

## **INDIANA JUDICIAL DISTRICT 2 DISTRICT GOVERNANCE PLAN**

**WHEREAS**, the Indiana Supreme Court has divided the State of Indiana into twenty-six (26) administrative Judicial Districts;

**WHEREAS**, Judicial District 2 (hereafter “District 2”) consists of Porter, Newton, Jasper and Benton Counties;

**WHEREAS**, District 2 is entitled to one (1) Representative on the Board of Directors of the Judicial Conference of Indiana;

**WHEREAS**, the Board of Directors of the Judicial Conference of Indiana has established a structure for the governance, management and administration of the judicial districts;

**WHEREAS**, all Judges of District 2 have agreed on the following as their District Governance Plan.

### **IT IS THEREFORE MUTUALLY AGREED BETWEEN THE JUDGES OF INDIANA JUDICIAL DISTRICT 2 AS FOLLOWS:**

#### **1. Special Judge Plans:**

Our District has reviewed the Trial Rule 79 plans in each county and has determined that each plan is current and allows for the efficient operation of special judge assignments in the District. Our District will use judges within the District or, as allowed by Trial Rule 79(H), drawn from counties that are contiguous to the county seeking a special judge.

#### **2. Criminal Rule 2.2 Plans:**

Our District has reviewed the current Criminal Rule 2.2 Plans for the counties in our District. We have determined that the counties in our District currently follow the provisions of Criminal Rule 2.2, 12, and 13.

#### **3. Leadership:**

Our District shall have an Administrative Committee that shall have the administrative powers prescribed by the District. The membership of the committee shall consist of one judge from each county within the District.

#### **4. Selection Process for the Leadership:**

A. Each county shall elect their representative to the Administrative Committee pursuant to the following procedure:

1. A year during which the term of a member of the Administrative Committee is set to expire shall be known as an election year for that member’s county. The year during which this Plan is enacted shall be an election year for all counties in the District.

2. The election of Administrative Committee members from each county shall be conducted by the Election Administrator. The District Representative to the Board of Directors of the Judicial Conference of Indiana shall be the Election Administrator.
3. If the District Representative's term of membership is set to expire, the Administrative Committee shall name, by majority vote, someone other than the District Representative to be the Election Administrator for that county's election year. The initial Election Administrator shall be the current District Representative, Jeryl F. Leach of the Newton Circuit Court.
4. The judge in a county having only one judge shall be the county's member of the Administrative Committee;
5. On or before March 7 of an election year for each county, the person conducting the election process shall notify all Judges in the county that the term of their current member on the Administrative Committee is expiring and that any Judge in the county may submit their name for consideration as the next member.
6. On or before March 15 of an election year, any Judge wishing to be considered for the Administrative Committee position shall provide written notification of the same to the current Election Administrator.
7. On or before March 22 of an election year, the Election Administrator shall submit a written ballot to all Judges of the county, which ballot shall list the names of all Judges who timely submitted a request to be considered for the vacant position.
8. On or before March 29 of an election year, any Judge wishing to participate in the selection process shall return their completed written ballot to the Election Administrator;
9.
  - a) The Election Administrator shall promptly thereafter tabulate the votes from all timely submitted ballots and determine which Judge received the most votes.
  - b) In the event of a tie between two (2) or more Judges, the Election Administrator shall submit a new ballot to all Judges in the County. The new ballot shall be sent on or before April 5 and shall contain only the names of the Judges who tied with the most votes on the original ballot. The new ballot shall be completed and returned to the Election Administrator on or before April 12 of the election year.
  - c) If the second election ballot results in a tie between two (2) or more Judges, the Election Administrator shall name as the County's member of Administrative Committee the Judge who tied for the most votes on the second ballot and who is the furthest removed from a prior term on the Administrative Committee when compared to the other Judges who tied with the most votes on the second ballot.
  - d) If this process does not break the tie, the Election Administrator shall name as the County's representative one of the Judges who tied with the most votes on the second ballot.
10. On or before April 15 of an election year, the Election Administrator shall submit the name of the new county representative(s) to all judges in District 2 and to the Executive Director of the Judicial Conference of Indiana.
11. The initial terms for members of the Administrative Committee shall be as follows: Benton County and Jasper County - 3 year terms; Newton County and Porter County - 2

year terms. After each initial term, a properly elected member of the Administrative Committee shall serve for a period of 2 (two) years;

