

# 1988 INDIANA JUDICIAL REPORT

## VOLUME I EXECUTIVE SUMMARY

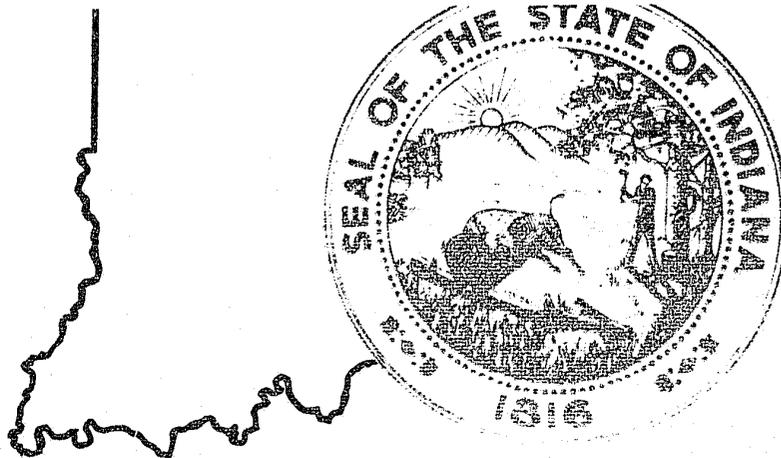
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INDIANA JUDICIAL REPORT

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# 1988 INDIANA JUDICIAL REPORT

In 1988, Indiana's judiciary continued to function in an outstanding fashion in the face of ever increasing volume. With very limited exception, the judicial system, structured in the fashion contemplated under the 1851 constitution, was able to meet the needs of the citizens of the state. This was only possible by reason of the dedicated service of judges and court personnel. Paraphrasing Chief Justice Shepard in his State of the Judiciary address to the General Assembly, the judicial system is functioning and the work is being done, but it could be better.

## APPELLATE COURTS

### SUPREME COURT

The **Indiana Supreme Court** shares with the General Assembly the responsibility for setting judicial policy. Judicial structure, salary levels, jurisdictional requirements and substantive issues of law fall within the domain of the General Assembly. However, the members of the Indiana Supreme Court, primarily under the direction of the Chief Justice, are responsible for the general judicial superintendence. Nineteen eighty-eight was a very busy year for the Indiana Supreme Court, its Commissions and Boards, and the judicial administrative divisions.

The caseload activities of the Indiana Supreme Court are detailed later in this report. These include the traditional case law responsibilities assigned to the highest appellate court in the state, e.g. appeal or review of civil and criminal decisions by lower courts, and a second category of cases relating to the Supreme Court's unique supervisory responsibility, e.g. admission and disciplinary issues. Analyzing the court's activities in this fashion, the data demonstrates that the Indiana Supreme Court docketed 280 criminal cases, 34 civil cases, and 31 original actions (mandate or prohibition) in 1988. Additionally, the Supreme Court entertained and denied 227 petitions to

transfer civil matters decided by the Indiana Court of Appeals. With regard to its supervisory responsibilities, the Indiana Supreme Court docketed 10 Board of Law Examiner review cases, 53 attorney disciplinary actions, 6 judicial disciplinary actions, and 21 post-conviction relief matters. These numbers alone, however, do not fully depict the work of the Indiana Supreme Court.

JUDICIAL DISCIPLINE. Article 7 of the Constitution of Indiana grants to the Indiana Supreme Court exclusive, original jurisdiction in matters involving the discipline, removal and retirement of justices and judges in the State of Indiana. Pursuant to various constitutional provisions, statutes, and court rules, the process of screening complaints and prosecuting judicial disciplinary questions before the Indiana Supreme Court rests with the Indiana Commission on Judicial Qualifications. This Commission is staffed by the Division of State Court Administration.

In 1988, the Indiana Commission on Judicial Qualifications received 102 complaints against judicial officials; with the twelve cases pending at the beginning of the year, there was a total of 114 matters on the Commission's docket. The Commission resolved 101 of these cases in 1988. Seventy-six cases were summarily dismissed as frivolous or unfounded, 13 were dismissed as unfounded after an initial inquiry into the circumstances relating to the complaint, one formal charge was dismissed by the Indiana Supreme Court, two judges resigned after the filing of formal charges, two cases were resolved by the issuance of reprimands by the Indiana Supreme Court, and seven cases were resolved by cautionary letters.

