

**STATE OF INDIANA – COUNTY OF MONROE
IN THE MONROE CIRCUIT COURTS**

**Notice of Proposed New Rule or Amendment(s) to
Local Court Rule(s) June 1, 2024**

In accordance with Trial Rule 81 of the Indiana Court Rules, the Monroe Circuit Courts hereby give notice to the bar and the public that the Courts propose to amend the Local Rule(s) on LR53-AR00-0123 LONGEVITY FORMULA FOR COURT STAFF, LR53-AR0132 TRANSCRIPTS, LR53-CR00-0300 GENERAL RULES, LR53-CR00-0304 PRETRIAL CONFERENCES, LR53-AR00-0112 SPECIAL JUDGES IN CRIMINAL CASES, AND striking, LR53-CR00-0301 DISCLOSURE BY THE PROSECUTING ATTORNEY, LR53-CR00-0302 DISCLOSURE BY THE DEFENDANT, LR53-CR00-0303 GENERAL RULES, PERTAINING TO DISCOVERY, LR53-CR00-0305 TRIAL SCHEDULE, LR53-CR00-0306 CHANGE OF PLEA DATES / CONTINUANCE, LR53-CR00-0307 APPEARANCE OF DEFENSE COUNSEL, AND LR53-CR00-0316 WAIVER OF INITIAL HEARING for the courts of record of Monroe County, effective January 1, 2025.

All new text is shown by **underlining** and deleted text is shown by ~~strikethrough~~. Supreme Court approval is required for Local Rules concerning LR53-AR00-0132 TRANSCRIPTS and LR53-AR00-0112 SPECIAL JUDGES IN CRIMINAL CASES and will not take effect until approved by the Supreme Court. (*if necessary*)

Notice has been given to the public by posting on the website of the Monroe County Clerk and at the Indiana Judiciary webpage for Local Rules (www.in.gov/courts/local/monroe-county/), and by furnishing a copy to the officers of the Monroe County Bar Association. A paper copy of the proposed amended local rule(s) will be made available for viewing in the office of the Clerk of Monroe County, 301 N College Ave., Bloomington, IN 47404 during normal business hours.

The time period for the bar and the public to comment shall begin on June 6, 2024, and shall close on July 6, 2024. The proposed amendments to the rule will be adopted, modified, or rejected before July 31, 2024, 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, 2024.

Comments by the bar and the public should be made in writing to:

Lisa Abraham, Court Administrator, of the Monroe County Circuit Court, Attn: Public Comment on Local Rules, 301 N. College Ave., Bloomington, IN 47404 or labraham@co.monroe.in.us.

DATED this 29th day of April, 2024 on behalf of the Judges of Monroe County.

/S/

Mary Ellen Diekhoff, Presiding Judge
Monroe Circuit Court

LR53-AR00-0123 LONGEVITY FORMULA FOR COURT STAFF

Updated 1/1/2025

The effective date for longevity is the date an individual began full-time employment with the County **prior to November 1, 2023**. People cannot go back and claim days that would be affected by interrupted service. All records must be verified by the Auditor's Office. Longevity pay is based on the following schedule of complete and uninterrupted years of service:

| Years of Service | Amount Paid |
|------------------|-------------|
| Less than 1 year | \$0.00 |
| 1 year | \$200.00 |
| 2-4 years | \$400.00 |
| 5-9 years | \$600.00 |
| 10-14 years | \$800.00 |
| 15-19 years | \$1,200.00 |
| 20-24 years | \$1,400.00 |
| 25-29 years | \$1,700.00 |
| 30-34 years | \$2,000.00 |
| 35-39 years | \$2,300.00 |
| 40-44 years | \$2,600.00 |
| 45-49 years | \$2,900.00 |

Any employee who has an official hire date and begun work on or after November 1, 2023, is ineligible to receive longevity payments, in accordance with the Monroe County Salary Ordinance.

