

JUDICIAL DISTRICT 17 ADMINISTRATIVE RULES & PLAN

DR17-AR03-00001 COORDINATION OF WITH COUNTY LOCAL RULES.

- A. Purpose. The purpose of these rules is to coordinate motions practice in cases which may involve judicial officers from throughout the Administrative District.
- B. Scope. These rules shall govern the processes described therein and shall supersede any local rules inconsistent therewith.

DR17-TR79-00002 APPOINTMENT OF A SPECIAL JUDGE IN CIVIL CASES.

- A. Eligibility for Special Judge Service.
 - 1. Agreement to Serve. Pursuant to Trial Rule 79(H), the full-time Judicial Officers of Administrative District 17 shall be deemed in agreement to serve as a Special Judge only for those case type(s) which compose that Judicial Officer's typical caseload, as determined by the Local County Caseload Allocation Plan.
 - 2. Prior Service Excluded. The appointment as Special Judge shall apply unless the appointed Judicial Officer has previously served as Judge or Special Judge in the case, is disqualified by interest or relationship, or is excused from service as a Special Judge by the Indiana Supreme Court.
- B. Appointment of a Special Judge. In the event of the need for the regular, sitting Judicial Officer to recuse herself / himself from a normally assigned case, or should the appointment of a Special Judge through agreement by the Parties fail, Special Judge appointment shall be made by the Johnson County Court Administrator.
 - 1. Priority Given to Local County Appointments. Special Judge appointments shall be made within the Local County, on a rotating basis, so long as a Judicial Officer within the County who has jurisdiction for the type of case remains eligible for Special Judge service. Following the appointment of the Special Judge, the Special Judge may request that the case be transferred to the court of the Special Judge.
 - 2. District (Outside County) Appointments. In the event that no Local Judicial Officer is available, a Special Judge shall be appointed, on a rotating basis, from the available Judicial Officers within the Administrative District who have jurisdiction for the type of case.
- C. Acceptance of Appointment.
 - 1. Acceptance Mandatory. Pursuant to Trial Rule 79(H), a person appointed to serve as Special Judge under these rules must accept jurisdiction in the case, unless the appointed Special Judge is disqualified pursuant to the Code of Judicial Conduct, ineligible for service under these rules, or excused from service by the Indiana Supreme Court.
 - 2. Documentation. An oath or additional evidence of acceptance of jurisdiction is not required.
- D. Supreme Court Certification. In the event that no Judicial Officer in the Administrative District is eligible to serve as a Special Judge, or the regular, sitting Judicial Officer in the court in which the case is pending sets out particular circumstances why appointment under the these rules should not be made, then the regular, sitting Judicial Officer shall

- certify the same to the Indiana Supreme Court for appointment of a Special Judge.
- E. Discontinuation of Special Judge Service. The provisions of T.R. 79(I) apply if a Special Judge ceases to serve following assumption of jurisdiction.
 - F. Method for Assignment and Related Records. The Administrative District Executive Committee shall approve:
 - 1. The methodology by which the rotation of Judicial Officers for selection as Special Judge is made; and,
 - 2. The maintenance of any records related thereto.

DR17-CR12-00003 APPOINTMENT OF A SPECIAL JUDGE IN CRIMINAL CASES.

Each county within the Administrative District shall amend its local rules, pursuant to Criminal Rule 2.2 and 13, to allow for appointment of Special Judges utilizing the following elements.

- A. Eligibility for Special Judge Service.
 - 1. Available to Serve. Pursuant to Criminal Rule 13(C), the Judicial Officers of Administrative District 17 shall be deemed in agreement to serve as a Special Judge only for those case type(s) which compose that judicial officer's typical caseload, as determined by the local Caseload Allocation Plan.
 - 2. Prior Service Excluded. The appointment as Special Judge shall apply unless the appointed Judicial Officer has previously served as Judge or Special Judge in the case, is disqualified by interest or relationship, or is excused from service as a Special Judge by the Indiana Supreme Court.
- B. Appointment within the Administrative District. In order to improve the coordination within the Administrative District, and pursuant to Criminal Rule 13(C), appointments of a Special Judge in criminal cases shall be made among the Judicial Officers of the Administrative District.
- C. Appointment of a Special Judge. In the event of the need for the regular, sitting Judicial Officer to recuse herself / himself from a normally assigned case, Special Judge appointment shall be made by the Johnson County Court Administrator.
 - 1. Priority Given to Local County Appointments. Pursuant to Criminal Rule 2.2, appointments of a Special Judge shall be made in the same manner as set forth within the Local Rules of the Local County, so long as a Judicial Officer with criminal jurisdiction remains available within the Local County for appointment. Following the appointment of the Special Judge, the Special Judge may request that the case be transferred to the court of the Special Judge.
 - 2. District (Outside County) Appointments. In the event that no Local Judicial Officer is available, a Special Judge shall be appointed, on a rotating basis, from the available Judicial Officers within the Administrative District.
- D. Acceptance of Appointment.
 - 1. Acceptance Mandatory. Pursuant to Criminal Rule 13(C), a person appointed to serve as Special Judge under these rules must accept jurisdiction in the case, unless the appointed Special Judge is disqualified pursuant to the Code of Judicial Conduct, ineligible for service under these rules, or excused from service by the Indiana Supreme Court.
 - 2. Documentation. An oath or additional evidence of acceptance of jurisdiction is not required.

