3) admitted to the bar of Indiana: be selected under IC 33-4.2.~~

27 SECTION 73. IC 33-5-24-10 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The judge of the
 29 Johnson circuit court may, with the consent of the judge of a superior
 30 court, sit as a judge of the superior court in any matter as if the judge
 31 of the Johnson circuit court were ~~an elected~~ a judge of the superior
 32 court.

33 (b) The judge of a superior court may, with the consent of the judge
 34 of the circuit court, sit as judge of the circuit court in any matter as if
 35 the judge of the superior court were ~~an elected~~ a judge of the circuit
 36 court.

37 (c) The judge of a superior court may, with the consent of the judge
 38 of another superior court, sit as the judge of the other superior court in
 39 any matter as if the judge of the superior court were ~~an elected~~ a judge
 40 of the other superior court.

41 SECTION 74. IC 33-5-25-1 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. ~~(a)~~ There are

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1 established three (3) superior courts in and for the county of Hendricks,
 2 Indiana, each of which shall consist of one (1) judge, who shall hold his
 3 office for a term of six (6) years, beginning on the first day of January
 4 after his election, and until his successor is elected and qualified. Every
 5 six (6) years, the voters of Hendricks County shall elect at the general
 6 election a judge for each superior court.

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

9 (1) a resident of Hendricks County;

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

11 and

12 (3) be admitted to the bar of Indiana: **selected under IC 33-4.2.**

13 SECTION 75. IC 33-5-25.3-2 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The court has one
 15 (1) judge, who shall be elected at the general election every six (6)
 16 years in Huntington County. The judge's term begins January 1
 17 following the election and ends December 31 following the election of
 18 the judge's successor.

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

20 (1) be a resident of Huntington County;

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

23 (3) be admitted to the practice of law in Indiana: **selected under**
 24 **IC 33-4.2.**

25 SECTION 76. IC 33-5-25.3-10 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
 27 Huntington circuit court may, with the consent of the judge of the
 28 court, sit as a judge of the court in any matter as if ~~an elected~~ a judge
 29 of the court. The judge of the court may, with consent of the judge of
 30 the circuit court, sit as a judge of the circuit court in any matter as if ~~an~~
 31 ~~elected~~ a judge of the circuit court.

32 SECTION 77. IC 33-5-25.4-2 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The court has one
 34 (1) judge, who shall be elected at the general election every six (6)
 35 years in Jackson County. The judge's term begins January 1 following
 36 the election and ends December 31 following the election of the judge's
 37 successor.

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

39 (1) be a resident of Jackson County;

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

42 (3) be admitted to the practice of law in Indiana: **selected under**

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IC 33-4.2.

SECTION 78. IC 33-5-25.4-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the Jackson circuit court may, with the consent of the judge of the court, sit as a judge of the court in any matter as if ~~an elected~~ a judge of the court. The judge of the court may, with consent of the judge of the circuit court, sit as a judge of the circuit court in any matter as if ~~an elected~~ a judge of the circuit court.

SECTION 79. IC 33-5-25.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. The Jasper superior court has one (1) judge, who shall be ~~elected at the general election every six (6) years in Jasper County. His term begins January 1 following his election and ends December 31 following the election of his successor:~~ **selected under IC 33-4.2.**

SECTION 80. IC 33-5-25.5-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 15. The judge of the Jasper circuit court may, with the consent of the judge of the court, sit as a judge of the court in any matter as if ~~he was an elected~~ a judge of the court. The judge of the 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 the elected~~ a judge of the circuit court.

SECTION 81. IC 33-5-25.7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a) The court has one (1) judge, who shall be elected at the general election every six (6) years in Jay 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:~~
- ~~(1) be a resident of Jay County;~~
 - ~~(2) be less than seventy (70) years of age at the time of taking office; and~~
 - ~~(3) be admitted to the practice of law in Indiana:~~ **selected under IC 33-4.2.**

SECTION 82. IC 33-5-25.7-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the Jay circuit court may, with the consent of the judge of the court, sit as a judge of the court in any matter as if ~~an elected~~ a judge of the court. The judge of the court may, with consent of the judge of the circuit court, sit as a judge of the circuit court in any matter as if ~~an elected~~ a judge of the circuit court.

SECTION 83. IC 33-5-25.8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a) The court has one~~



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1 (1) judge, who shall be elected at the general election every six (6)
 2 years in Jefferson County. The judge's term begins January 1 following
 3 the election and ends December 31 following the election of the judge's
 4 successor:

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

7 (1) a resident of Jefferson County;

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

10 (3) admitted to the practice of law in Indiana. **selected under**
 11 **IC 33-4.2.**

12 SECTION 84. IC 33-5-25.8-10 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The judge of the
 14 Jefferson and Switzerland circuit court may, with the consent of the
 15 judge of the court, sit as a judge of the court in any matter as if ~~an~~
 16 ~~elected~~ a judge of the court.

17 (b) The judge of the court may, with the consent of the judge of the
 18 Jefferson and Switzerland circuit court, sit as a judge of the Jefferson
 19 and Switzerland circuit court in any matter as if ~~an elected~~ a judge of
 20 the Jefferson and Switzerland circuit court.

21 SECTION 85. IC 33-5-25.9-2 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
 23 (1) judge, who shall be elected at the general election every six (6)
 24 years in Jennings County. The judge's term begins January 1 following
 25 the election and ends December 31 following the election of the judge's
 26 successor:

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

29 (1) a resident of Jennings County;

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

32 (3) admitted to the practice of law in Indiana. **selected under**
 33 **IC 33-4.2.**

34 SECTION 86. IC 33-5-25.9-10 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
 36 Jennings circuit court may, with the consent of the judge of the court,
 37 sit as a judge of the court in any matter as if ~~an elected~~ a judge of the
 38 court. The judge of the court may, with the consent of the judge of the
 39 circuit court, sit as a judge of the circuit court in any matter as if ~~an~~
 40 ~~elected~~ a judge of the circuit court.

41 SECTION 87. IC 33-5-26-1 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) There is



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1 established a superior court in and for the county of Knox, Indiana,
 2 which has one (1) judge, who shall hold office for six (6) years;
 3 beginning on the first day of January after election; and ending
 4 December 31 following the election of the judge's successor. The court
 5 shall be known as Knox superior court No. 1. Every six (6) years, the
 6 voters of Knox County shall elect at the general election a judge for the
 7 superior court. **be selected under IC 33-4.2.**

8 (b) An additional court of record is established to be known as the
 9 Knox superior court No. 2. Knox County constitutes the judicial district
 10 of the court. The Knox superior court No. 2 has one (1) judge, who
 11 shall be elected at the general election every six (6) years in Knox
 12 County. The judge's term begins January 1 following the election and
 13 ends December 31 following the election of the judge's successor.