LR53-AR00-0132 TRANSCRIPTS

Updated 1/1/2025

A. Definitions. The following definitions shall apply under this local rule:

1. A ***Court Reporter*** is a person who is specifically designated by a court to perform the official court reporting services for the court including preparing a transcript of the record in a given case before the court.
2. ***Equipment*** means all physical items owned by the court or other governmental entity used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording, storing, and transcribing electronic data.
3. ***Work space*** means that portion of the court's facilities dedicated to each court reporter, including but not limited to, actual space in the courtroom and any designated office space.
4. ***Page*** means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure Indiana Appellate Rule 28(A).
5. ***Recording*** means the electronic, mechanical, stenographic, or other recording made as required by Indiana Rule of Trial Procedure 74.

6. **Regular hours worked** means those hours which a division of the court is regularly scheduled to work during any given work week. Depending on the schedule of the court and its flex schedule for court reporters, these hours may vary from division to division of the court, within the county but remain the same for each work week.
7. **Gap hours worked** means those hours worked that are in excess of the regular hours worked but hours not in excess of 40 hours per work week.
8. **Overtime hours** means those hours worked in excess of 40 hours per work week.
9. **Work week** means a 7 consecutive day week defined by the County's payroll schedule which consistently begins and ends on the same day throughout the year, i.e., Sunday through Saturday, Wednesday through Tuesday, or Friday through Thursday.
10. **Court** means the Monroe Circuit Court and Division means the particular division of the Court for which the court reporter performs services. Court may also mean all of the divisions of the Monroe Circuit Court.
11. **County indigent transcript** means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.
12. **State indigent transcript** means a transcript that is paid for from state funds and is for the use on behalf of a litigant who is declared indigent by a court.
13. **Private transcript** means a transcript, including but not limited to, a deposition transcript that is paid for by a private party. A transcript required within 7 days of the request is a category 1 expedited private transcript. A transcript required within 14 days of the request is a category 2 expedited private transcript. A transcript required within 23 days of the request is a category 3 expedited private transcript.
14. **Volume** applies to Appellate Court transcripts. Each volume is to be limited to 250 pages or fifty megabytes (50 MB). The table of contents is to be a separate volume and the exhibits are to be included in a separate volume (or volumes if more than 250 pages).

B. Section Two. Salaries and Per Page Fees.

1. Court Reporters shall be paid an annual salary for time spent working under the control, direction, and direct supervision of their supervising Judge during any regular work hours, gap hours or overtime hours. The Monroe Circuit Court shall enter into a written agreement with the court reporters which outlines the manner in which the court reporter is to be compensated for gap and overtime hours, i.e., monetary compensation or compensatory time off regular work hours.
2. The maximum per page fee a court reporter may charge for the preparation of a routine county indigent transcript shall be ~~\$5.50~~. **\$6.00** The court reporter shall submit a claim

directly to the county for the preparation of any county indigent transcripts. The court reporter shall not charge a fee for copies of an indigent transcript when the preparation of same has already been paid by the county. The court reporter shall not charge for copies of a prepared indigent transcript requested by a Court appointed entity (i.e., CASA, GAL) when the preparation of same has already been paid by the county.

3. The maximum per page fee a court reporter may charge for the preparation of a non-appellate state indigent transcript shall be ~~\$5.50~~ **\$6.00**

4. The maximum per page fee a court reporter may charge for the preparation of a non-appellate private transcript shall be ~~\$6.00~~ **\$6.50** The per page fee a court reporter may charge for a copy of a prepared transcript shall be ~~\$3.00~~ **\$3.50** The maximum per page fee a court reporter may charge for the preparation of a category 1 expedited private transcript shall be ~~\$9.50~~ **\$10.00** The maximum per page fee a court reporter may charge for the preparation of a category 2 expedited private transcript shall be ~~\$8.50~~ **\$9.00**. The maximum per page fee a court reporter may charge for the preparation of a category 3 expedited private transcript shall be ~~\$7.50~~ **\$8.00**. Category 1, category 2, and category 3 expedited private transcripts are defined in Section 1, definition #13.

5. The Court Reporter may at their discretion, contract with an outside Court Reporter or Transcription Service to complete any requested transcript.

6. Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of county indigent, state indigent, or private transcripts to the Indiana Office of Court Services. The reporting shall be made on forms prescribed by the Indiana Office of Court Services.

C. Section Three. Private Practice.

1. If a court reporter elects to engage in private practice by recording a deposition and/or preparing a deposition transcript, outside of and in addition to his or her official duties for the court, and the court reporter desires to utilize the court's equipment, work space and supplies, and the court agrees to the use of the court equipment for such purpose, the court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:
 - a. The reasonable market rate for the use of equipment, workspace, and supplies.
 - b. The method by which records are to be kept for the use of equipment, workspace, and supplies; and
 - c. The method by which the court reporter is to reimburse the court for the use of the equipment, workspace, and supplies.

2. If a court reporter elects to engage in private practice though the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.

D. Section Four. Appellate Court Transcripts.

1. The maximum per page a court reporter may charge for the preparation of an appellate indigent transcript is ~~\$6.00~~ \$6.50.
2. The maximum per page fee a court reporter may charge for the preparation of an appellate private transcript shall be ~~\$6.50~~ \$7.00.
3. A minimum fee of \$40.00 per transcript may be charged for small transcripts but not in addition to the per page fee.
4. The Index and Table of Contents shall be charged at the same per page rate as the body of the transcript.
5. Labor charge may be assessed at the same rate as the Official Court Reporter's hourly salary rate for assembling the digital transcript and exhibits.

In addition, a reasonable market rate for office supplies may be charged for private appellate transcripts as designated in the Schedule of Supplies.

LR53-CR00-0300 ~~STATEMENT OF PRINCIPLES~~ GENERAL RULES

Updated 1/1/2025

~~The Criminal Rules of the Monroe Circuit Court are intended:~~

- ~~A. To promote a fair and expeditious determination of the charges, whether by plea or trial.~~
- ~~B. To provide the defendant with sufficient information to make an informed plea.~~
- ~~C. To permit thorough preparation for trial and minimize surprise at trial.~~
- ~~D. To avoid unnecessary and repetitious trials by identifying any latent procedural or constitutional issues and affording remedies therefore prior to trial.~~
- ~~E. To reduce interruptions and complications of trials by identifying collateral issues and determining them prior to trial; and~~

~~F. To effect economies of time, money, and judicial and professional talents by minimizing paperwork, repetitious asserts of issues, and the number of separate hearings.~~

All Monroe County Rules of Criminal Procedure shall follow the Indiana Rules of Criminal Procedure set forth by the Supreme Court, unless listed below.

~~LR53-CR00-0301 DISCLOSURE BY THE PROSECUTING ATTORNEY~~

~~A. Scope. The prosecuting attorney shall, except as otherwise provided by these rules, disclose, and provide to the defendant the following information:~~

- ~~1. The names, addresses, and telephone numbers of all persons who may be called as witnesses in the case, together with copies of their written or recorded statements and any record of their prior criminal convictions.~~
- ~~2. Copies of any written or recorded statements and a written summary of any oral statements, related to the case, made by the defendant, or made by a co-defendant.~~
- ~~3. A copy of the grand jury minutes containing testimony of any person from whom testimony was taken in the case.~~
- ~~4. Copies of any reports or statements of expert or skilled witnesses related to the case, including results of physical or mental examinations, scientific tests, experiments, or comparisons.~~
- ~~5. The terms of any agreements made with co-defendants or other witnesses to secure their testimony, including any written documentation thereof.~~
- ~~6. Identification of any books, papers, documents, photographs, or other tangible objects which may be offered as evidence in the case, or which were obtained from or belong to the defendant.~~
- ~~7. Copies of affidavits for search warrants, search warrants, and returns made on search warrants.~~
- ~~8. Whether any relevant grand jury testimony has not been transcribed.~~
- ~~9. Whether any existing material or information subject to these rules is not then available to the prosecuting attorney for disclosure to the defendant.~~
- ~~10. Whether any material or information related to the case has been provided by an informant.~~

~~11. If there has been any electronic surveillance or wiretapping of the defendant's premises or conversations to which the defendant was a party; and~~

