

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

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6483

BILL NUMBER: HB 1263

NOTE PREPARED: Mar 24, 2005

BILL AMENDED:

SUBJECT: Domestic Relations Alternative Dispute Resolution.

FIRST AUTHOR: Rep. Pond

FIRST SPONSOR: Sen. Long

BILL STATUS: CR Adopted - 2nd 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: (Revised) This bill allows a county participating in the ADR 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, however, Allen County implemented a pilot ADR program in 1998 which lasted for a period of 4 years. There are currently 14 counties participating in the program. Participating counties are required to submit an annual report to the Judicial Conference of Indiana. Initial reports were due by December 31, 2004. The Judicial Conference of Indiana reports that as of November 30, 2004, ADR programs statewide had collected \$176,695. It should be noted that counties varied in the date that they initially collected fees.

State Agencies Affected:

Local Agencies Affected: Local ADR programs.

Information Sources: Leslie Rogers, Supreme Court, 232-2542; Jeff Bercovitz, Judicial Center of Indiana, 232-1313.

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