14 (c) To be eligible to hold office as judge of either court, a person
 15 must:

- 16 (1) be a resident of Knox County;
- 17 (2) be less than seventy (70) years of age at the time of taking
- 18 office; and
- 19 (3) be admitted to the practice of law in Indiana. **selected under**
- 20 **IC 33-4.2.**

21 SECTION 88. IC 33-5-26-15 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 15. The judge of a
 23 superior court may, with the consent of the judge of the circuit or other
 24 superior court, sit as a judge of the circuit or other superior court in any
 25 matter as if the judge of the superior court was an elected were a judge
 26 of the circuit or other superior court.

27 SECTION 89. IC 33-5-27-1 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. There is hereby
 29 created a superior court in and for the county of Kosciusko, Indiana,
 30 which shall consist of three (3) judges, who shall hold office for a term
 31 of six (6) years, beginning on the first day of January after election; and
 32 until a successor is elected and qualified. Every six (6) years, the voters
 33 of Kosciusko County shall elect at the general election judges for the
 34 superior court. **be selected under IC 33-4.2.**

35 SECTION 90. IC 33-5-27-17 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 17. The judge of the
 37 Kosciusko circuit court shall be at his discretion, authorized to sit as
 38 judge of the superior court, with the court's permission, in all matters
 39 pending before said superior court without limitation and without any
 40 further order, in the same manner and stead as if he were a judge of
 41 said superior court with all the rights and powers as if he were a duly
 42 elected judge of said superior court.



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1 SECTION 91. IC 33-5-27.5-2 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The court has one
 3 (1) judge, who shall be elected at the general election every six (6)
 4 years in LaGrange County. The judge's term begins January 1 following
 5 the election and ends December 31 following the election of the judge's
 6 successor.

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

8 (1) be a resident of LaGrange County;

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

11 (3) be admitted to the practice of law in Indiana: **selected under**
 12 **IC 33-4.2.**

13 SECTION 92. IC 33-5-27.5-10 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
 15 LaGrange circuit court may, with the consent of the judge of the court,
 16 sit as a judge of the court in any matter as if the judge of the circuit
 17 court ~~was an elected~~ **were a** judge of the court. The judge of the court
 18 may, with consent of the judge of the circuit court, sit as a judge of the
 19 circuit court in any matter as if the judge of the court ~~was an elected~~
 20 **were a** judge of the circuit court.

21 SECTION 93. IC 33-5-29.5-25 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 25. The judge of the
 23 Lake circuit court shall be, at his discretion, authorized to sit as a judge
 24 of this court, with the court's permission, in the civil division, without
 25 limitation and without any further order, in the same manner and stead
 26 as if he were a judge of this court with all the rights and powers as if ~~he~~
 27 **were a duly appointed** judge of this court.

28 SECTION 94. IC 33-5-29.5-26 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 26. (a) ~~Unless the judge~~
 30 ~~is a judge of the county division; at the general election immediately~~
 31 ~~preceding the expiration of a judge's extended term the question of that~~
 32 ~~judge's retention in office or rejection shall be submitted to the~~
 33 ~~electorate of Lake County under section 42 of this chapter. Thereafter;~~
 34 ~~unless rejected by the electorate; each such judge shall serve successive~~
 35 ~~terms as provided in section 41(b) of this chapter.~~

36 (b) A judge of the county division may serve a successive term if
 37 elected to serve a successive term under section 42.5 of this chapter:
 38 **court shall be selected under IC 33-4.2.**

39 SECTION 95. IC 33-5-31.1-2 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) Each court has
 41 one (1) judge, who shall be elected at the general election every six (6)
 42 years in LaPorte County. Each judge's term begins January 1 following

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1 the election and ends December 31 following the election of the judge's
2 successor:

3 (b) To be eligible to hold office as judge of any of the courts, a
4 person must:

5 (1) be a resident of LaPorte County; and

6 (2) be admitted to the bar of Indiana: **selected under IC 33-4.2.**

7 SECTION 96. IC 33-5-31.1-10 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
9 LaPorte circuit court may, with the consent of the judge of any of the
10 courts, sit as a judge of the court in any matter as if ~~an elected~~ a judge
11 of that court. The judge of any of the courts may, with the consent of
12 the judge of the circuit court, sit as a judge of the circuit court in any
13 matter as if ~~an elected~~ a judge of the circuit court.

14 SECTION 97. IC 33-5-32.5-1 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. There shall be and
16 is hereby established a superior court in Lawrence County, Indiana,
17 which shall consist of two (2) judges. Each judge shall ~~hold office for~~
18 ~~six (6) years and until the judge's successor shall have been elected and~~
19 ~~qualified:~~ **be selected under IC 33-4.2.**

20 SECTION 98. IC 33-5-32.5-22 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 22. The judge of the
22 Lawrence County circuit court shall be, at his discretion and with the
23 court's permission, authorized to sit and to act as a judge of this court
24 in all matters pending before this court, without limitation and without
25 any further order in the same manner and stead as if he were a judge of
26 this court, with all the rights and powers as if ~~he were~~ a ~~duly elected~~
27 judge of this court.

28 SECTION 99. IC 33-5-32.5-23 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 23. A judge for this
30 court shall be ~~elected every six (6) years at the general election:~~ ~~The~~
31 ~~term of office shall begin the first day of January following his election~~
32 ~~and continue for six (6) years and until his successor is elected and~~
33 ~~qualified:~~ **selected under IC 33-4.2.**

34 SECTION 100. IC 33-5-33.1-1 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. There is hereby
36 established a superior court in Madison County, Indiana, (referred to
37 as the "superior court" in this chapter) which court shall consist of three
38 (3) judges. ~~who shall hold their office for six (6) years and until their~~
39 ~~successors have been elected and qualified:~~ ~~In addition to the three (3)~~
40 ~~judges;~~ the judge of the Madison Circuit Court (referred to as the
41 "circuit court" in this chapter) may sit as a judge of the superior court
42 as hereinafter provided in this chapter: **Each judge shall be selected**



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1 **under IC 33-4.2.**

2 SECTION 101. IC 33-5-33.1-22 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 22. The judge of the
4 circuit court may sit as a judge of the superior court, with the court's
5 permission, in all matters pending before the court, without limitation
6 and without any further order, in the same manner as if ~~he were an~~
7 ~~elected a judge of the court.~~

8 SECTION 102. IC 33-5-35.5-1 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) There is created
10 a superior court No. 1 in and for the county of Marshall, Indiana, which
11 has one (1) judge, who shall ~~hold office for a term of six (6) years;~~
12 ~~beginning on January 1 after election and ending December 31~~
13 ~~following the election of the judge's successor. Every six (6) years, the~~
14 ~~voters of Marshall County shall elect at the general election a judge for~~
15 ~~the superior court No. 1: **be selected under IC 33-4.2.**~~