During the year, the Indiana Commission on Judicial Qualifications initiated a process of providing written advisory opinions to assist judges in resolving questions which may exist as to permitted conduct. Three formal

opinions were issued in 1988:

#1-1988 provided that given the passive nature of involvement in an abstract business and the fact that the type of business does not result in much litigation, a judge's ownership would not violate the code;

#2-1988 provided that a judge was prohibited by Canon 5 of the Code of Judicial Conduct from accepting the gift of co-signature or guarantee from any party or attorney who had or was likely to appear in the judge's court; and

#3-1988 provided that a judge was not prohibited from making a recommendation for employment so long as it is based on substantial, first-hand knowledge of the qualifications of the individual recommended.

In addition to these formal opinions, which are available upon request, the Commission responded in writing to judges whose concerns were primarily local in nature, and the staff responded to numerous judicial inquiries relating to disciplinary issues.

ATTORNEY DISCIPLINE. The above noted constitutional provision also gives the Indiana Supreme Court exclusive, original jurisdiction in matters involving the discipline and disbarment of persons admitted to the practice of law. The duties of reviewing and prosecuting complaints against attorneys is the responsibility of the Indiana Supreme Court Disciplinary Commission. The individuals who serve on this Commission are appointed by the Indiana Supreme Court. The Commission is staffed by seven full-time and three part-time employees. It is funded by a mandatory fee assessed all active attorneys admitted to the practice of law in Indiana.

In 1988 (state fiscal year 1988), the Disciplinary Commission received 983 requests for investigation. Seven hundred and ninety-two grievances were classified as non-misconduct and 191 were classified as misconduct. Three hundred sixty-one of the complaints received emanated from criminal or dissolution matters, 129 came from tort cases, and 86 grew out of will or estate matters. Fol-

lowing the screening process set forth under Admission and Discipline Rule 23, there were 47 formal complaints filed with the Indiana Supreme Court. Also during the period of this report, the Supreme Court entered final disposition on 40 attorney disciplinary actions; the Court issued eleven private and nine public reprimands, suspended seven attorneys from the practice of law, approved eight resignations, disbarred one attorney, and dismissed two cases.

ADMISSION TO THE BAR. Another constitutional responsibility assigned to the Indiana Supreme Court is the admission of attorneys to the practice of law in the State of Indiana. The testing and screening of applicants falls within the purview of the Board of Law Examiners. The individuals serving on this Board are appointed by the Supreme Court. In part, the expense of administering the test is paid through a fee assessed each applicant.

In 1988, 667 applicants took the Bar exam during two separate examinations. This was an increase over the previous year when 591 applicants were tested. The passing percentage for 1988 was 69.27%. Additionally, the Board approved 187 requests for intern status and currently monitors 221 active professional corporations which were formed under Admission and Discipline Rule 27.

STATE COURT ADMINISTRATION. In recent years, the Indiana Supreme Court has been assigned additional duties in the area of state-wide judicial administration for all courts. In toto, these responsibilities may be viewed as systemic judicial obligations. The Court is served in this area by the Division of State Court Administration.

This report is part of that state-wide responsibility and many of the above noted supervisory functions undertaken by the Court touch on this area of activity. Additionally, by statute, the Court is charged with reviewing the business and administrative practices of all offices relating

to the judiciary, including the Clerk of the Circuit Court. This function is performed by the Records Management Committee and staffing of this Committee is provided by the Division of State Court Administration.

In 1988, the Records Management Committee focused its attention on the following areas: micrographics, retention scheduling, forms and order book requirements, paper size, security and confidentiality, and tort litigation reporting. The Committee, which is composed of individuals who serve the courts, use the courts, or are charged with administrative duties in the courts, engaged in analysis of judicial activities never before considered in a systemic fashion.

A comprehensive examination of all statutes, past and present, caselaw, and official opinions led to the design and eventual adoption by the Indiana Supreme Court of Administrative Rule 9 which defines all matters within the judicial process and record inventory which are to be maintained in a confidential status. Also, upon the recommendation of the Records Management Committee, the Supreme Court adopted Administrative Rule 10 which, for the first time, describes in a uniform fashion the security requirements for court records.

