

* The proposed amendment to PCR Rule 1 would update the change of venue reference and update the transcript requirement for a challenge to a sentence imposed following a guilty plea.

Rule PC 1. Post-Conviction Relief

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Section 4. Pleadings.

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(b) Within ten ~~10~~ days of filing a petition for post-conviction relief under this rule, the petitioner may request a change of judge by filing an affidavit that the judge has a personal bias or prejudice against the petitioner. The petitioner's affidavit shall state the facts and the reasons for the belief that such bias or prejudice exists, and shall be accompanied by a certificate from the attorney of record that the attorney in good faith believes that the historical facts recited in the affidavit are true. A change of judge shall be granted if the historical facts recited in the affidavit support a rational inference of bias or prejudice. For good cause shown, the petitioner may be permitted to file the affidavit after the ten ~~10~~-day period. No change of venue from the county shall be granted. In the event a change of judge is granted under this section, the procedure set forth in Ind. Administrative Rule 21 ~~Ind. Criminal Rule 13~~ shall govern the selection of a special judge.

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(d) If the petition is challenging a sentence imposed following a plea of guilty, the court shall make a the transcript part of the record ~~the certified transcript made pursuant to Rule CR-10~~.

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