

**STATE OF INDIANA – COUNTY OF RUSH
IN THE RUSH CIRCUIT AND RUSH SUPERIOR COURTS**

Notice of Proposed New Rule or Amendment(s) to Local Court Rule(s)

June 1, 2015

In accordance with Trial Rule 81 of the Indiana Court Rules, the Rush Circuit and Rush Superior Courts hereby give notice to the bar and the public that the Courts propose to amend the Local Rule(s) on Special Judge Selection and Special Judge Selection in Civil Cases Pursuant to TR79C for the courts of record of Rush County, effective January 1, 2016. All new text is shown by underlining and deleted text is shown by ~~strikethrough~~. [Supreme Court approval is required for Local Rules concerning Special Judge Selection and Special Judge Selection in Civil Cases Pursuant to TR79C and may not take effect until approved by the Supreme Court.]

The time period for the bar and the public to comment shall begin on June 1, 2015, and shall close on June 30, 2015. The proposed amendments to the rule will be adopted, modified or rejected before July 31, 2015, and, if required, the final version of the rule will be submitted to the Indiana Supreme Court for review and approval not later than August 1, 2015.

Comments by the bar and the public should be made in writing and mailed, or emailed, to:

Honorable David E. Northam, Judge of the Rush Circuit Court, Attn: Public Comment on Local Rules, Rush County Courthouse, 101 East 2nd Street, Rushville, Indiana; or
circuitcourt@rushcounty.in.gov;

Honorable Brian D. Hill, Judge of the Rush Superior Court, Attn: Public Comment on Local Rules, Rush County Courthouse, 101 East 2nd Street, Rushville, Indiana; or
superiorcourt@rushcounty.in.gov.

A paper copy of the proposed amended local rule(s) will be made available for viewing in the office of the Clerk of Rush County, 101 E 2nd Street, Rushville, Indiana during normal business hours. Person with Internet access may view the proposed amended local rule for Case/Load Allocation Plan at the following websites:

<http://www.rush.org/clerk> or <http://www.courts.IN.gov/rules/local>



DAVID E. NORTHAM, Judge
Rush Circuit Court



BRIAN D. HILL, Judge
Rush Superior Court

LR70 – TR 79-2 Special Judge Selection

In the event a special judge selected pursuant to Trial Rule 79(D), ~~(E)~~ ~~or~~ ~~(F)~~ does not accept the case, a special judge shall be designated by the Clerk of the Rush Superior and Rush Circuit Courts in sequence from the following list of judges, to-wit:

1. ~~Judge, Union Circuit Court~~ Judge, Decatur Circuit Court
2. ~~Judge, Fayette Superior Court~~ Judge, Franklin Circuit Court I
3. ~~Judge, Fayette Circuit Court~~ Judge, Henry Circuit Court I
4. ~~Judge, Wayne Superior Court No. 1~~ Judge, Fayette Circuit Court
5. ~~Judge, Wayne Superior Court No. 2~~ Judge, Union Circuit Court
6. Judge, Wayne Circuit Court
7. Judge, Rush Circuit Court
8. Judge, Decatur Superior Court
9. Judge, Franklin Circuit Court II
10. Judge, Shelby Superior Court I
11. Judge, Henry Circuit Court II
12. Judge, Fayette Superior Court
13. Judge, Wayne Superior Court No. I
14. Judge, Rush Superior Court
15. Judge, Henry Circuit Court III
16. Judge, Wayne Superior Court No. II
17. Judge, Wayne Superior Court No. III

LR70 - TR 79-3 Special Judge Selection in Civil Cases Pursuant to TR 79C

In the event that the Judge of the Rush Circuit or Superior Court recuses himself in a case, a special judge shall be selected by agreement of the parties in accordance with TR 79(D) and ~~(E)~~. In the event the parties do not reach an agreement or the agreed upon judge does not accept the case under Section (D), the case shall be reassigned first to the other sitting judge within the county. If the other sitting judge within the county declines to accept the appointment of special judge, a special judge shall be selected randomly from a list of eligible judges from within the administrative district that shall be maintained by the clerk of the courts.