#### COURT OF APPEALS

The **Indiana Court of Appeals** is an intermediate appellate court with jurisdiction defined by the Indiana Supreme Court. Simply stated, the Court of Appeals initially considers the appellate matters not within the exclusive, original jurisdiction of the Supreme Court. In 1988, there were two significant changes in the criminal jurisdiction which will impact the Court of Appeals in future years.

At the November General Election, the citizens adopted a constitutional amendment to alter the sentence requirement mandating a direct appeal to the Supreme Court. Prior to this amendment, all criminal cases where the sentence included a prison term of more than ten years

were appealed directly to the Indiana Supreme Court. The amendment increased this requirement from ten to fifty years. By rule the Supreme Court has now incorporated this constitutional amendment in the appellate procedure. Also, the Supreme Court has now assigned to the Court of Appeals the initial review of all Post-Conviction petitions. Post-conviction litigation involves a post-judgment challenge to the decision of a court leading to the incarceration of an individual.

The net effect of the changes in the jurisdiction of the Court of Appeals should be to curtail the number of criminal cases clogging the Supreme Court's docket and allow the court of last resort in the state to address a wider range of litigated social concerns.

As in the case of the Supreme Court, the caseload of the Court of Appeals is described in great detail in a later section of this report. In raw numbers, the Court of Appeals docketed 849 new civil appeals, 465 criminal appeals, and 203 post-conviction relief appeals in 1988. This is compared to 1987 when the Court of Appeals docketed 831 new civil appeals, 478 criminal appeals, and 216 post-conviction appeals. As noted above, however, this filing pattern should change in the current year.

#### TAX COURT

The **Indiana Tax Court** is the most recently created tribunal for appellate relief. A complete description of this and all other courts is set forth at a later section of this report entitled "Indiana's Judicial System". In the main, the Tax Court considers appeals in cases that arise under the tax laws of the State of Indiana. In 1988, the Tax Court had sixty-two cases pending at the beginning of the year, received seventy-two, and disposed of sixty-four matters. Forty-four cases were dismissed or settled and twenty were decided on the merits.

#### TRIAL COURTS

Again, in 1988, the trial courts of record in Indiana

experienced an increase in the number of filings. There was a total of 1,119,557 newly docketed matters in the trial courts. Compared to 1978 when there was a total of 811,214, this was an increase of 308,343 matters or 38%. Compared to 1987, there were increases in the number of Re-docketed Criminal (Post-Conviction Remedies), Infractions, Juvenile Delinquency, Juvenile Paternity, Civil Plenary, Small Claims, Re-docketed Civil, Dissolutions, and Mental Health cases; there was a decline in the filing of Felony and Misdemeanor Criminal matters. The total increase over 1987 filings was 2.2%.

For the first time in the last ten years, there was a decrease in the total number of matters disposed by the trial courts of record. In 1988, these trial courts disposed of 1,044,770 matters as compared to 1987 when there were 1,050,768 dispositions, a very modest decline of .5%. While this may be no more than statistical error, the trend over the last three years could suggest that the judiciary is now performing at capacity under the existing structures. Detailed comparative data is set forth in a subsequent portion of this report. (Caseload information from the city and town courts has not been included in the comparative information.)

#### FISCAL INFORMATION

The judicial system, as any other public institution, derives its financial resources from the taxpayers of the state. In Indiana, the state, county and local units of government share the costs of operating the courts. In 1988, the State of Indiana spent \$26,868,211; the counties, \$62,034,184; and local units, \$3,978,598 on the direct costs of operating the courts in the state. Over the preceding year, this was a 25% increase for the State and a 13.85% increase for the county and local units. The major area of increase for the state was in its contribution to the Judges Retirement Fund. The largest areas of increase for the counties and local units of government were probation and pauper defense expenditures.

However, not like other public institutions, the judicial system has the ability to and does generate revenues for the services provided. In 1988, the courts generated for the state \$31,444,541; for the counties, \$30,889,071; and for local units of government, \$4,911,018. This was a total of \$67,244,630, an increase of 22.83% over the previous year. The net cost of the judiciary (one-third of the government) was \$25,636,363.

