

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 6083**

**BILL NUMBER: SB 143**

**DATE PREPARED:** Feb 17, 2000

**BILL AMENDED:** Feb 16, 2000

**SUBJECT:** Delaware, Floyd and Huntington County courts.

**FISCAL ANALYST:** Susan Preble

**PHONE NUMBER:** 232-9867

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** (Amended) This bill establishes a unified court for Delaware County by combining the current Delaware circuit court and the four Delaware superior courts into a unified circuit court with five judges. It specifies that the superior court judges serving on June 30, 2000, serve as judges of the unified Delaware circuit court.

It eliminates the jurisdiction of the Floyd superior court over probate and trust matters and provides for the orderly transfer of cases to the Floyd circuit court. It also authorizes the Huntington superior court to appoint a referee and other personnel.

**Effective Date:** (Amended) Upon Passage; July 1, 2000.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** (Revised) In 1998, 205 estate and two trust filings were made in the Floyd circuit court, and one trust and 42 estate filings were made in the Floyd superior court. This bill would require the transfer of all estate and trust filings to the Floyd circuit court, which will increase the caseload of the circuit court and decrease the caseload of the superior court.

Since this bill authorizes the hiring of a referee and other court personnel, the indirect result will be that local expenditures for salaries could increase. It requires that the county pay the salaries of a referee and other personnel if appointed to serve the Huntington Superior Court. It also requires that the salaries for the additional personnel be fixed in the same way as the salaries for the bailiff and official court reporter for the Huntington Circuit Court. In 1998, the Circuit Court bailiff and court reporter were paid salaries of \$20,871 and \$25,480, respectively. Salary recommendations for county paid court personnel are proposed by the

appointing judge and must be approved by the county council.

There are a total of 18 referees statewide, which include juvenile, domestic relations and small claims referees. There are five small-claims referees whose salaries are paid in part by the state (DeKalb, Fountain, Owen, Pike, and Tipton counties). The salaries vary and range from \$8,840 for a part-time small claims referee to \$51,000 for a full-time small claims referee.

**Explanation of Local Revenues:**

**State Agencies Affected:** Division of State Court Administration

**Local Agencies Affected:** Huntington Superior Court; Clerk

**Information Sources:** Division of State Court Administration, 232-2542; 1998 Indiana Judicial Report, Vols. I, II, & III ; IC 33-5-2.5.