

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6483**

**BILL NUMBER:** HB 1263

**NOTE PREPARED:** Jan 31, 2005

**BILL AMENDED:**

**SUBJECT:** Domestic Relations Alternative Dispute Resolution.

**FIRST AUTHOR:** Rep. Pond

**FIRST SPONSOR:**

**BILL STATUS:** As Passed House

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

**IMPACT:** Local

**Summary of Legislation:** This bill specifies that the St. Joseph County probate court may participate in a domestic relations Alternative Dispute Resolution (ADR) program.

The bill also allows two or more courts in a county to use a single ADR fund. It allows a county to deposit copayments made by litigants in ADR programs into the county's ADR fund.

**Effective Date:** July 1, 2005.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** *See Explanation of Local Revenues.*

**Explanation of Local Revenues:** This bill allows a county participating in the Alternative Dispute Resolution program to establish one Alternative Dispute Resolution Fund for a superior and circuit court (and the probate court in St. Joseph County). Currently, counties are required to establish a fund for each court in the county that handles domestic relations and paternity cases. The bill allows the creation of only one fund if the county auditor and judge of each court that exercises jurisdiction over domestic relations and paternity cases agree that the creation of one fund is acceptable.

The bill also allows copayments to be deposited into the Alternative Dispute Resolution Fund. Currently, fees

are collected, however, counties vary as to where they deposit the fees.

*Background Information:* ADR was established in 2004. There are currently 15 counties participating in the program. Participating counties are required to submit an annual report to the Judicial Conference of Indiana. Initial reports are due by December 31, 2004. As a result, there is currently no data available as to copayments that have been collected to date. [Note: This fiscal note will be updated when additional information becomes available.]

**State Agencies Affected:**

**Local Agencies Affected:** Local ADR programs.

**Information Sources:** Leslie Rogers, Supreme Court, 232-2542.

**Fiscal Analyst:** Sarah Brooks, 317-232-9559.