We encourage you to examine this report in detail. The Division of State Court Administration is pleased to present this information to the public for inspection. As in the past, however, we must acknowledge that this publication would not have been possible without the continued support and assistance of the judicial personnel involved at all levels of the court structure.

# INDIANA'S JUDICIAL SYSTEM

The Constitution of Indiana sets out the three branches of state government, the Legislative, the Executive including the Administrative, and the Judicial. The Constitution also provides that the judicial power of the State of Indiana is vested in a Supreme Court, a Court of Appeals, Circuit Courts and such other courts as the General Assembly may establish. The Supreme Court and the Court of Appeals are the appellate level courts, while the Circuit Courts are the courts of general jurisdiction.

Traditionally, Indiana's trial court system has been organized on a county basis through enabling legislation establishing courts in specific counties. As provided in the Constitution, the state has been divided into circuits which are based on county lines, and a circuit court judge is elected for each circuit. Some of the less populous counties have been joined together into one circuit, although today there remain only two such circuits comprised of two counties.

As local needs grew and more trial courts became necessary, the Legislature created additional courts of general and limited jurisdiction, but such courts continued to be structured on a county basis with the county bearing all expenses for court operations, save a portion of the judge's salaries. The superior and county courts are such legislatively created courts. The Tax Court is another legislatively created appellate level court. For the most part, superior courts have general jurisdiction just as the circuit court while the county courts have more limited jurisdiction.

Due to this autonomous nature of the trial courts, there is little uniformity in many of the administrative operations within the judicial system. Employment of court personnel, funding, use of technology and many aspects of record keeping and court operations are handled at the local level. As a result, court structure and court

related services can vary widely from county to county.

All counties have a circuit court (four of the ninety-two share two judges). In addition, some counties may have superior courts, county courts or both. Marion County (which has no county courts) is the only county with Municipal Courts and distinct Small Claims Courts. St. Joseph county is the only county with a specialized probate court which also has juvenile jurisdiction.

Legislation also exists enabling cities and towns to establish city and town courts. In the majority of instances, city and town courts are used for traffic matters. The city and town court judges are not required to be attorneys.

Following is a description of the types of courts and numbers presently existing in Indiana. For specific listing of courts in each county, see appendix "1988 Trial Judges."

## SUPREME COURT

The Indiana Supreme Court has five justices, one of whom is the Chief Justice of the State (selected by the Indiana Judicial Nominating Commission).<sup>2</sup>

The Supreme Court has original jurisdiction in (a) admission to the practice of law; (b) discipline and disbarment of those admitted; (c) unauthorized practice of law; (d) discipline, removal and retirement of judges; and (e) exercise of jurisdiction by other courts, and (f) issuance of writs necessary in aid of its jurisdiction.

Its appellate jurisdiction includes appeals from judgments imposing a sentence of death, life imprisonment or imprisonment for a minimum term greater than 50 years for a single offense; appeals from the denial of post-conviction relief in which the sentence was death or life imprisonment; appealable cases where a state or federal statute has been declared unconstitutional; appeals from denial of release in habeas corpus cases arising out of criminal, extradition or mental health proceedings; and,

on petition, cases involving substantial questions of law, great public importance, or emergencies.<sup>3</sup>

The justices of the Supreme Court are appointed by the Governor after nomination by a Judicial Nominating Commission. After an initial two-year term, they run on a "Yes--No" retention ballot, and, if successful, they then serve ten-year terms.

### COURT OF APPEALS

The Court of Appeals became a constitutional court under a 1970 revision of the Constitution. The Judicial Article provides that the state be divided into geographic districts by the General Assembly, and that each district have three judges.<sup>4</sup> Presently, the court has four districts, with a total of twelve judges.<sup>5</sup> The twelve judges select one of their number as Chief Judge, and each district elects a Presiding Judge.<sup>6</sup> The Court of Appeals has no original jurisdiction except as authorized by Supreme Court rules to review directly final decisions of certain administrative agencies.<sup>7</sup> It has jurisdiction over all appeals not taken to the Supreme Court.

The judges of the Court of Appeals are selected in the same manner and serve the same terms as the Supreme Court Justices.