~~12. If requested by the defendant, any relationship of specified persons to the prosecuting attorney.~~

~~B. Exculpatory or Mitigating Information. The prosecuting attorney shall disclose to the defendant any material or information known to the prosecuting attorney which would tend to negate the guilt of the defendant as to the offense charged or which would tend to mitigate any sentence imposed in the event of a conviction.~~

~~C. Examination of Evidence. The prosecuting attorney's duties to disclose information and evidence under this rule include material and information in the possession and control of the prosecuting attorney's staff and employees, of any other persons who have participated in the investigation and evaluation of the case, of any other persons who regularly report to the prosecuting attorney, and of any other persons who have reported to the prosecuting attorney with reference to the charge filed.~~

~~LR53-CR00-0302 DISCLOSURE BY THE DEFENDANT~~

~~A. Scope. The defendant shall, subject to constitutional limitations and except as otherwise provided by these rules, disclose to the prosecuting attorney:~~

~~1. The names, addresses and telephone numbers of all persons who may be called as witnesses in the case, together with copies of their written or recorded statements.~~

~~2. Copies of any reports or statements of expert or skilled witnesses related to the case, including results of physical or mental examinations, scientific tests, experiments, or comparisons, intended to be offered as evidence in the case.~~

~~3. Identification of any books, papers, documents, photographs, or other tangible objects which may be offered as evidence in the case; and~~

~~4. Identification of any affirmative defenses upon which the defendant intends to rely in the case.~~

~~B. Examination of Evidence. The defendant shall permit inspection, copying, photographing, and testing of all evidence disclosed under these rules at reasonable times and places and under reasonable terms and conditions to insure against loss of, damage to, or alteration of the character or integrity of the evidence.~~

~~C. Additional Disclosure upon Order of Court. The Court may, subject to constitutional limitations, require a defendant or a suspect in an investigation:~~

- ~~1. To appear in a line-up.~~
- ~~2. To speak, and to speak specific words, within the hearing of witnesses to an alleged offense.~~
- ~~3. To pose for photographs not involving the reenactment of alleged events.~~
- ~~4. To provide handwriting specimens.~~
- ~~5. To be fingerprinted.~~
- ~~6. To don specified articles of clothing.~~
- ~~7. To submit to reasonable physical or medical inspections.~~
- ~~8. To submit to the taking of specimens of material from under fingernails and toenails; and~~
- ~~9. To submit to the taking of sample of blood, hair, and other bodily substances and materials.~~

~~D. Reasonable Cause and Notice. A suspect not charged with an offense shall be required to appear pursuant to Section (C) only after a determination by the Court that there is reasonable cause to require the person to appear for the specified purpose. A defendant or suspect ordered to appear for a purpose specified in Section (C) shall be given reasonable advance written notice specifying the purpose of the appearance, the place at which the person must appear, and the date, time, and length of time required for the appearance. Such notice shall be provided to the person and the person's attorney, if any, and the attorney shall have the right to the present.~~

~~LR53-CR00-0303 — GENERAL RULES PERTAINING TO DISCOVERY~~

- ~~A. Requirement of Court Order. No written motion to, or order of, the Court shall be required to obtain discovery pursuant to these rules, except:~~
- ~~1. For additional discovery or disclosure not specifically required by these rules.~~
 - ~~2. For an extension of time within which to comply with these rules, specifying the reasons for the extension.~~
 - ~~3. For a protective order; or~~

~~4. To complete compliance with these rules.~~

~~B. Time of Disclosure. The prosecuting attorney shall provide full discovery to the defendant:~~

~~1. Within 21 days after the initial hearing in a felony case, or~~

~~2. Within 15 days:~~

~~a. After an attorney's appearance for the defendant; or~~

~~b. After a pro se defendant's request in a misdemeanor case. The defendant shall provide full discovery to prosecuting attorney:~~

~~1. Within 21 days after disclosure by the prosecuting attorney in a felony case; and~~

~~2. Within 15 days after disclosure by the prosecuting attorney in a misdemeanor case.~~

