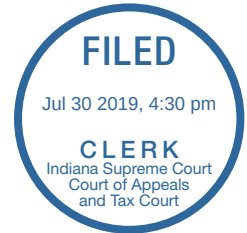


In the
Indiana Supreme Court

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

Supreme Court Case No.
19S-MS-435



ORDER APPROVING AMENDED LOCAL RULES

The judges of the Wabash Circuit and Superior Courts request the approval of amended local rules appointment of special judges in accordance with Indiana Trial Rule 79 and Indiana Criminal Rule 13. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Wabash Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR 85-TR 79-10 and LR 85-CR2.2-2 comply with the requirements of Indiana Trial Rule 79 and Indiana Criminal Rule 13, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Wabash Circuit and Superior Court Local Rules, LR 85-TR 79-10 and LR 85-CR2.2-2, set forth as an attachment to this Order, are approved effective the date of this Order.

Done at Indianapolis, Indiana, on ^{7/30/2019}_____.

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

Loretta H. Rush
Chief Justice of Indiana

LR 85-TR 79-10 Selection of a Special Judge Pursuant to Trial Rule 79(H)

Pursuant to TR 79(D) - Within seven (7) days of the notation on the Chronological Case Summary (CCS) of an Order granting a change of judge or an order of disqualification, the parties may agree to the appointment of an eligible special judge. An eligible special judge is a judge, a full-time judicial officer, or a senior judge assigned to the Court. The agreement of the parties must be in writing and filed in the Court where the case is pending.

If the selection of a special judge is not agreed upon, then the remaining full-time judge in the County shall be named as special judge.

If that judge cannot serve, then the Clerk shall appoint a special judge, on a rotating basis, from the remaining full-time judges within the district as follows:

Adams Circuit Court; Adams Superior Court; Huntington Circuit Court; Huntington Superior Court; Wells Circuit Court; and Wells Superior Court.

The Clerk shall also maintain a list for appointment of full-time judges who have agreed to serve as special judge from the following contiguous counties: Grant, Miami, Fulton, Kosciusko, and Whitley; and a list of senior judges who have agreed to serve as special judges.

If that judge cannot serve, then the Clerk shall continue the appointment process until a special judge is selected.

If no judge is eligible to serve as special judge, or if the particular circumstances of the case warrants the selection of a special judge by the Indiana Supreme Court, then the Court shall certify that fact to the Indiana Supreme Court.

LR 85-CR2.2-2 Selection of Special Judges

In any criminal cause in which a special judge must be appointed, the Clerk of the Court shall select the Special Judge in accordance with the following procedures:

If the Special Judge is required to be appointed on a case in the Wabash Circuit or Superior Court, then the remaining full-time judge in the County shall be named as Special Judge.

If that judge cannot serve, then the Clerk shall appoint a Special Judge from the following contiguous counties: Fulton, Grant, Huntington, Kosciusko, Miami, and Whitley; the Adams Circuit and Superior Courts; the Wells Circuit and Superior Courts; and, a list of senior judges who have agreed to serve as special judges.