- E. Supreme Court Certification. In the event that no Judicial Officer in the Administrative District is eligible to serve as a Special Judge, or the regular, sitting Judicial Officer in the court in which the case is pending sets out particular circumstances why appointment under the these rules should not be made, then the regular, sitting Judicial Officer shall certify the same to the Indiana Supreme Court for appointment of a Special Judge.
- F. Discontinuation of Special Judge Service. The provisions of C.R. 13(F) if a Special Judge ceases to serve following assumption of jurisdiction.
- G. Method for Assignment and Related Records. The Administrative District Executive Committee shall approve:
 - 1. The methodology by which the rotation of Judicial Officers for selection as Special Judge is made; and,
 - 2. The maintenance of any records related thereto.

DR17-AR15-00004 TRANSCRIPT RATE.

Each county within the Administrative District shall amend its local rules, pursuant to Administrative Rule 15 to provide for a consistent rate of \$5.00 per each page of a transcript prepared.

DR17-AR03-00005 ADMINISTRATIVE DISTRICT WORK.

- A. History of Administrative District Work.
 - 1. Administrative District 17 was created by modification to Administrative Rule 3, effective January 1, 2011.
 - 2. Prior to the creation of Administrative District 17, there was little recent history of Hancock, Johnson, and Shelby Counties working together as an Administrative District.
 - 3. The services and programs operating in each County of the Administrative District vary greatly, due, at least in part, to the disparity in population among the counties.
- B. Future of Administrative District Work.
 - 1. The Judiciary of each County in the Administrative District is interested in the benefits of district-level coordination and potential benefits derived therefrom.
 - 2. The local rules of each County are being reviewed to determine where local procedures could be made more efficient and productive.
 - 3. The local rules of each County will be amended, pursuant to direction from the Indiana Judicial Conference, in order to improve coordination, across county lines, with the Administrative District.

DR17-AR03-00006 ADMINISTRATIVE DISTRICT LEADERSHIP.

- A. Executive Committee. The Administrative District Executive Committee shall serve as the governing authority of the Administrative District.
- B. Selection of Executive Committee.
 - 1. Local County Representatives. Each County shall select a Judicial Officer to represent that County on the Administrative District Executive Committee.
 - 2. Term of Service.

- a. Each County Representative shall serve on the Executive Committee for a term of three (3) years and for a maximum of no more than two (2) complete terms, without a break in service.
 - b. Each County Representative's term of service shall begin on January 1 and shall continue until her / his successor has been selected.
3. Initial Term of Service. In order to ensure that terms of service on the Executive Committee are staggered, the initial terms of service are hereby established as follows:
- a. Hancock County. The Hancock County Representative shall serve an initial term of one (1) year, which initial term shall terminate on or about December 31, 2013. At the discretion of the Executive Committee, the term of service for the Hancock County Representative need not include the initial term of service.
 - b. Johnson County. The Johnson County Representative shall serve an initial term of two (2) years, which initial term shall terminate on or about December 31, 2014. At the discretion of the Executive Committee, the term of service for the Johnson County Representative need not include the initial term of service.
 - c. Shelby County. The Shelby County Representative shall serve an initial term of three (3) years, which initial term shall terminate on or about December 31, 2015.
- C. Chair of the Executive Committee.
- 1. No later than February 1 of each year, the Members of the Executive Committee shall select one (1) of their number to serve as the Chair.
 - 2. The Chair shall serve a term of one (1) year, which may be renewed.
 - 3. Chair of the Executive Committee shall schedule and preside over the meetings of the Executive Committee.
 - 4. The Chair of the Executive Committee shall serve as the Representative to the Indiana Judicial Conference Board of Directors. This provision shall initially take effect at the conclusion of the Annual Meeting of the Indiana Judicial Conference / Board of Directors meeting on or about September 20, 2013 and shall continue thereafter in compliance with I.C. 33-38-9-4.
- D. Meetings of the Executive Committee.
- 1. The Executive Committee shall meet at least two (2) times each year.
 - 2. The meetings shall occur no later than April 30 and October 30 of each year.
 - 3. Attendance at meetings via electronic or telephonic means is acceptable.

DR17-AR03-00007 EFFECTIVE DATE.

Subject to the approval of the Indiana Supreme Court, these Administrative District Rules become effective January 1, 2013.

Approved December 2012; Amended 4/16/2013; Approved by the Indiana Supreme Court, 5/13/2013; Effective, May 1, 2013.