~~C. Continuing Duty. The duty of disclosure pursuant to these rules continues until dismissal, acquittal, or conviction and a party shall disclose all information and material subject to these rules or other order of the Court promptly after discovery thereof, notwithstanding any prior compliance with these rules.~~

~~D. Manner of Disclosure. All disclosures required by these rules shall be made in writing or, if first discovered during hearing or trial, on the record in open court.~~

~~E. Work Product. Neither party shall be required to disclose work product.~~

~~F. Excision. Tangible items which are in part subject to these rules and in part beyond the scope of these rules shall be excised and produced to the extent required by these rules, with notice to the other party that portions thereof have been excised.~~

~~G. Protective Orders. Disclosure required by these rules may be denied or subjected to reasonable limitations if the Court, after motion by either party determines that any benefit of the disclosure is outweighed by a substantial risk to any person of physical harm, non-physical injury or damage, undue embarrassment, or other compelling factor.~~

~~H. In Camera Examination. Any tangible item or information which becomes the subject of a motion for protective order may be examined, inspected, or otherwise evaluated, by the Court in camera. Upon order of the Court granting such relief, a summary of the protected information, shall be sealed and preserved in the record of the case.~~

~~I. Impeding Investigation Prohibited. Neither party shall, directly or indirectly, advise any person to refuse to discuss the case with the other party, advise any person to refuse to~~

~~disclose any relevant information or material to the other party, or otherwise impede the other party's investigation of the case, except as may be authorized by constitutional provision, the statutes of this State, or common law privilege.~~

~~J. Sanctions. Upon failure or refusal of either party to comply with these rules or other discovery orders of the Court, the Court may impose sanctions.~~

LR53-CR00-0304 PRETRIAL CONFERENCES

Updated 01/1/2025

A. Number; Orders and Reports. One or more pretrial conferences may be required at the discretion of the Court. All attorneys of record are required to appear at and participate in all required pretrial conferences. The Court shall make or require an appropriate order or report after a required pretrial conference.

B. Presence of Defendant. The defendant is required to attend pretrial conferences unless excused by the Court.

~~C. Scope. All pretrial conferences shall address with specificity:~~

~~1. The names of all persons, including addresses and telephone numbers upon request of the opposing party, intended to be called to testify at pretrial hearings or at trial.~~

~~2. The identification of all tangible items intended to be offered as exhibits at pretrial hearings or at trial.~~

~~3. All stipulations of testimony and fact concerning matters not in material dispute which may aid in expediting pretrial hearings or the trial.~~

~~4. The identification of all motions to dismiss, motions to suppress evidence, questions of law, and procedural issues which can and should be resolved prior to trial to expedite the trial of the case.~~

~~5. The anticipated necessity of further discovery by either party and the reasonable length of time required to complete it; and~~

~~6. The tender of any proposed plea and/or sentencing agreement by the prosecuting attorney and the response of the defendant thereto.~~

~~D. Waiver of Issues. All motions to dismiss, motions to suppress evidence, question of law, and procedural issues known to the parties on the basis of the information then available and not specifically identified for pretrial resolution in the pretrial order are waived.~~

~~E. Memorandum. A separate legal memorandum may be filed with any motion to dismiss, a TR-12 motion for judgment on the pleadings, a motion for more definite statement, a motion to strike, and/or a motion to suppress. A party opposing such a motion shall file a response memorandum within 20 days of the filing of the motion or the motion shall be subject to summary ruling without further notice and without a hearing. If a motion to suppress is filed, then the party with the burden of proof shall file within 20 days a legal memorandum in response.~~

~~LR53-CR00-0305 TRIAL SCHEDULE~~

~~Except as may be required for compliance with Criminal Rule 4 of the Indiana Rules of Criminal Procedure or other just cause determined by the Court, cases will be scheduled and called for trial according to the earliest date of filing. However, all cases scheduled for trial remain on the trial docket, unless continued on order of the Court.~~

~~LR53-CR00-0306 CHANGE OF PLEA DATES / CONTINUANCE~~

~~Updated 01/02/2014~~

~~Requested change of plea hearings will only be scheduled upon submission of a signed plea and sentencing agreement with the court subject to the court's discretion.~~

