

IC 33-33-33

Chapter 33. Henry County

IC 33-33-33-1

Judicial circuit

Sec. 1. Henry County constitutes the fifty-third judicial circuit.
As added by P.L.98-2004, SEC.12.

IC 33-33-33-2 Version a

Establishment of standard superior courts

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

Sec. 2. (a) There are established two (2) superior courts of record to be known as Henry superior court No. 1 and Henry superior court No. 2.

(b) Except as otherwise provided in this chapter, each Henry superior court is a standard superior court as described in IC 33-29-1.

(c) Henry county comprises the judicial district of each court.

As added by P.L.98-2004, SEC.12.

IC 33-33-33-2 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

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

IC 33-33-33-3 Version a

Judge; location of court sessions

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

Sec. 3. Each Henry superior court has one (1) judge who shall hold sessions in:

(1) the Henry County courthouse in New Castle; or

(2) other places in the county as the Henry County executive may provide.

As added by P.L.98-2004, SEC.12.

IC 33-33-33-3 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

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

IC 33-33-33-4 Version a

Change of venue

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

Sec. 4. (a) Change of venue from the judge of a Henry superior court or from the county may be had under the same terms, conditions, and procedure applicable to changes of venue from the

judge or the county in circuit courts.

(b) If a case is received by the clerk of the Henry circuit court on change of venue from another county, the case shall be docketed in the Henry circuit court unless otherwise provided in the order or entry made in the cause in the county from which the change of venue was taken, in which case it shall be docketed as provided in the entry or order.

(c) The Henry circuit court may issue a general order transferring cases venued to the Henry circuit court from other counties to Henry superior court No. 1 or Henry superior court No. 2. A general order issued under this subsection may be amended by the circuit court.
As added by P.L.98-2004, SEC.12.

IC 33-33-33-4 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

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

IC 33-33-33-5 Version a

Sitting of judges

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

Sec. 5. The judge of a Henry superior court may, with the consent of the judge of the other Henry superior court, sit as a judge of the other court in any manner as if elected as the judge of the other court.
As added by P.L.98-2004, SEC.12.

IC 33-33-33-5 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

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

IC 33-33-33-6 Version a

Jurisdiction

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

Sec. 6. The Henry superior courts have the same jurisdiction as the Henry circuit court.
As added by P.L.98-2004, SEC.12.

IC 33-33-33-6 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

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

IC 33-33-33-7 Version a

Small claims and misdemeanor division

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

Sec. 7. Henry superior court No. 2 has a standard small claims and misdemeanor division.

As added by P.L.98-2004, SEC.12.

IC 33-33-33-7 Version b

Repealed

(Repealed by P.L.201-2011, SEC.115.)

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

IC 33-33-33-8

Judges; jurisdiction; dockets

Sec. 8. (a) The Henry circuit court is a court of general jurisdiction with three (3) judges. The divisions of the court shall be known as Henry circuit court No. 1, No. 2, and No. 3. Henry County constitutes the judicial district of the court and of each of the court's divisions. The court shall maintain the following:

(1) A small claims and misdemeanor division under IC 33-28-3 that has:

(A) a small claims docket; and

(B) a minor offenses and violations docket.

(2) A criminal docket.

(3) A juvenile docket.

(4) A civil docket.

(5) A probate docket.

(b) The assignment of judges of the circuit court to the dockets specified in subsection (a) must be by rule of the circuit court. However, Henry circuit court No. 3 shall have a standard small claims and misdemeanor docket.

As added by P.L.201-2011, SEC.51.

IC 33-33-33-9

Presiding judge

Sec. 9. The judges of the Henry circuit court shall select from among themselves a presiding judge of the circuit court.

As added by P.L.201-2011, SEC.52.

IC 33-33-33-10

Concerted action by judges; majority rules

Sec. 10. When any action of the entire Henry circuit court is required, the judges of the circuit court shall act in concert. If the judges disagree, the decision of the majority of the judges present and voting controls.

As added by P.L.201-2011, SEC.53.

IC 33-33-33-11

Presiding judge; duties

Sec. 11. In accordance with rules adopted by the judges of the

Henry circuit court under section 12 of this chapter, the presiding judge shall do the following:

- (1) Ensure that the circuit court operates efficiently and judicially.
- (2) Annually submit to the fiscal body of Henry County a budget for the court, including amounts necessary for the following:
 - (A) The operation of the judicial circuit's probation department.
 - (B) The defense of indigents.
- (3) Make the appointments or selections required of a circuit or superior court judge.

As added by P.L.201-2011, SEC.54.

IC 33-33-33-12

Rules

Sec. 12. (a) The judges of the Henry circuit court shall adopt rules to provide for the administration of the circuit court, including rules governing the following:

- (1) Allocation of case load.
- (2) Legal representation for indigents.
- (3) Budgetary matters of the circuit court.
- (4) Operation of the probation department.
- (5) Term of administration of the presiding judge.
- (6) Employment and management of circuit court personnel.
- (7) Cooperative efforts with other courts for establishing and administering shared programs and facilities.

(b) The circuit court shall file with the division of state court administration a copy of the rules adopted under this section.

As added by P.L.201-2011, SEC.55.

IC 33-33-33-13

Personnel

Sec. 13. (a) Each judge of the Henry circuit court may, subject to the budget approved for the court by the fiscal body of Henry County, employ personnel necessary for the proper administration of the judge's docket.

(b) Personnel employed under this section:

- (1) include court reporters, bailiffs, clerical staff, and any additional officers necessary for the proper administration of the circuit court; and
- (2) are subject to the rules concerning employment and management of circuit court personnel adopted by the circuit court under section 12 of this chapter.

As added by P.L.201-2011, SEC.56.