16 (b) There is also created a superior court No. 2 in Marshall County,
17 which has one (1) judge, who shall ~~hold office for a term of six (6)~~
18 ~~years; beginning on January 1 after election and ending December 31~~
19 ~~following the election of the judge's successor. Every six (6) years, the~~
20 ~~voters of Marshall County shall elect at the general election a judge for~~
21 ~~the superior court No. 2:~~

22 (c) ~~To be eligible to hold office as judge of either court, a person~~
23 ~~must:~~

- 24 (1) ~~be a resident of Marshall County;~~
25 (2) ~~be less than seventy (70) years of age at the time of taking~~
26 ~~office; and~~
27 (3) ~~be admitted to the practice of law in Indiana: **be selected**~~
28 ~~**under IC 33-4.2.**~~

29 SECTION 103. IC 33-5-35.5-17 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 17. The judge of the
31 Marshall circuit court may, with the consent of the judge of either of
32 the superior courts, sit as judge of a superior court in any matter as if
33 ~~an elected a judge of that court. The judge of either of the superior~~
34 ~~courts may, with the consent of the judge of the circuit court, sit as a~~
35 ~~judge of the circuit court as if ~~an elected a judge of the circuit court.~~~~

36 SECTION 104. IC 33-5-35.8-2 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
38 (1) judge, who shall ~~be elected at the general election every six (6)~~
39 ~~years in Miami County. His term begins January 1 following his~~
40 ~~election and ends December 31 following the election of his successor:~~

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

- 42 (1) ~~be a resident of Miami County;~~



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

3 ~~(3) be admitted to the bar of Indiana: selected under IC 33-4.2.~~

4 SECTION 105. IC 33-5-35.8-15 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 15. The judge of the
6 Miami circuit court may, with the consent of the judge of the court, sit
7 as a judge of the court in any matter as if ~~he was an elected~~ a judge of the
8 court. The judge of the court may, with consent of the judge of the
9 circuit court, sit as a judge of the circuit court in any matter as if ~~he was~~
10 ~~an elected~~ a judge of the circuit court.

11 SECTION 106. IC 33-5-36.6-2 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
13 (1) judge, who shall be elected at the general election every six ~~(6)~~
14 years in Montgomery County. The term of the judge begins January 1
15 following the election and ends December 31 following the election of
16 the judge's successor.

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

19 ~~(1) be a resident of Montgomery County;~~

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

22 ~~(3) be admitted to the bar of Indiana: selected under IC 33-4.2.~~

23 SECTION 107. IC 33-5-36.6-10 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
25 Montgomery circuit court may, with the consent of the judge of the
26 court, sit as a judge of the court in any matter as if the judge of the
27 circuit court was ~~an elected~~ a judge of the court. The judge of the court
28 may, with consent of the judge of the circuit court, sit as judge of the
29 circuit court in any matter as if the judge of the court was ~~an elected~~ a
30 judge of the circuit court.

31 SECTION 108. IC 33-5-37-1 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. There is hereby
33 created a superior court in and for the county of Morgan, Indiana,
34 which shall consist of three (3) judges. Each judge shall ~~hold office for~~
35 a term of six ~~(6)~~ years beginning on the first day of January after
36 election and until the judge's successor is elected and qualified. Every
37 six ~~(6)~~ years, the voters of Morgan County shall elect at the general
38 election the judges for the superior court. ~~be selected under IC 33-4.2.~~

39 SECTION 109. IC 33-5-37.2-2 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
41 (1) judge, who shall be elected at the general election every six ~~(6)~~
42 years in Newton County. His term begins January 1 following his

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1 election and ends December 31 following the election of his successor.

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

3 (1) be a resident of Newton County; and

4 (2) be admitted to the bar of Indiana: **selected under IC 33-4.2.**

5 SECTION 110. IC 33-5-37.2-15 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 15. The judge of the
7 Newton circuit court may, with the consent of the judge of the court, sit
8 as a judge of the court in any matter as if ~~he was an elected~~ a judge of
9 the court. The judge of the court may, with consent of the judge of the
10 circuit court, sit as a judge of the circuit court in any matter as if ~~he was~~
11 ~~an elected~~ a judge of the circuit court.

12 SECTION 111. IC 33-5-37.5-2, AS AMENDED BY P.L.196-1999,
13 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2003]: Sec. 2. (a) The court has two (2) judges who shall be
15 elected at the general election every six (6) years in Noble County. The
16 term of a judge begins January 1 following the date of the judge's
17 election and ends December 31 following the election of the judge's
18 successor.

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

20 (1) be a resident of Noble County;

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

23 (3) be admitted to the bar of Indiana: **selected under IC 33-4.2.**

24 SECTION 112. IC 33-5-37.5-14, AS AMENDED BY P.L.196-1999,
25 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2003]: Sec. 14. The judge of the Noble circuit court may, with
27 the consent of the judge of a court, sit as a judge of the court in any
28 matter as if ~~he was an elected~~ a judge of the court. The judge of a court
29 may, with consent of the judge of the circuit court, sit as a judge of the
30 circuit court in any matter as if ~~he was an elected~~ a judge of the circuit
31 court.

32 SECTION 113. IC 33-5-37.7-2 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. The court has one (1)
34 judge, who shall be elected at the general election every six (6) years
35 in Ohio and Switzerland counties. His term begins January 1 following
36 his election and ends December 31 following the election of his
37 successor. **selected under IC 33-4.2.**

38 SECTION 114. IC 33-5-37.7-15 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 15. The judge of the
40 circuit court in Ohio or Switzerland County may, with the consent of
41 the judge of the court, sit as a judge of the court in any matter over
42 which he would have had jurisdiction as circuit court judge, as if ~~he~~

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1 was ~~an elected~~ a judge of the court. The judge of the court may, with
 2 consent of the judge of such a circuit court, sit as a judge of a circuit
 3 court in Ohio or Switzerland County in any matter over which he would
 4 have jurisdiction as superior judge, as if he was ~~an elected~~ a judge of
 5 that circuit court.

6 SECTION 115. IC 33-5-37.8-2, AS ADDED BY P.L.45-2000,
 7 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one (1) judge, who shall be
 9 elected at the general election every six (6) years in Orange County.
 10 The judge's term begins January 1 following the election and ends
 11 December 31 following the election of the judge's successor.