### TAX COURT

The Indiana Tax Court came into existence on July 1, 1986. The Tax Court is an appellate level court with one judge who is selected in the same manner as are judges of the Court of Appeals.<sup>8</sup> The Tax Court has exclusive jurisdiction in original tax appeals which are defined as any case that arises under the tax laws of this state and is an initial appeal of a final determination made by (1) the Department of State Revenue; or (2) the State Board of Tax Commissioners.<sup>9</sup> The principal office of the Tax Court is located in Indianapolis although a taxpayer may select to have all evidentiary hearings conducted in one of seven other specifically designated counties.

The Tax Court must also maintain a small claims docket for processing (1) claims for refunds from the Department of Revenue that do not exceed \$5,000 for any year; and (2) appeals of final determination of assessed value made by the State Board of Tax Commissioners that do not exceed \$15,000 for any year.<sup>10</sup> Appeals from the Tax Court are taken directly to the Supreme Court.<sup>11</sup>

### CIRCUIT COURTS

The Indiana Constitution directs that the state be divided into several circuits by the General Assembly and that a judge be elected for each circuit.<sup>12</sup> Eighty-eight of a total of ninety-two counties, constitute eighty-eight circuits, while the remaining four counties are in two "joint" circuits with two counties each.

The Circuit Courts are vested with unlimited trial jurisdiction in all cases, except when exclusive or concurrent jurisdiction is conferred upon other courts. They also have appellate jurisdiction over appeals from City and Town Courts.<sup>13</sup>

In twenty counties<sup>14</sup> the Circuit Court maintains small claims and minor offenses divisions. Civil actions in which the amount sought to be recovered is less than \$3,000 and landlord and tenant actions in which the rent does not exceed \$500 per month may be filed on the small claims docket.<sup>15</sup> Class D felonies, all misdemeanors, infractions and ordinance violations are heard on the minor offenses docket.<sup>16</sup> Cases on the small claims docket are heard under a more informal atmosphere and without a jury.<sup>17</sup> In the remaining counties, the small claims docket and minor offenses docket have been established within either the Superior or County Court of the county. The caseload on these dockets is referred to as the "County Court Function" or "CCF" of the Circuit or Superior Court.

The judges of the Circuit Courts (with the exception of the Vanderburgh Circuit Court where the judge is elected in a nonpartisan election)<sup>18</sup> are elected every six

(6) years by the voters of each circuit.<sup>19</sup>

### SUPERIOR COURTS<sup>20</sup>

Superior Courts are created by the General Assembly as local judicial needs change. Though their organization and jurisdiction may vary from county to county, for the most part, they are courts of general jurisdiction. They have the same appellate jurisdiction as Circuit Courts over appeals from City and Town Courts.<sup>21</sup>

As of December 31, 1988, there were one hundred twenty-nine (129) Superior Courts with one of them being a joint court serving two counties. In some of the counties, statutory language sets up one unified Superior Court with two or more judges, while others, through internal rules, operate their courts as unified county systems.

In counties which have Superior Courts but no County Courts, the small claims and minor offenses divisions are established in the Superior Courts. These divisions have the same small claims and minor offenses dockets as the Circuit Courts.

With the exception of four counties, the Superior Court Judges are elected for six-year terms at the general election.

In Lake<sup>22</sup> and St. Joseph counties, the Superior Court Judges are nominated by a local nominating Commission and then appointed by the Governor for a six-year term. Thereafter, they run on a "Yes -- No" retention ballot. The judges of the Vanderburgh Superior Court are elected in non-partisan elections. In Allen County the Superior Court judges are elected at the general election on a separate ballot without party designation. Vacancies, however, are filled by the Governor from a list of three candidates nominated by the Allen County Judicial Nominating Commission.

### PROBATE COURT (St. Joseph County)

The St. Joseph Probate Court is the only specialized Probate Court left in Indiana. The Court has one judge and

has original jurisdiction in all matters pertaining to the probate of wills, appointment of guardians, assignees, executors, administrators and trustees, settlements of incompetents' estates and adoptions.<sup>23</sup> The court also has exclusive juvenile jurisdiction.<sup>24</sup>

The judge is selected by the voters of the county at a general election for a six-year term.

