

## **IC 33-33-84**

### Chapter 84. Vigo County

## **IC 33-33-84-1**

### **Application**

Sec. 1. IC 33-29-1 does not apply to this chapter.  
*As added by P.L.98-2004, SEC.12.*

## **IC 33-33-84-2**

### **Judicial circuit**

Sec. 2. Vigo County constitutes the forty-third judicial circuit.  
*As added by P.L.98-2004, SEC.12.*

## **IC 33-33-84-3**

### **Establishment of superior court; judges**

Sec. 3. There is established a court of record to be known as the Vigo superior court. The superior court has five (5) judges who shall hold their office for six (6) years and until their successors have been elected and qualified.  
*As added by P.L.98-2004, SEC.12. Amended by P.L.246-2005, SEC.223.*

## **IC 33-33-84-4**

### **Seal**

Sec. 4. The superior court shall have a seal consisting of a circular disk containing the words "Vigo Superior Court of Indiana", and a design as the court may determine, an impression of which shall be spread of record upon the order book of the court.  
*As added by P.L.98-2004, SEC.12.*

## **IC 33-33-84-5 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. 5. The superior court has the same jurisdiction as the Vigo circuit court.  
*As added by P.L.98-2004, SEC.12.*

## **IC 33-33-84-5 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### **Repealed**

*(Repealed by P.L.201-2011, SEC.115.)*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 33-33-84-6**

### **Court of record; force and effect of judgments and orders**

Sec. 6. The judgments, decrees, orders, and proceedings of the superior court have the same force and effect and shall be enforced in the same manner as those of the circuit court.  
*As added by P.L.98-2004, SEC.12.*

### **IC 33-33-84-7**

#### **Power and authority of judges**

Sec. 7. The judges of the superior court may make and adopt rules and regulations for conducting the business of the court and have all the powers incident to a court of record in relation to the attendance of witnesses, the punishment of contempts, and the enforcement of its orders. The judges may administer oaths, solemnize marriages, take and certify acknowledgment of deeds, and give all records and proceedings in the court.

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

### **IC 33-33-84-8**

#### **Additional powers of superior court**

Sec. 8. The judges of the superior court have the same powers to grant restraining orders and injunctions; to issue writs of habeas corpus; to appoint receivers, masters, and commissioners to convey real property; to grant commissions for the examination of witnesses; to appoint other officers necessary to facilitate and transact the business of the court as conferred on circuit courts or the circuit court judges; and to appoint such officers necessary to facilitate the business of the court.

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

### **IC 33-33-84-9**

#### **Personnel**

Sec. 9. (a) The superior court may appoint commissioners, probate commissioners, referees, juvenile referees, bailiffs, court reporters, probation officers, and other personnel, including an administrative officer, as the court believes are necessary to facilitate and transact the business of the court. The salaries of the personnel shall be fixed and paid as provided by law. However, if the salaries of any of the personnel are not provided by law, the amount and time of payment of the salaries shall be fixed by the court, to be paid out of the county treasury by the county auditor upon the order of the court, and be entered on record. The officers and persons appointed shall perform the duties as are prescribed by the court. Any such commissioners, probate commissioners, referees, juvenile referees, probation officers, and other personnel appointed by the court serve at the pleasure of the court.

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

together with the commissioner's findings and conclusions, under the final jurisdiction and decision of the judges of the court.

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

(d) A probate commissioner and juvenile referee may summon witnesses to testify before the commissioner and juvenile referee, administer oaths, and take acknowledgments in connection with and in furtherance of their duties and powers.

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

### **IC 33-33-84-10**

#### **Location of court sessions**

Sec. 10. (a) The Vigo superior court shall hold its sessions in the Vigo County courthouse or its replacement in Terre Haute.

(b) The board of county commissioners of Vigo County shall:

(1) provide and maintain in the courthouse suitable and convenient courtrooms for the holding of the court, suitable and convenient jury rooms, offices for the judges, secretaries, and official court reporters, and other facilities as may be necessary; and

(2) provide all the necessary furniture and equipment for the rooms and offices of the court.

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

### **IC 33-33-84-11**

#### **Books, papers, and records**

Sec. 11. The clerk, under the direction of the superior court, shall provide:

- (1) order books;
- (2) judgment dockets;
- (3) execution dockets;
- (4) fee books; and
- (5) other books, papers, and records;

as may be necessary for the court. All books, papers, and proceedings of the court shall be kept distinct and separate from those of other records.

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

### **IC 33-33-84-12**

#### **Order book**

Sec. 12. The superior court shall maintain order books as the court may determine necessary for the entire court, which may be signed on behalf of the court by any of the sitting judges of the court. The signature constitutes authentication of the actions of each of the

judges in the court.  
*As added by P.L.98-2004, SEC.12.*

**IC 33-33-84-13**

**Court reporter, bailiff, and secretary**

Sec. 13. Each judge of the superior court shall appoint a court reporter, a bailiff, and a secretary for the court whose salaries shall be fixed by the court and paid as provided by law, and who serve at the pleasure of the judge making the appointment.  
*As added by P.L.98-2004, SEC.12.*

**IC 33-33-84-14**

**Appointment of additional personnel**

Sec. 14. The superior court may appoint additional officers and personnel as may be necessary for the proper administration of the duties of the court, whose salaries shall be fixed by the court and who serve at the pleasure of the court.  
*As added by P.L.98-2004, SEC.12.*

**IC 33-33-84-15**

**Probation officers**

Sec. 15. The superior court shall appoint probation officers who shall perform the same duties and receive the same compensation as is provided by law.  
*As added by P.L.98-2004, SEC.12.*

**IC 33-33-84-16**

**Repealed**

*(Repealed by P.L.118-2007, SEC.38.)*

**IC 33-33-84-17**

**Process of court**

Sec. 17. The process of the superior court must have the seal affixed and be attested, directed, served, returned, and in the form as is provided for process issuing from the circuit court.  
*As added by P.L.98-2004, SEC.12.*

**IC 33-33-84-18**

**Presiding judge**

Sec. 18. The superior court, by rules adopted by the court, may designate one (1) of the judges as presiding judge and fix the time the presiding judge presides. The presiding judge is responsible for the operation and conduct of the court and seeing that the court operates efficiently and judicially.  
*As added by P.L.98-2004, SEC.12.*

**IC 33-33-84-19**

**En banc; disagreements**

Sec. 19. The judges of the superior court may sit en banc and act in concert. The judge of the circuit court may also sit en banc with

the judges of the superior court. If there is a disagreement while sitting en banc, the decision of the majority of the judges controls. However, in the absence of a majority, the decision of the presiding judge controls.

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

#### **IC 33-33-84-20**

##### **Authority of judge to sit in either court**

Sec. 20. The judge of the Vigo circuit court may sit as a judge of the superior court, with the court's permission, in all matters pending before the superior court, without limitation and without any further order, in the same manner as if the judge were an elected judge of the superior court.

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

#### **IC 33-33-84-21 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. 21. Vigo superior court has a standard small claims and misdemeanor division.

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

#### **IC 33-33-84-21 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.*