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

13 ~~(1) be a resident of Orange County;~~

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

16 ~~(3) be admitted to the bar of Indiana: selected under IC 33-4.2.~~

17 SECTION 116. IC 33-5-37.8-10, AS ADDED BY P.L.45-2000,
 18 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2003]: Sec. 10. The judge of the Orange circuit court may,
 20 with the consent of the judge of the court, sit as a judge of the court in
 21 any matter as if the judge of the circuit court were ~~an elected~~ a judge
 22 of the court. The judge of the court may, with the consent of the judge
 23 of the circuit court, sit as a judge of the circuit court in any matter as if
 24 the judge of the court were ~~an elected~~ a judge of the circuit court.

25 SECTION 117. IC 33-5-38-1 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) There is
 27 established a superior court in Porter County, Indiana, which shall
 28 consist of five (5) judges, who shall ~~hold their office for six (6) years;~~
 29 ~~beginning on the first day of January after their election and until their~~
 30 ~~successors are elected and qualified if they shall so long behave well:~~
 31 ~~Every six (6) years the voters of Porter County shall elect at the general~~
 32 ~~election the judges for the superior court: be selected under IC 33-4.2.~~

33 (b) The judges of the superior court established under this section
 34 are designated as follows:

35 (1) Two (2) judges are judges of the superior court, superior
 36 division.

37 (2) Three (3) judges are judges of the superior court, county
 38 division.

39 SECTION 118. IC 33-5-38-28 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 28. The judge of the
 41 Porter circuit court shall be, at his discretion and with the court's
 42 permission, authorized to sit and to act as a judge of this court in all



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1 matters pending before this court, without limitation and without any
 2 further order, in the same manner and stead as if he were a judge of this
 3 court, with all the rights and powers as if he were a ~~duly elected~~ judge
 4 of this court, including the right to act as presiding judge and otherwise
 5 participate in the organization and administration of this court.

6 SECTION 119. IC 33-5-38.1-2 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
 8 (1) judge who shall be ~~elected at the general election every six (6) years~~
 9 ~~in Posey County. The judge's term begins January 1 following the~~
 10 ~~election and ends December 31 following the election of the judge's~~
 11 ~~successor.~~

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

14 ~~(1) a resident of Posey County;~~

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

17 ~~(3) admitted to the practice of law in Indiana. selected under~~
 18 ~~IC 33-4.2.~~

19 SECTION 120. IC 33-5-38.1-10 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The judge of the
 21 Posey circuit court may, with the consent of the judge of the court, sit
 22 as a judge of the court in any matter as if ~~an elected a~~ judge of the
 23 court.

24 (b) The judge of the court may, with the consent of the judge of the
 25 Posey circuit court, sit as a judge of the circuit court in any matter as
 26 if ~~an elected a~~ judge of the circuit court.

27 SECTION 121. IC 33-5-38.2-2 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
 29 (1) judge who shall be ~~elected at the general election every six (6) years~~
 30 ~~in Pulaski County. The judge's term begins January 1 following the~~
 31 ~~election and ends December 31 following the election of the judge's~~
 32 ~~successor.~~

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

35 ~~(1) a resident of Pulaski County;~~

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

38 ~~(3) admitted to the practice of law in Indiana. selected under~~
 39 ~~IC 33-4.2.~~

40 SECTION 122. IC 33-5-38.2-10 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The judge of the
 42 circuit court may, with the consent of the judge of the court, sit as judge



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1 of the court in any matter as if ~~an elected~~ a judge of the court.

2 (b) The judge of the court may, with the consent of the judge of the
3 circuit court, sit as a judge of the circuit court in any matter as if ~~an~~
4 ~~elected~~ a judge of the circuit court.

5 SECTION 123. IC 33-5-38.3-2 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
7 (1) judge who shall be ~~elected at the general election every six (6) years~~
8 ~~in Putnam County. The judge's term begins January 1 following the~~
9 ~~election and ends December 31 following the election of the judge's~~
10 ~~successor.~~

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

13 ~~(1) a resident of Putnam County; and~~

14 ~~(2) admitted to the practice of law in Indiana. **selected under**~~
15 ~~**IC 33-4.2.**~~

16 SECTION 124. IC 33-5-38.3-10 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The judge of the
18 Putnam circuit court may, with the consent of the judge of the court, sit
19 as a judge of the court in any matter as if ~~an elected~~ a judge of the
20 court.

21 (b) The judge of the court may, with the consent of the judge of the
22 Putnam circuit court, sit as a judge of the circuit court in any matter as
23 if ~~an elected~~ a judge of the circuit court.

24 SECTION 125. IC 33-5-38.5-2 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
26 (1) judge, who shall be ~~elected at the general election every six (6)~~
27 ~~years in Randolph County. The judge's term begins January 1 following~~
28 ~~the election and ends December 31 following the election of the judge's~~
29 ~~successor.~~

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

31 ~~(1) be a resident of Randolph County;~~

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

34 ~~(3) be admitted to the practice of law in Indiana. **selected under**~~
35 ~~**IC 33-4.2.**~~

36 SECTION 126. IC 33-5-38.5-10 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
38 Randolph circuit court may, with the consent of the judge of the court,
39 sit as a judge of the court in any matter as if ~~an elected~~ a judge of the
40 court. The judge of the court may, with consent of the judge of the
41 circuit court, sit as a judge of the circuit court in any matter as if ~~an~~
42 ~~elected~~ a judge of the circuit court.



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1 SECTION 127. IC 33-5-38.7-2 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The court has one
 3 (1) judge who shall be elected at the general election every six (6) years
 4 in Ripley County. The judge's term begins January 1 following the
 5 election and ends December 31 following the election of the judge's
 6 successor.

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

9 (1) a resident of Ripley County;

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

12 (3) admitted to the practice of law in Indiana: **selected under**
 13 **IC 33-4.2.**

14 SECTION 128. IC 33-5-38.7-10 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The judge of the
 16 Ripley circuit court may, with the consent of the judge of the court, sit
 17 as a judge of the court in any matter as if ~~an elected~~ a judge of the
 18 court.

19 (b) The judge of the court may, with the consent of the judge of the
 20 Ripley circuit court, sit as a judge of the circuit court in any matter as
 21 if ~~an elected~~ a judge of the circuit court.

22 SECTION 129. IC 33-5-38.8-2, AS ADDED BY P.L.45-2000,
 23 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2003]: Sec. 2. (a) The court has one (1) judge, who shall be
 25 elected at the general election every six (6) years in Rush County. The
 26 judge's term begins January 1 following the election and ends
 27 December 31 following the election of the judge's successor.

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

29 (1) be a resident of Rush County;

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

32 (3) be admitted to the bar of Indiana: **selected under IC 33-4.2.**

33 SECTION 130. IC 33-5-38.8-10, AS ADDED BY P.L.45-2000,
 34 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2003]: Sec. 10. The judge of the Rush circuit court may, with
 36 the consent of the judge of the court, sit as a judge of the court in any
 37 matter as if the judge of the circuit court were ~~an elected~~ a judge of the
 38 court. The judge of the court may, with the consent of the judge of the
 39 circuit court, sit as a judge of the circuit court in any matter as if the
 40 judge of the court were ~~an elected~~ a judge of the circuit court.