~~A. Requirement of Motions. All motions for continuance shall be requested and will be granted by the Court only for good cause.~~

~~B. Conflicting Settings. All motions for continuance based on conflicting case settings shall be filed within 14 days after notice of the conflict and shall specify:~~

- ~~1. The court in which the conflicting case is pending.~~
- ~~2. The name and cause number of the case.~~
- ~~3. The nature of the conflicting hearing or trial; and~~
- ~~4. The date upon which the other court scheduled the conflicting setting.~~

~~C. Further Discovery. Continuances for the purpose of conducting further discovery may be granted for good cause shown. However, no continuances for the purpose of discovery filed more than 6 months after the initial hearing will be granted by the Court, absent~~

~~demonstration by the moving party that need for the additional discovery could not have been anticipated, or that the discovery could not have been completed by the exercise of due diligence.~~

~~D. Unavailability of Witnesses. Any motion for continuance based on the unavailability of a witness shall be filed at least 7 days before the scheduled trial date. Any such motion filed more than 6 months after the initial hearing, or any such motion to which an objection is filed, must comply with IC 35-36-7-1 or IC 35-36-7-2.~~

~~LR53-CR00-0307 — APPEARANCE OF DEFENSE COUNSEL~~

~~A. Written Appearance. An attorney must file a written appearance for the defendant at the earliest possible time after being retained by the defendant or appointed by the Court to represent the defendant.~~

~~B. Withdrawal of Appearance. An attorney's appearance on behalf of a defendant may be vacated or withdrawn only after a hearing in the presence of the defendant. The defendant's presence will not be required upon the attorney's demonstration at the hearing of the inability to locate the defendant.~~

~~C. Waiver of Hearing. The hearing required in Section (B) is waived if another attorney has entered a written appearance on behalf of the defendant.~~

~~D. Withdrawal Based on Nonpayment of Fees. An attorney's motion to vacate or withdraw his appearance on behalf of a defendant based solely upon the defendant's failure to pay the attorney's fee, will not be granted:~~

~~1. If filed more than 6 months after the initial hearing; or~~

~~2. If filed more than 30 days before a trial date scheduled within the first 6 months after the initial hearing.~~

~~E. Duration of Appearance. An attorney's appearance on behalf of a defendant is deemed to be vacated or withdrawn after the time permitted to file a Notice of Appeal for the purposes of appealing a disposition on the merits has elapsed and an appeal has not been initiated. If an appeal is initiated, the attorney remains of record for the defendant until the appeal is concluded or the appearance is otherwise vacated pursuant to this rule.~~

~~LR53-CR00-0316 — WAIVER OF INITIAL HEARING~~

~~Added 10/3/2016~~

~~Initial hearings may only be waived in cases where the defendant is represented by an attorney. The attorney shall file a written appearance and notice waiving the initial hearing. If the defendant waives the initial hearing, the defendant agrees to accept the recommendations for~~

~~pretrial supervision made by the Probation Department and written in the Order and Conditions of Pretrial Release.~~

LR53-AR00 -0112 SPECIAL JUDGES IN CRIMINAL CASES

Updated 1/1/2025

When it is necessary to appoint a special judge pursuant to ~~Criminal Rule 13~~ AR 13, it shall be done in accordance with District 20 Rule on appointment of special judge in criminal cases at **DR20-CR13-000**.

DR 20-CR13-000 APPOINTMENT OF SPECIAL JUDGE IN CRIMINAL CASES

Each county within the Administrative District shall amend its local rules, pursuant to ~~Criminal Rule 2.2 and 13~~, **AR1(E)(6) and AR 21** 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)~~ AR 21, the Judicial Officers of Administrative District 20 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 of 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)~~ AR 21, 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 Administrative District 20 Facilitator.
 1. **Priority Given to Local County Appointments.** Pursuant to ~~Criminal Rule 2.2 AR1(E)(6)~~ 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 forwarded 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)~~ AR 21, 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.