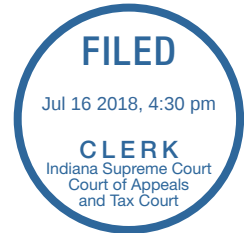


In the
Indiana Supreme Court

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

Supreme Court Case No.
18S-MS-371



ORDER APPROVING AMENDED LOCAL RULES

The judge of the Vermillion Circuit Court requests the approval of amended local rules for appointment of special judges in accordance with Indiana Trial Rule 79 and Indiana Criminal Rule 2.2. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Vermillion Circuit Court, this Court finds that the proposed rule amendments, LR 83-TR 79(H)-1 and LR 83-CR 2.2-1 comply with the requirements of Indiana Trial Rule 79 and Indiana Criminal Rule 2.2-1, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Vermillion Circuit Court Local Rules, LR 83-TR 79(H)-1 and LR 83-CR 2.2-1, set forth as an attachment to this Order, are approved effective the date of this Order.

Done at Indianapolis, Indiana, on 7/16/2018.

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 83-TR 79(H)-1 Appointment of Special Judges, Pursuant to TR 79(H)

A. In the event it becomes necessary to appoint a special judge in a civil proceeding under Trial Rule 79 (H) in the Vermillion Circuit Court due to a conflict arising from the sitting judge's previous service as the Chief Deputy Prosecuting Attorney in Vermillion County, or because her husband, Joel Wesch, is involved in the case, the Clerk shall reassign the case to Senior Judge Robert M. Hall. If in these cases he is unable to serve, and in all other cases, the case shall be reassigned as set forth below.

B. Pursuant to Trial Rule 79(H), after consulting with the other Judges within the 11th Administrative District established in Administrative Rule 3(A); having considered the effective use of all judicial resources within such Administrative District; and having considered the accessibility of those Judges who are eligible for appointment as a Special Judge pursuant to Trial Rule 79(J); the following Judges shall comprise the list for such appointments, and shall be selected on a rotating basis:

Judge of the Fountain Circuit Court
Judge of the Montgomery Circuit Court
Judge of the Montgomery Superior Court 1
Judge of Montgomery Superior Court 2
Judge of Parke Circuit Court, and
Judge of Warren Circuit Court

C. In the event that no Judge is eligible to serve as a Special Judge or the particular circumstances of the case warrant selection of a Special Judge by the Indiana Supreme Court, such case shall be certified to the Indiana Supreme Court for the appointment of a Special Judge.

D. After a Special Judge is selected, the caption of all pleadings filed thereafter shall designate "Special Judge _____" immediately below the cause number.

E. A copy of each pleading or each paper filed with the Court after a Special Judge has been appointed shall be mailed or delivered to the office of that Special Judge by the counsel or litigant with service indicated on the certificate of service.

(Amended effective July 1, 2011; further amended July __, 2018)

LR 83-CR 2.2-1 Assignment and reassignment of felony and misdemeanor cases

Pursuant to CR2.2 and 13(C), and in the event it becomes necessary to assign a Judge in the Vermillion Circuit Court on a Felony or Misdemeanor case, due to a conflict arising from the sitting judge's previous service as the Chief Deputy Prosecuting Attorney in Vermillion County, or because her husband, Joel Wesch, is involved in the case, the Clerk shall reassign the case to Senior Judge Robert M. Hall. If in these cases he is unable to serve, and in all other cases, the case shall be assigned as follows:

Judge of the Fountain Circuit Court,
Judge of the Parke Circuit Court,
Judge of the Warren Circuit Court,
Judge of Vigo Superior Court 1
Judge of Vigo Superior Court 2
Judge of Vigo Circuit Court/Superior Court 3
Judge of Vigo Superior Court 4
Judge of Vigo Superior Court 5, and
Judge of Vigo Superior Court 6

or any Senior Judge approved to serve in the Vermillion Circuit Court. In the event no Judge is available for assignment or reassignment of a Felony or Misdemeanor case, such case shall be sent to the Indiana Supreme Court for the appointment of a Special Judge. In the event the Judge presiding in a Felony or Misdemeanor case concludes that the unique circumstances presented in such proceeding require the appointment by the Indiana Supreme Court of a Special Judge, the Presiding Judge may request the Indiana Supreme Court for such appointment.

(Amended effective July __, 2018)