41 SECTION 131. IC 33-5-38.9-2 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The court has one

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1 (1) judge, who shall be elected at the general election every six (6)
 2 years in Scott County. The judge's term begins January 1 following the
 3 election and ends December 31 following the election of the judge's
 4 successor:

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

7 (1) a resident of Scott County;

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

10 (3) admitted to the practice of law in Indiana: **selected under**
 11 **IC 33-4.2.**

12 SECTION 132. IC 33-5-38.9-10 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
 14 Scott circuit court may, with the consent of the judge of the court, sit
 15 as a judge of the court in any matter as if ~~an elected~~ a judge of the
 16 court. The judge of the court may, with the consent of the judge of the
 17 circuit court, sit as a judge of the circuit court in any matter as if ~~an~~
 18 ~~elected~~ a judge of the circuit court.

19 SECTION 133. IC 33-5-39-1 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) There is
 21 established a superior court No. 1 in and for the county of Shelby,
 22 Indiana. The court shall consist of one (1) judge who shall be ~~elected~~
 23 ~~for a term of six (6) years, beginning on the first day of January after~~
 24 ~~the judge's election, and until a successor is duly elected and qualified:~~
 25 ~~Every six (6) years, the voters of Shelby County shall elect at the~~
 26 ~~general election a judge for the superior court: **selected under**~~
 27 **IC 33-4.2.**

28 (b) An additional court is established to be known as Shelby
 29 superior court No. 2. Shelby superior court No. 2 has one (1) judge,
 30 who is ~~elected at the general election every six (6) years in Shelby~~
 31 ~~County. The judge's term begins January 1 following the election and~~
 32 ~~ends December 31 following the election of the judge's successor:~~

33 (c) To be eligible to hold office as a judge of a Shelby superior
 34 court, a person must be:

35 (1) a resident of Shelby County;

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

38 (3) admitted to the practice of law in Indiana: **shall be selected**
 39 **under IC 33-4.2.**

40 SECTION 134. IC 33-5-39-13 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 13. (a) The judge of the
 42 Shelby circuit court may, with the consent of the judge of a court, sit as



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1 a judge of the court in any matter as if the judge of the circuit court ~~was~~
2 ~~an elected~~ were a judge of the court.

3 (b) The judge of a court may, with the consent of the judge of the
4 circuit court, sit as a judge of the circuit court in any matter as if the
5 judge of the court ~~was an elected~~ were a judge of the circuit court.

6 (c) The judge of a court may, with the consent of the judge of the
7 other court, sit as a judge of the other court in any matter as if ~~elected~~
8 ~~as~~ the judge of the other court.

9 SECTION 135. IC 33-5-40-1 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. There is established
11 a superior court in St. Joseph County, Indiana, which court shall consist
12 of eight (8) judges **selected under IC 33-4.2.**

13 SECTION 136. IC 33-5-40-28, AS AMENDED BY P.L.196-1999,
14 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2003]: Sec. 28. The judge of the St. Joseph circuit court shall
16 be, at the circuit court judge's discretion, authorized to sit as a judge of
17 this court, with the chief judge's permission, in all matters pending
18 before this court, without limitation and without any further order, in
19 the same manner and stead as if the judge of the circuit court were a
20 judge of this court with all the rights and powers as if the judge of the
21 circuit court were a ~~duly elected~~ judge of this court.

22 SECTION 137. IC 33-5-40-49 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 49. There is hereby
24 created a commission on judicial qualifications for the St. Joseph
25 superior court, whose membership shall be the same as that of the
26 judicial nominating commission provided for **St. Joseph County** in
27 ~~section 33 of this chapter: IC 33-4.2-2-1.~~ The commission shall have
28 authority to employ special counsel in any proceedings it undertakes
29 pursuant to the responsibilities imposed upon it by this chapter.

30 SECTION 138. IC 33-5-40.1-2 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
32 (1) judge, who shall be ~~elected at the general election every six (6)~~
33 ~~years in Steuben County. The judge's term begins January 1 following~~
34 ~~the election and ends December 31 following the election of the judge's~~
35 ~~successor:~~

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

37 (1) be a resident of Steuben County;

38 (2) under seventy (70) years of age at the time of taking office;

39 and

40 (3) be admitted to the bar of Indiana: **selected under IC 33-4.2.**

41 SECTION 139. IC 33-5-40.1-10 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the

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1 Steuben circuit court may, with the consent of the judge of the court,
 2 sit as a judge of the court in any matter as if ~~an elected~~ a judge of the
 3 court. The judge of the court may, with the consent of the judge of the
 4 circuit court, sit as a judge of the circuit court in any matter as if ~~an~~
 5 ~~elected~~ a judge of the circuit court.

6 SECTION 140. IC 33-5-40.5-2 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The court has one
 8 (1) judge, who shall be ~~elected at the general election every six (6)~~
 9 ~~years in Sullivan County. The judge's term begins January 1 following~~
 10 ~~the election and ends December 31 following the election of the judge's~~
 11 ~~successor.~~

12 (b) ~~To be eligible to hold office as judge of the court, a person must:~~
 13 (1) ~~be a resident of Sullivan County;~~
 14 (2) ~~be less than seventy (70) years of age at the time of taking~~
 15 ~~office; and~~
 16 (3) ~~be admitted to the practice of law in Indiana. selected under~~
 17 **IC 33-4.2.**

18 SECTION 141. IC 33-5-40.5-10 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
 20 Sullivan circuit court may, with the consent of the judge of the court,
 21 sit as a judge of the court in any matter as if ~~an elected~~ a judge of the
 22 court. The judge of the court may, with consent of the judge of the
 23 circuit court, sit as a judge of the circuit court in any matter as if ~~an~~
 24 ~~elected~~ a judge of the circuit court.

25 SECTION 142. IC 33-5-41-1 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. There hereby is
 27 established a superior court in the county of Tippecanoe, Indiana,
 28 which shall consist of one (1) judge, who shall ~~hold his office for six~~
 29 ~~(6) years, beginning on the first day of January after his election, and~~
 30 ~~until his successor is elected and qualified; if he shall so long behave~~
 31 ~~well. The judge shall be elected every six (6) years at the general~~
 32 ~~election. be selected under IC 33-4.2.~~ The court shall be known as the
 33 "Superior Court of Tippecanoe County."

