JUDICIAL OFFICERS: AUTHORITY & RESPONSIBILITY

JUDGE PRO TEMPORE

Trial Rule 63

CONTACT:
Tom Carusillo
tom.carusillo@courts.IN.gov
Direct: 317-233-2779
30 S. Meridian St., Suite 500
Indianapolis, IN 46204
Main: 317-232-2542
Fax: 317-233-6586

Effective January 1, 2007, the Supreme Court rewrote this rule under which the Court appoints a Judge Pro Tempore. When a judge is or will be unable to perform the duties of the office because of disability or other basis, such as military service, the judge must submit a verified petition and supporting proof to the Supreme Court seeking the appointment of a judge pro tempore. The Court will then act upon the judge's petition.

In addition to a judge voluntarily seeking the appointment of a judge pro tempore, any individual can submit a verified petition to the Court alleging a judge is unable to perform the duties of the office due to disability or has failed, refused or neglected to perform the duties of the office. In this scenario the Court will issue an order to the judge, accompanied by the petition, requiring the judge to show cause why a judge pro tempore should not be appointed.

If the Court appoints a judge pro tempore, in order to resume the duties of the office, the regular judge must submit a verified petition and supporting proof to the Court requesting the judge's return to the office. If the regular judge is deceased or been removed from the office, the newly appointed judge should submit a verified petition requesting the termination of the judge pro tempore.

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