

**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 6287**

**BILL NUMBER:** SB 331

**NOTE PREPARED:** Dec 23, 2012

**BILL AMENDED:**

**SUBJECT:** Cause Numbers.

**FIRST AUTHOR:** Sen. Kruse

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

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

**IMPACT:** State & Local

**Summary of Legislation:** This bill provides that if: (1) a court converts a person's Class D felony conviction to a Class A misdemeanor; and (2) the person has no other felony convictions filed under the same cause number; the court shall enter a new cause number for the proceeding that designates it as a misdemeanor case and not as a felony case. It also makes technical corrections.

**Effective Date:** July 1, 2013.

**Explanation of State Expenditures:** The Indiana Supreme Court reports that it would incur costs in development and programming time to comply with this bill. The Judicial Technology and Automation Project is funded in part by the Judicial Technology and Automation Project Fund.

**Background** – According to Administrative Rule 8 of the Indiana Supreme Court, the cause number used by the courts consists of “four groups of characters arranged in a manner to identify the court, the year/month of filing, the case type, and the filing sequence”. The case type indicates whether the case is civil or criminal. If the case is criminal, it specifies whether the crime is a felony or misdemeanor and the level of the class.

Two sections of the Indiana Code permit the sentencing court to convert a Class D felony to a Class A misdemeanor when a defendant who has been charged with a Class D felony fulfills certain conditions. Because the original cause number does not change, the defendant will still have a record of being charged with a Class D felony if a criminal history report on the defendant is produced.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** There are no comprehensive statewide statistics that report how frequently Class D felonies have been converted to Class A misdemeanors. Depending on the number of cases involved in each county, this bill could increase the administrative burdens of the clerk of the circuit court in each county. The ability of the court to convert a felony to a misdemeanor has been in statute since 2003.

The Indiana Supreme Court staff, through the Odyssey case management system, reports that between December 2007 and November 2012, 560 felony cases have been converted into misdemeanors in the 44 counties that use this case management system.

**Explanation of Local Revenues:**

**State Agencies Affected:** Indiana Supreme Court's Judicial Technology and Automation Project.

**Local Agencies Affected:** Clerks of the Circuit Court.

**Information Sources:** Mary Deprez, Director and Counsel for Trial Court Technology, Indiana Supreme Court; Indiana Supreme Court Administrative Rule 8.

**Fiscal Analyst:** Mark Goodpaster, 317-232-9852.