34 SECTION 143. IC 33-5-42-1 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. There is hereby
 36 created a Superior Court No. 2 in and for the county of Tippecanoe,
 37 Indiana, which court shall consist of one (1) judge, who shall ~~hold his~~
 38 ~~office for a term of six (6) years, beginning on the first day of January~~
 39 ~~after his election, and until his successor is elected and qualified. The~~
 40 ~~judge of said court shall be elected every six (6) years at the general~~
 41 ~~election. be selected under IC 33-4.2.~~

42 SECTION 144. IC 33-5-42.1-2 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
 2 (1) judge, who shall be elected at the general election every six (6)
 3 years in Tippecanoe County. The judge's term begins January 1
 4 following the election and ends December 31 following the election of
 5 the judge's successor.

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

7 (1) be a resident of Tippecanoe County;

8 (2) be under seventy (70) years of age at the time of taking office;
 9 and

10 (3) be admitted to the bar of Indiana: **selected under IC 33-4.2.**

11 SECTION 145. IC 33-5-42.1-9 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. The judge of the
 13 Tippecanoe circuit or other superior court may, with the consent of the
 14 judge of the court, sit as a judge of the court in any matter as if ~~an~~
 15 **elected a** judge of the court. The judge of the court may, with the
 16 consent of the judge of the ~~circuit circuit~~ **circuit** or other superior court, sit as
 17 a judge of the ~~circuit circuit~~ **circuit** or other superior court in any matter as if
 18 ~~an elected a~~ judge of the circuit or other superior court.

19 SECTION 146. IC 33-5-42.2-2, AS ADDED BY P.L.196-1999,
 20 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2003]: Sec. 2. ~~(a)~~ Tippecanoe superior court No. 4, No. 5, and
 22 No. 6 each has one (1) judge, who shall be elected at the general
 23 election every six (6) years in Tippecanoe County. The judge's term
 24 begins January 1 following the election and ends December 31
 25 following the election of the judge's successor.

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

28 (1) a resident of Tippecanoe County;

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

31 (3) admitted to the bar of Indiana: **selected under IC 33-4.2.**

32 SECTION 147. IC 33-5-42.2-11, AS ADDED BY P.L.196-1999,
 33 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2003]: Sec. 11. The judge of the Tippecanoe circuit court or
 35 another superior court in the county may, with the consent of the judge
 36 of Tippecanoe superior court No. 4, No. 5, or No. 6, sit as a judge of the
 37 court in any matter as if the judge of the circuit court or the other
 38 superior court were ~~an elected a~~ judge of Tippecanoe superior court
 39 No. 4, No. 5, or No. 6. The judge of Tippecanoe superior court No. 4,
 40 No. 5, or No. 6 may, with consent of the judge of the circuit court or the
 41 judge of another superior court in the county, sit as a judge of the
 42 circuit court or the other superior court in any matter as if the judge of



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1 Tippecanoe superior court No. 4, No. 5, or No. 6 were ~~an elected a~~
 2 judge of the circuit court or the other superior court.

3 SECTION 148. IC 33-5-43-1 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. There shall be and
 5 is hereby established a superior court in Vanderburgh County, Indiana,
 6 which court shall consist of seven (7) judges who shall ~~hold their office~~
 7 ~~for six (6) years and until their successors shall have been elected and~~
 8 ~~qualified. In addition to said seven (7) judges, the judge of the~~
 9 ~~Vanderburgh Circuit Court may sit as a judge of said Vanderburgh~~
 10 ~~Superior Court as hereinafter provided in this chapter. **be selected**~~
 11 ~~**under IC 33-4.2.**~~

12 SECTION 149. IC 33-5-43-29 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 29. The judge of the
 14 Vanderburgh Circuit Court shall be, at ~~his~~ **the judge's** discretion,
 15 authorized to sit as a judge of this court, with the court's permission, in
 16 all matters pending before this court, without limitation and without
 17 any further order, in the same manner and stead as if ~~he were~~ a judge
 18 of this court with all the rights and powers as if ~~he were~~ a **duly elected**
 19 judge of this court.

20 SECTION 150. IC 33-5-44.1-1, AS AMENDED BY P.L.45-2000,
 21 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2003]: Sec. 1. There is hereby established a superior court in
 23 Vigo County, Indiana, which court shall consist of four (4) judges who
 24 shall ~~hold their office for six (6) years if they behave well and until~~
 25 ~~their successors have been elected and qualified. In addition to the four~~
 26 ~~(4) judges, the judge of the Vigo circuit court may sit as a judge of said~~
 27 ~~Vigo superior court as provided in this chapter. **be selected under**~~
 28 ~~**IC 33-4.2.**~~

29 SECTION 151. IC 33-5-44.1-26 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 26. The judge of the
 31 Vigo circuit court shall be, at ~~his~~ **the judge's** discretion, authorized to
 32 sit as a judge of this court, with the court's permission, in all matters
 33 pending before this court, without limitation and without any further
 34 order, in the same manner and stead as if ~~he were~~ a **duly elected** judge
 35 of this court.

36 SECTION 152. IC 33-5-45.1-2 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
 38 (1) judge who shall be ~~elected at the general election every six (6) years~~
 39 ~~in Wabash County. The judge's term begins January 1 following the~~
 40 ~~election and ends December 31 following the election of the judge's~~
 41 ~~successor.~~

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

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1 must be:

2 (1) a resident of Wabash County;

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

4 and

5 (3) admitted to the practice of law in Indiana: **selected under**
6 **IC 33-4.2.**

7 SECTION 153. IC 33-5-45.1-10 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. (a) The judge of the
9 Wabash circuit court may, with the consent of the judge of the court,
10 sit as a judge of the court in any matter as if ~~an elected~~ a judge of the
11 court.

12 (b) The judge of the court may, with the consent of the judge of the
13 Wabash circuit court, sit as a judge of the circuit court in any matter as
14 if ~~an elected~~ a judge of the circuit court.

15 SECTION 154. IC 33-5-45.5-6 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6. (a) The judge of the
17 Warrick circuit court shall be, at the judge's discretion and with a
18 court's permission, authorized to sit and to act as a judge of the court
19 in all matters before the court, without limitation and without any
20 further order in the same manner and stead and with all the rights and
21 powers as if the judge were a ~~duly elected~~ judge of the court.

22 (b) The judge of the Warrick superior court No. 1 or Warrick
23 superior court No. 2 shall be, at the judge's discretion and with the
24 circuit court's permission, authorized to sit and to act as a judge of the
25 circuit court in all matters pending before the circuit court, without
26 limitation and without any further order in the same manner and stead
27 and with all the rights and powers as if the judge were the ~~duly elected~~
28 judge of the circuit court.

29 (c) The judge of a court may, with the consent of the judge of the
30 other court, sit as a judge of the other court in any manner as if ~~elected~~
31 ~~as~~ the judge of the other court.

