

# In the Indiana Supreme Court

In the Matter of the Approval of Local Rules  
for Martin County

Supreme Court Case No.  
23S-MS-81



## Order Approving Amended Local Rules

The Judges of the Martin Circuit Court request the approval of amended local rules for special judge assignments in accordance with Trial Procedure Rule 79, and for criminal special judge assignments in accordance with Criminal Procedure Rule 13. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Martin Circuit Court, this Court finds that the proposed rule amendments at LR51-TR79-1 comply with Trial Procedure Rule 79, and the amendments at LR51-CR2.2-1 comply with Criminal Procedure Rule 13, and, accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules, LR51-TR79-1 and LR51-CR2.2-1, for the Martin Circuit Court, set forth as attachments to this Order, are approved effective April 3, 2023.

Done at Indianapolis, Indiana, on 3/30/2023.

A handwritten signature in black ink, appearing to read "Loretta H. Rush", written over a horizontal line.

Loretta H. Rush  
Chief Justice of Indiana

**(a) APPOINTMENT OF SENIOR JUDGE IN CERTAIN CASES**

In any case where the Judge of the Martin Circuit Court enters an order of recusal or disqualification based upon a conflict of interest arising from any case she was involved in as a private attorney prior to assuming the bench on January 1, 2023, the case shall be assigned to a senior judge assigned to the Court eligible and willing to serve as a special judge for all further proceedings. The Clerk, upon recusal by the Circuit Court Judge, shall enter an order transferring the case to the eligible Senior Judge with an appropriate entry in the record of Judgments and Orders and notify the Senior Judge. A party may file an objection within seven (7) days of appointment under this section, and if so, a special judge may be selected under the provisions of Trial Rule 79 (D).

A Senior Judge appointed without objection under this section shall accept jurisdiction under the provisions of this rule unless disqualified under the code of Judicial Conduct or excused from service by the Indiana Supreme Court. The reassignment of such case shall be entered in the Chronological Case Summary of the case. An oath or special order accepting jurisdiction shall not be required. After accepting jurisdiction, the Senior Judge shall retain jurisdiction for all future proceedings unless a specific statute or rule provides to the contrary, or the Senior Judge is unavailable by reason of death, sickness, absence, or unwillingness to serve. If further reassignment is required, it shall be in the manner described in section (b).

In all cases where Arianna D. Wright, or any associate or partner in a firm where she practices law, enters an appearance, the Daviess Circuit Court shall automatically qualify and serve as special judge therein unless disqualified under the Code of Judicial Conduct. In the event the Special Judge selected in this paragraph disqualifies for any reason, a successor Judge shall be chosen as set forth in paragraph (b) below.

**(b) APPOINTMENT OF SPECIAL JUDGE UNDER TRIAL RULE 79(H)**

In the event that a special judge does not accept a case under sections (D) of Trial Rule 79 of the Indiana Rules of Procedure, or the presiding judge is disqualified or recuses in cases other than those described in section (a), or the Senior Judge appointed above is unavailable to serve, the Clerk of the Court shall assign the case to the next available judge from the following list of potential special judges:

The regular and presiding Judge of the Daviess Circuit Court  
The regular and presiding Judge of the Daviess Superior Court  
The regular and presiding Judge of the Dubois Circuit Court  
The regular and presiding Judge of the Dubois Superior Court  
The regular and presiding Judge of the Knox Circuit Court  
The regular and presiding Judge of the Knox Superior Court No. 1  
The regular and presiding Judge of the Knox Superior Court No. 2  
The magistrate of Knox Circuit and Superior Courts  
The regular and presiding Judge of the Pike Circuit Court

The regular and presiding Judge of the Perry Circuit Court  
The magistrate of Perry Circuit Court  
The regular and presiding Judge of the Spencer Circuit Court

**LR51-CR2.2-1            ASSIGNMENT OF CASES**

a.        The Martin Circuit Court shall have exclusive jurisdiction over all criminal cases filed in Martin County.

b.        Pursuant to Criminal 13(C) of the Indiana Rules of Criminal Procedure, the Court now names the following alternate assignment list for use in the event that a change of judge is granted in a pending felony or misdemeanor case:

The regular and presiding Judge of the Daviess Circuit Court  
The regular and presiding Judge of the Daviess Superior Court  
The regular and presiding Judge of the Dubois Circuit Court  
The regular and presiding Judge of the Dubois Superior Court  
The regular and presiding Judge of the Knox Circuit Court  
The regular and presiding Judge of the Knox Superior Court No. 1  
The regular and presiding Judge of the Knox Superior Court No. 2  
The magistrate of the Knox Circuit and Superior Courts  
The regular and presiding Judge of the Pike Circuit Court  
The regular and presiding Judge of the Perry Circuit Court  
The magistrate of the Perry Circuit Court  
The regular and presiding Judge of the Spencer Circuit Court  
The regular and presiding Judge of the Lawrence Circuit Court  
The regular and presiding Judge of the Lawrence Superior Court No. 1  
The regular and presiding Judge of the Lawrence Superior Court No. 2  
The regular and presiding Judge of the Orange Circuit Court  
The regular and presiding Judge of the Orange Superior Court  
The regular and presiding Judge of the Greene Circuit Court  
The regular and presiding Judge of the Greene Superior Court  
The magistrate of the Greene Circuit and Superior Courts

c.        Each court listed above is located in a county contiguous to Martin County as contemplated by Criminal Rule 13(C) of the Indiana Rules of Criminal Procedure.