

# SENATE BILL No. 145

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 33-31-1-24; IC 33-33-45-12.

**Synopsis:** Lake and St. Joseph County magistrates. Provides that in appointing magistrates, the judge of the St. Joseph County probate court and the judge of the juvenile division of the Lake County superior court shall strive to reflect the ethnic and racial demographics of their respective counties.

**Effective:** July 1, 2023.

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## Randolph Lonnie M

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January 9, 2023, read first time and referred to Committee on Judiciary.

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First Regular Session of the 123rd General Assembly (2023)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

# SENATE BILL No. 145

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 33-31-1-24, AS AMENDED BY P.L.201-2011,  
2 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2023]: Sec. 24. (a) The judge of the St. Joseph probate court  
4 may appoint three (3) full-time magistrates under IC 33-23-5. The  
5 magistrates continue in office until removed by the judge.

6 **(b) In appointing magistrates, the judge shall strive to reflect the**  
7 **ethnic and racial demographics of the county.**

8 SECTION 2. IC 33-33-45-12 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 12. (a) The senior judge  
10 of each division may appoint the number of bailiffs, court reporters,  
11 probation officers, and other personnel as the senior judge believes is  
12 necessary to judicially and efficiently facilitate and transact the  
13 business of the division. All appointments shall be made without regard  
14 to the political affiliation of the appointees. The salaries of the court  
15 personnel shall be fixed and paid as provided by law. The officers and  
16 persons appointed shall:

17 (1) perform the duties prescribed by the senior judge of each



1           respective division; and

2           (2) serve at the pleasure of the senior judge.

3           (b) The court shall appoint an administrative officer who has the  
4 duties the court determines are necessary to ensure the efficient  
5 operation of the court. The court may appoint the number of deputy  
6 administrative officers as the court considers necessary to facilitate and  
7 transact the business of the court. Any appointment of an  
8 administrative officer or deputy administrative officer shall be made  
9 without regard to the political affiliation of the appointees. The salaries  
10 of the administrative officer and any deputy administrative officer shall  
11 be fixed by the court, to be paid out of the county treasury by the  
12 county auditor, upon the order of the court, and entered of record. Any  
13 administrative officer or deputy administrative officer appointed by the  
14 court shall:

15           (1) operate under the jurisdiction of the chief judge; and

16           (2) serve at the pleasure of the chief judge.

17           (c) The court may appoint part-time juvenile referees and  
18 magistrates as provided by IC 31-31-3.

19           (d) The court may appoint the number of probate commissioners  
20 provided for by IC 29-2-2. The probate commissioners shall be vested  
21 with the powers and duties provided by IC 29.

22           **(e) In appointing magistrates for the juvenile division, the judge**  
23 **of the juvenile division shall strive to reflect the ethnic and racial**  
24 **demographics of the county.**