32 SECTION 155. IC 33-5-45.5-8 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. There shall be one
34 (1) judge of the Warrick superior court No. 1 and one (1) judge of the
35 Warrick superior court No. 2 who shall ~~hold office for six (6) years;~~
36 ~~beginning on the first day of January after a judge's election, and until~~
37 ~~the judge's successor is elected and qualified. be selected under~~
38 **IC 33-4.2.**

39 SECTION 156. IC 33-5-45.8-2 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a)~~ The court has one
41 (1) judge, who shall be ~~elected at the general election every six (6)~~
42 ~~years in Washington County. The judge's term begins January 1~~

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1 following the election and ends December 31 following the election of
2 the judge's successor.

- 3 (b) To be eligible to hold office as judge of the court, a person must:
4 (1) be a resident of Washington County;
5 (2) be under seventy (70) years of age at the time of taking office;
6 and
7 (3) be admitted to the practice of law in Indiana: **selected under**
8 **IC 33-4.2.**

9 SECTION 157. IC 33-5-45.8-10 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
11 Washington circuit court may, with the consent of the judge of the
12 court, sit as a judge of the court in any matter as if ~~an elected~~ a judge
13 of the court. The judge of the court may, with consent of the judge of
14 the circuit court, sit as a judge of the circuit court in any matter as if ~~an~~
15 ~~elected~~ a judge of the circuit court.

16 SECTION 158. IC 33-5-46-1 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. There hereby is
18 created and established a superior court in and for the county of
19 Wayne, Indiana, which shall consist of one (1) judge, who shall ~~hold~~
20 ~~his office for six (6) years, beginning on the first day of January after~~
21 ~~his election; and until his successor shall have been elected and~~
22 ~~qualified; if he shall so long behave well. Such judge shall be elected~~
23 ~~every six (6) years at the general election. be selected under~~
24 **IC 33-4.2.**

25 SECTION 159. IC 33-5-47-1 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. There is hereby
27 created a Superior Court No. 2 in and for the county of Wayne, Indiana,
28 which court shall consist of one (1) judge, who shall ~~hold his office for~~
29 ~~a term of six (6) years; beginning on the first day of January after his~~
30 ~~election; and until his successor is elected and qualified. The judge of~~
31 ~~the court shall be elected every six (6) years at the general election. be~~
32 **selected under IC 33-4.2.**

33 SECTION 160. IC 33-5-48-2 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The court has one
35 (1) judge, who shall be elected at the general election every six (6)
36 years in Wayne County. His term begins January 1 following his
37 election and ends December 31 following the election of his successor.

- 38 (b) To be eligible to hold office as judge of the court, a person must:
39 (1) be a resident of Wayne County;
40 (2) be under seventy (70) years of age at the time he takes office;
41 (3) be admitted to the bar of Indiana; and
42 (4) have practiced law at least five (5) years: **selected under**

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IC 33-4.2.

SECTION 161. IC 33-5-48-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 13. The judges of the Wayne circuit court and Wayne superior courts No. 1 and No. 2 may, with the consent of the judge of the court, sit as judge of the court in any matter in the small claims and minor offenses division of the court, as if ~~he were an elected~~ a judge of the court.

SECTION 162. IC 33-5-48.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a) The court has one (1) judge, who shall be elected at the general election every six (6) years in Wells 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 Wells County;~~
- ~~(2) under seventy (70) years of age at the time of taking office;~~
- ~~and~~
- ~~(3) admitted to the practice of law in Indiana. **selected under**~~

IC 33-4.2.

SECTION 163. IC 33-5-48.5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the Wells circuit court may, with the consent of the judge of the court, sit as a judge of the court in any matter as if ~~an elected~~ a judge of the court. The judge of the court may, with consent of the judge of the circuit court, sit as a judge of the circuit court in any matter as if ~~an elected~~ a judge of the circuit court.

SECTION 164. IC 33-5-49-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~(a) The court has one (1) judge, who shall be elected at the general election every six (6) years in White County. His term begins January 1 following his election and ends December 31 following the election of his successor:~~

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

- ~~(1) be a resident of White County;~~
- ~~(2) be under seventy (70) years of age at the time he takes office;~~
- ~~and~~
- ~~(3) be admitted to the bar of Indiana. **selected under IC 33-4.2.**~~

SECTION 165. IC 33-5-49-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the White circuit court may, with the consent of the judge of the court, sit as a judge of the court in any matter as if ~~he was an elected~~ a judge of the court. The judge of the court may, with consent of the judge of the



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1 circuit court, sit as a judge of the circuit court in any matter as if he was
2 an elected a judge of the circuit court.

3 SECTION 166. IC 33-5-50-2 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The court has one
5 (1) judge, who shall be elected at the general election every six (6)
6 years in Whitley County. His term begins January 1 following his
7 election and ends December 31 following the election of his successor:

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

9 (1) be a resident of Whitley County;

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

11 and

12 (3) be admitted to the bar of Indiana: selected under IC 33-4.2.

13 SECTION 167. IC 33-5-50-10 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. The judge of the
15 Whitley circuit court may, with the consent of the judge of the court, sit
16 as a judge of the court in any matter as if he was an elected a judge of
17 the court. The judge of the court may, with consent of the judge of the
18 circuit court, sit as a judge of the circuit court in any matter as if he was
19 an elected a judge of the circuit court.

20 SECTION 168. IC 33-5.1-2-1 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) There is
22 established a superior court in Marion County, Indiana. The court
23 consists of:

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

25 (2) thirty-two (32) judges, after December 31, 2000.

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

29 (1) a resident of Marion County; and

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

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

34 SECTION 169. IC 33-5.1-2-8 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. (a) Each judge of the
36 court shall be elected for a term of six (6) years, that shall commence
37 January 1 after the year of the judge's election and continue through
38 December 31 in the sixth year. The judge shall hold office for the six
39 (6) year term or until the judge's successor is elected and qualified. A
40 candidate for judge shall run at large for the office of judge of the court
41 and not as a candidate for judge of a particular room or division of the
42 court.



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

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

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

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

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

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

20 (2) Beginning with the 2000 general election and every six (6)
21 years thereafter, for seventeen (17) candidates for judge of the
22 court.

