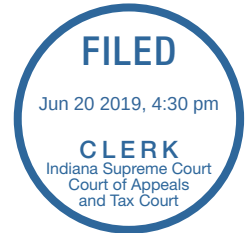


In the
Indiana Supreme Court



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

Supreme Court Case No.
19S-MS-374

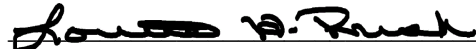
Order Approving Amended Local Rule

The judges of the Clay Circuit and Superior Courts request the approval of an amended local rule for special judge selection in accordance with Indiana Criminal Rule 13. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Clay Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR11-CR2.2-2, complies with the requirements of Indiana Criminal Rule 13, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Clay Circuit and Superior Court Local Rule, LR11-CR2.2-2, set forth as an attachment to this Order, is approved effective the date of this Order.

DONE at Indianapolis, Indiana, on 6/20/2019.


Loretta H. Rush
Chief Justice of Indiana

LR11-CR2.2-2 CRIMINAL CASE ASSIGNMENT/CR 2.2, CR 12, AND CR 13

- (A) All criminal cases shall be assigned and allocated in the Clay Circuit and Superior courts in accordance with LR11-AR01-2.
- (B) A judge of the Circuit or Superior courts, by appropriate order entered in the record of judgments and orders, may transfer and reassign a case to any other court of record in the county with jurisdiction to hear the charged offense subject to acceptance by the receiving court.
- (C) When the State of Indiana dismisses a case and chooses to re-file that case, the case shall be assigned to the court from which the dismissal was taken.
- (D) In the event additional charges are filed against a criminal defendant subsequent to the assignment of the case, all such additional charges shall be assigned to the court of initial assignment.
- (E) Once a criminal case is assigned, if it must be reassigned due to a conflict arising from the sitting judge's previous service as the Prosecuting Attorney in Clay County, the Clerk shall reassign the case to Senior Judge James B. Akers. If in these cases he is unable to serve, and in all other cases, it may be re-assigned under Criminal Rule 13 equally and randomly as follows:
 - (a) Any judge or magistrate of the Vigo circuit and superior courts;
 - (b) Any judge of the Putnam circuit and superior courts;
 - (c) The judge of the Owen Circuit Court;
 - (d) The judge of the Parke Circuit Court;
 - (e) Any judge of the Greene superior and circuit courts;
 - (f) Any judge or magistrate of the Sullivan circuit and superior courts
- (F) In the event the judge presiding in a felony or misdemeanor case concludes that special circumstances presented in such proceeding require appointment by the Indiana Supreme Court of a Special Judge, the presiding judge may request the Indiana Supreme Court make such appointment.