12. In the event a member of the Administrative Committee does not complete a full term of service, the Election Administrator shall conduct a special election to fill the vacancy. The special election shall follow the same procedures as a regular election and the Election Administrator shall establish a timeline for the special election that is similar to the timeline for a regular election. The Judge elected to fill the vacancy shall serve for the remainder of the term vacated by the previous Judge.

B. The Administrative Committee shall select one judge from the committee membership to be the District Representative to the Board of Directors of the Judicial Conference of Indiana. The District Representative shall be selected pursuant to a procedure established by the Administrative Committee. The District Representative shall serve in that capacity for a period of two years. The Committee shall send notice of the new District Representative to the Executive Director of the Judicial Conference of Indiana

#### **5. Number of Meetings Per Year:**

The judges in the District shall meet one time per year for a District meeting. The Administrative Committee shall schedule the annual meeting and notify all judges of the date, time, and location of the meeting. The annual meeting shall be rotated amongst the member counties according to alphabetical order. A majority of the judges in the District will constitute a quorum to conduct business. Proxy votes at the District meeting can be cast as long as the Administrative Committee receives a written notice by mail, facsimile, or email prior to the start of the meeting designating the judge's proxy or the proxy provides an executed proxy instrument prior to or at the commencement of the meeting. Meetings will be conducted in person, electronically, or via conference call as determined by the needs of the District.

The Administrative Committee for the District shall meet at least one time per year and that meeting shall be prior to the annual District meeting. The Committee shall meet at all other times as necessary to conduct the business of the District.

#### **6. District Activities:**

- A. Within the District, the counties of Jasper, Newton and Benton currently participate in a shared CASA program.
- B. The District will continue to investigate opportunities to share judicial resources going forward.

#### **7. Local Rules:**

On or about August 1, 2012, our District created a District Rule regarding Selection of our District Representative. That Rule is revoked upon the adoption of this District Governance Plan by a majority of the Judges in District 2.

**8. Duration:**

This District Governance Plan shall remain in effect until modified or repealed in the same manner as this Plan was created, or until the District is terminated through Order of the Supreme Court of Indiana.

ALL OF WHICH IS AGREED TO BY THE JUDGES OF ADMINISTRATIVE DISTRICT 2 OF THE BOARD OF DIRECTORS OF THE JUDICIAL CONFERENCE OF INDIANA ON MARCH 7, 2013, AS INDICATED BY THEIR SIGNATURES BELOW.

X \_\_\_\_\_  
Rex W. Kepner  
Benton Circuit Court Judge

X \_\_\_\_\_  
John D. Potter  
Jasper Circuit Court Judge

X \_\_\_\_\_  
James R. Ahler  
Jasper Superior Court Judge

X \_\_\_\_\_  
Jeryl F. Leach  
Newton Circuit Court Judge

X \_\_\_\_\_  
Daniel J. Molter  
Newton Superior Court Judge

X \_\_\_\_\_  
Mary R. Harper  
Porter Circuit Court Judge

X \_\_\_\_\_  
Roger V. Bradford  
Porter Superior Court #1 Judge

X \_\_\_\_\_  
William E. Alexa  
Porter Superior Court #2 Judge

X \_\_\_\_\_  
Julia M. Jent  
Porter Superior Court #3 Judge

X \_\_\_\_\_  
David L. Chidester  
Porter Superior Court #4 Judge

X \_\_\_\_\_  
Jeffrey L. Thode  
Porter Superior Court #6 Judge