23 (d) The candidates for judge of the court receiving the highest
24 number of votes shall be elected to the vacancies. The names of the
25 candidates elected as judges of the court shall be certified to the county
26 election board as provided by law: **selected under IC 33-4.2.**

27 SECTION 170. IC 33-5.1-2-9 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. (a) Not more than
29 thirty (30) days after taking the oath of office, the judges shall meet and
30 designate three (3) of the judges as the executive committee for
31 administrative purposes. The executive committee shall be selected by
32 a vote of two-thirds (2/3) of the judges sitting at the time the vote is
33 taken. If all vacancies cannot be filled by a two-thirds (2/3) vote,
34 vacancies may be filled by such other method as provided by court rule.
35 The executive committee is responsible for the operation and conduct
36 of the court. A member of the executive committee shall serve in the
37 capacity provided by rules adopted by the court under section 6 of this
38 chapter. A member of the executive committee serves for a term of two
39 (2) years beginning on the date of the member's election. Any or all of
40 the members elected to the executive committee may be reelected. ~~Of~~
41 ~~the three (3) judges elected to the executive committee, not more than~~
42 ~~two (2) may be members of the same political party.~~



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1 (b) One (1) of the three (3) judges elected to the executive
 2 committee shall be elected as presiding judge and two (2) of the three
 3 (3) judges elected to the executive committee shall be elected as
 4 associate presiding judges. Each judge who is a member of the
 5 executive committee has an equal vote in all matters pertaining to the
 6 business of the court when an action requires a majority vote. Any
 7 action taken by the executive committee may be overruled by a vote of
 8 two-thirds (2/3) of all the judges sitting at the time the vote is taken.
 9 The physical reassignment of a judge to a different courtroom requires
 10 a unanimous vote of the executive committee. The executive committee
 11 shall assign cases, offices, and courtrooms for trial judges or
 12 reassignment of newly filed cases in the interests of the speedy,
 13 economical, and uniform disposition of cases. All matters of trial dates,
 14 continuances, and subpoenas used for trial shall be determined by the
 15 trial judge in accordance with rules of the superior court. The executive
 16 committee shall perform such other duties as determined by rules of the
 17 court.

18 (c) The court shall, by rules of the court, divide the work of the court
 19 into various divisions, including but not limited to the following:

- 20 (1) Civil.
- 21 (2) Criminal.
- 22 (3) Probate.
- 23 (4) Juvenile.

24 (d) The work of each division shall be allocated by the rules of the
 25 court.

26 (e) The judges shall be assigned to various divisions or rooms as
 27 provided by rules of the court. Whenever possible, an incumbent judge
 28 shall be allowed the option of remaining in a particular room or
 29 division. Whenever any action of the court is required, the judges of the
 30 court shall act in concert, by a vote under section 6 of this chapter. The
 31 court shall keep appropriate records of rules, orders, and assignments
 32 of the court.

33 SECTION 171. IC 33-5.1-2-21 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 21. The judge of the
 35 Marion circuit court, at the judge's discretion, may sit as a judge of the
 36 court, with the court's permission, in all matters pending before the
 37 court, without limitation and without any further order, in the same
 38 manner as a judge of the court with all the rights and powers of ~~an~~
 39 ~~elected~~ a judge of the court.

40 SECTION 172. IC 33-5.1-2-27 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 27. (a) In addition to
 42 the magistrate appointed under section 26 of this chapter, the judges of

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1 the superior court may, by a vote of a majority of the judges, appoint
2 four (4) full-time magistrates under IC 33-4-7.

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

5 ~~(c)~~ **(b)** The magistrates continue in office until removed by the vote
6 of a majority of the judges of the court.

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

14 SECTION 173. IC 33-10.5-4-2 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) The number of
16 county court judges required by IC 33-10.5-1 shall be ~~elected under~~
17 ~~IC 3-10-2-11~~ by the voters of each county or by the voters of two (2)
18 counties if a judge is required to serve two (2) counties. The term of
19 office of a county court judge is six (6) years, beginning on January 1
20 after election and continuing until a successor is elected and qualified:
21 **selected under IC 33-4.2.**

22 (b) In any county for which IC 33-10.5-1 provides more than one (1)
23 judge of the county court, the county election board shall assign a
24 number to each division of the court. ~~After that, any candidate for judge~~
25 ~~of the county court must file a declaration of candidacy under IC 3-8-2~~
26 ~~or petition of nomination under IC 3-8-6 for one (1) specified division~~
27 ~~of the court.~~ Each division of the court shall be listed separately on the
28 election ballot in the form prescribed by ~~IC 3-10-1-19~~ and IC 3-11-2.

29 SECTION 174. THE FOLLOWING ARE REPEALED
30 [EFFECTIVE JULY 1, 2003]: IC 33-5-5.1-29.1; IC 33-5-5.1-29.3;
31 IC 33-5-5.1-31.1; IC 33-5-5.1-32.1; IC 33-5-5.1-33.1; IC 33-5-5.1-34.1;
32 IC 33-5-5.1-35.1; IC 33-5-5.1-36.1; IC 33-5-5.1-37.1; IC 33-5-5.1-38.1;
33 IC 33-5-5.1-39.1; IC 33-5-5.1-40.1; IC 33-5-5.1-41.1; IC 33-5-5.1-42.1;
34 IC 33-5-5.1-43.1; IC 33-5-29.5-28; IC 33-5-29.5-29; IC 33-5-29.5-30;
35 IC 33-5-29.5-31; IC 33-5-29.5-32; IC 33-5-29.5-33; IC 33-5-29.5-34;
36 IC 33-5-29.5-35; IC 33-5-29.5-36; IC 33-5-29.5-37; IC 33-5-29.5-38;
37 IC 33-5-29.5-39; IC 33-5-29.5-40; IC 33-5-29.5-41; IC 33-5-29.5-42;
38 IC 33-5-29.5-42.5; IC 33-5-29.5-43; IC 33-5-40-29; IC 33-5-40-33;
39 IC 33-5-40-34; IC 33-5-40-35; IC 33-5-40-36; IC 33-5-40-37;
40 IC 33-5-40-38; IC 33-5-40-39; IC 33-5-40-40; IC 33-5-40-41;
41 IC 33-5-40-42; IC 33-5-40-43; IC 33-5-40-44; IC 33-5-40-45;
42 IC 33-5-40-46; IC 33-5-40-47; IC 33-5-43.2; IC 33-5-45.5-11;



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1 IC 33-5-45.5-12.
 2 SECTION 175. [EFFECTIVE JULY 1, 2003] (a) **Notwithstanding**
 3 **any other law, IC 33-4.2, as added by this act, applies to vacancies**
 4 **occurring in a superior court or county court after December 31,**
 5 **2003.**
 6 (b) **A person who is:**
 7 (1) **a judge of a superior or county court on June 30, 2003; or**
 8 (2) **appointed as a judge to serve the unexpired term of a**
 9 **person who is the judge of a superior or county court on June**
 10 **30, 2003;**
 11 **shall be treated as if the judge had been appointed by the governor**
 12 **under IC 33-4.2, as added by this act. The judge may continue after**
 13 **June 30, 2003, to serve the unexpired part of the person's term of**
 14 **office. A judge described in this subsection may serve a successive**
 15 **term if retained in office in an election held under IC 33-4.2-9, as**
 16 **added by this act.**

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