In the
Indiana Supreme Court

IN THE MATTER OF	)	
	)	
THE APPOINTMENT OF	)	
	)	
GARY L. MILLER	)	
	)	Cause No. 06S00-1005-MS-270
AS SENIOR JUDGE IN THE	)	
BOONE CIRCUIT COURT	)	
	)	

ORDER APPOINTING SENIOR JUDGE

The Judge of the Boone Circuit Court, the Honorable Steve David, has requested the appointment of Senior Judge Gary L. Miller for service in 2010, pursuant to Ind. Code §33-23-3-1.

This Court adopted revisions to Administrative Rule 5 on December 3, 2003, which made certain changes to the senior judge program in recognition of the importance of senior judges to the administration of justice in Indiana trial courts. Accordingly, we find that Judge David has demonstrated the need for additional judicial resources. Senior Judge Gary L. Miller has been certified as a senior judge by the Judicial Nominating Commission pursuant to Ind. Code §33-27-4-1. This Court may re-examine the appointment made herein at a later date in light of other circumstances, and make adjustments accordingly.

IT IS, THEREFORE, ORDERED that Senior Judge Gary L. Miller is appointed to serve in the Boone Circuit Court at the discretion of the Judge of the court. This appointment shall remain in effect until **December 31, 2010**. Pursuant to Ind. Code §33-23-3-5, the senior judge

appointed by this Court in this Order may not be compensated as senior judge for more than one hundred (100) days in the aggregate during the 2010 calendar year.

All appointments are contingent upon senior judge day limits established by this Court through separate Orders, and **it shall be incumbent upon the presiding judge of the court to ensure that his court complies with the Orders setting senior judge day limits.** Pursuant to Admin. R. 5(B)(4) a senior judge shall have the same jurisdiction as the presiding judge of the court where the senior judge is appointed, but only during the days that the senior judge is serving in such court. Additionally, Admin. R. 5(B)(4) provides that a senior judge who has been appointed to serve in a court shall have the same jurisdiction as the regular judge of the court where he is serving to officiate at marriages at any time during the appointment. A senior judge may retain jurisdiction in an individual case beyond the day of service if the order of the presiding judge of the court in which the case is pending so orders.

The Clerk of this Court is directed to forward a certified copy of this order to the Honorable Steve David, Boone Circuit Court, 310 Courthouse Square, Lebanon, IN 46052-2159; the Honorable Gary L. Miller; to the clerk of the Clerk of the Boone Circuit Court; the Indiana Judicial Center; to the Judicial Qualifications Commission; and to the Division of State Court Administration, Payroll Section. The Clerk is also directed to post this Order to the Court's website.

The clerk of the Boone Circuit Court is directed: 1) to distribute a copy of this order to the presiding judge of the court, 2) to enter this Order in the Record of Judgments and Orders of the court, and 3) to post this Order for public inspection.

DONE at Indianapolis, Indiana this 18th day of May, 2010.

RT Shepard

Randall T. Shepard
Chief Justice of Indiana