

IC 33-30-3 Version b

Chapter 3. Judges

Note: This version of chapter effective until 1-1-2012. See also preceding repeal of this article, effective 1-1-2012.

IC 33-30-3-1

Repealed

(Repealed by P.L.161-2011, SEC.19; P.L.201-2011, SEC.113.)

IC 33-30-3-2 Version b

General qualifications

Note: This version of section effective until 1-1-2012. See also preceding repeal of this article, effective 1-1-2012.

Sec. 2. To be eligible to serve as a county court judge, a person must:

- (1) meet the qualifications prescribed by IC 3-8-1-18; and
- (2) be a resident of the county that the county court judge serves.

As added by P.L.98-2004, SEC.9.

IC 33-30-3-3 Version b

Election

Note: This version of section effective until 1-1-2012. See also preceding repeal of this article, effective 1-1-2012.

Sec. 3. (a) The number of county court judges required by IC 33-30-2 shall be elected under IC 3-10-2-11 by the voters of each county or by the voters of two (2) counties if a judge is required to serve two (2) counties. The term of office of a county court judge is six (6) years, beginning on January 1 after election and continuing until a successor is elected and qualified.

(b) In any county for which IC 33-30-2 provides more than one (1) judge of the county court, the county election board shall assign a number to each division of the court. After the assignment, any candidate for judge of the county court must file a declaration of candidacy under IC 3-8-2 or petition of nomination under IC 3-8-6 for one (1) specified division of the court. Each division of the court shall be listed separately on the election ballot in the form prescribed by IC 3-10-1-19 and IC 3-11.

As added by P.L.98-2004, SEC.9. Amended by P.L.58-2005, SEC.32.

IC 33-30-3-4 Version b

Judicial duties; practice of law

Note: This version of section effective until 1-1-2012. See also preceding repeal of this article, effective 1-1-2012.

Sec. 4. A judge of a county court:

- (1) shall devote full time to the judge's judicial duties; and
- (2) may not engage in the practice of law.

As added by P.L.98-2004, SEC.9.

IC 33-30-3-5 Version b

Judge's schedule

Note: This version of section effective until 1-1-2012. See also preceding repeal of this article, effective 1-1-2012.

Sec. 5. If a county court judge serves two (2) counties that coincide with the boundaries of a joint judicial circuit, the county court judge shall coordinate the judge's schedule with that of the circuit court judge to ensure, as far as practicable, the location of a full-time judge in each county.

As added by P.L.98-2004, SEC.9.

IC 33-30-3-6 Version b**Judicial conference of Indiana membership**

Note: This version of section effective until 1-1-2012. See also preceding repeal of this article, effective 1-1-2012.

Sec. 6. The judges of a county court shall be members of the judicial conference of Indiana established by IC 33-38-9-3.

As added by P.L.98-2004, SEC.9.

IC 33-30-3-7 Version b**Judges' retirement fund participation**

Note: This version of section effective until 1-1-2012. See also preceding repeal of this article, effective 1-1-2012.

Sec. 7. Each judge of a county court shall be a participant in the judges' retirement fund under IC 33-38.

As added by P.L.98-2004, SEC.9.

IC 33-30-3-8 Version b**Disqualification of judge**

Note: This version of section effective until 1-1-2012. See also preceding repeal of this article, effective 1-1-2012.

Sec. 8. A judge is disqualified from acting as a judicial officer, without loss of salary, while there is pending:

- (1) an indictment or information charging the judge in any court in the United States with a crime punishable as a felony under the laws of the state or the United States; or
- (2) a recommendation to the supreme court by the commission on judicial qualifications for the judge's removal or retirement.

As added by P.L.98-2004, SEC.9.

IC 33-30-3-9 Version b**Commission on judicial qualifications**

Note: This version of section effective until 1-1-2012. See also preceding repeal of this article, effective 1-1-2012.

Sec. 9. (a) The commission on judicial qualifications shall serve as the commission on judicial qualifications for judges of the county court.

(b) The procedures and practices provided by IC 33-38-13 for the organization and operation of the commission on judicial qualifications shall govern the practice and procedure in all proceedings brought under this section.

As added by P.L.98-2004, SEC.9.

IC 33-30-3-10 Version b

Suspension of judge

Note: This version of section effective until 1-1-2012. See also preceding repeal of this article, effective 1-1-2012.

Sec. 10. (a) On recommendation of the commission on judicial qualifications or on a supreme court motion, the supreme court may suspend a judge from office without salary when, in any court in the United States, the judge:

- (1) pleads guilty to;
- (2) pleads no contest to; or
- (3) is found guilty of;

a crime punishable as a felony under the laws of a state or the United States or any crime that involves moral turpitude under the law.

(b) If the judge's conviction is reversed, the suspension terminates, and the judge shall be paid the judge's salary for the period of suspension.

(c) If the judge is suspended and the judge's conviction becomes final, the supreme court shall remove the judge from office.

As added by P.L.98-2004, SEC.9.

IC 33-30-3-11 Version b

Retirement; censure; removal

Note: This version of section effective until 1-1-2012. See also preceding repeal of this article, effective 1-1-2012.

Sec. 11. (a) On recommendation of the commission on judicial qualifications, the supreme court may:

- (1) retire a judge for a disability that seriously interferes with the performance of the judge's duties and is or is likely to become permanent; and
- (2) censure or remove a judge for action occurring not more than six (6) years before the commencement of the judge's current term when the action constitutes:
 - (A) willful misconduct in office;
 - (B) willful and persistent failure to perform the judge's duties;
 - (C) habitual intemperance; or
 - (D) conduct prejudicial to the administration of justice that brings that judicial office into disrepute.

(b) Upon receipt by the supreme court of a recommendation, the supreme court shall hold a hearing and make a required determination. The judge is entitled to be present at the hearing.

(c) A judge retired by the supreme court is considered to have retired voluntarily.

(d) A judge removed by the supreme court is ineligible for judicial office and, pending further order of the court, is suspended from practicing law in Indiana. A judge removed forfeits the judge's interest in the judges' retirement system or to an annuity under that law, except for the right of return of contributions made by the judge,

plus accrued interest.
As added by P.L.98-2004, SEC.9.

IC 33-30-3-12

Repealed

(Repealed by P.L.234-2007, SEC.220.)