### MUNICIPAL COURT (Marion County)

The Marion County Municipal Court serves the City-County consolidation of Indianapolis-Marion. The court has fifteen judges,<sup>25</sup> fourteen of whom are trial judges, and one a presiding judge. It has concurrent jurisdiction in all Class D felonies, misdemeanors, infractions, and local ordinance violations. The court has jurisdiction to issue warrants upon probable cause for misdemeanors and felonies committed in the county and to conduct probable cause hearings, to determine sufficiency of recognizance and surety in felony cases, and, upon probable cause determination, to bind such cases over to a court with felony jurisdiction. The Court's civil jurisdiction is concurrent with the Superior and Circuit Courts in all civil cases founded on contract or tort which do not exceed \$20,000, and, irrespective of the value of property, in possessory actions between landlord and tenant.<sup>26</sup> The court also has jurisdiction (in the mental health division only) to declare and administer temporary guardianships in conjunction with mental health proceedings involving voluntary and involuntary mental commitments. Appeals from the Municipal Court are taken to the Court of Appeals.<sup>27</sup> The Court also has appellate jurisdiction in cases appealed from the Marion County Small Claims Courts.<sup>28</sup>

The Judges of the Marion County Municipal Court, including the Presiding Judge, are nominated by a local nominating commission and then appointed by the Governor for a four-year term.<sup>29</sup>

### COUNTY COURTS<sup>30</sup>

The County Courts began operating on January 1, 1976, when the majority of the Justice of the Peace Courts went out of existence. Since their establishment, there has been a steady move toward restructuring such courts into superior courts with small claims/misdemeanor divisions. As of December, 1988, there were forty (40) County Court Judges in forty-two courts, with two counties each sharing a court.<sup>31</sup>

The County Court has original and concurrent jurisdiction in all civil cases founded in contract or tort where the damages do not exceed \$10,000, possessory actions between landlord and tenant, all actions for the possession of property where the value of the property sought to be recovered does not exceed \$10,000, Class D felonies, misdemeanor and infraction cases, and violations of local ordinances.<sup>32</sup> The County Court also has a small claims docket similar to that of the Circuit Court. Civil cases of up to \$3,000 and possessory actions between landlord and tenant, where the rent does not exceed \$500 per month may be filed on this small claims docket.<sup>33</sup>

The County Courts have been specifically precluded from exercising any jurisdiction over cases involving injunctive relief, partition of or liens on real estate, paternity, juvenile matters, probate, receivership or dissolution of marriage. The Court may conduct preliminary hearings in felony cases.<sup>34</sup>

Appeals from the County Court, including its small claims docket, go to the Court of Appeals in the same manner as appeals from the Circuit and Superior Court.

The County Court judges are elected by the voters of the county or counties which the court serves for a six year term.<sup>35</sup>

#### CITY AND TOWN COURTS

Under a 1975 plan reorganizing Indiana's lower court structure, city and town courts were scheduled to go out of existence on December 31, 1979.<sup>36</sup> Since that time there have been several legislative amendments extending

their term. The present status is that a second or third class city or a town may, by ordinance, establish or abolish a city or town court during 1986 and every fourth year thereafter. However, a city or town court which was in existence on January 1, 1986, may continue in operation until it's abolished by ordinance.<sup>37</sup>

A city or town which establishes or abolishes its court must give notice to the Office of State Court Administration.<sup>38</sup> There are forty-nine (49) city courts and twenty-four (24) town courts.

Jurisdiction of city courts varies depending upon the size of the city. All city courts have jurisdiction of city ordinance violations, all misdemeanors and infractions.<sup>39</sup> The city courts have civil jurisdiction of cases where the amount of controversy does not exceed \$500. They have no jurisdiction in actions for libel, slander, real estate foreclosure, where title to real estate is at issue, matters relating to decedent's estates, actions in equity and actions involving the appointment of guardians.<sup>40</sup> The civil jurisdiction of city courts in Lake County extends to cases where the amount in controversy does not exceed \$2,500.<sup>41</sup> The city courts in Lake County also have extended criminal jurisdiction so that they may hear cases involving violations of all state statutes but can only impose a fine of up to \$1,000 and a sentence of not more than one year.<sup>42</sup> A city court in a third class city which is not a county seat<sup>43</sup> has civil jurisdiction of cases involving up to \$1,000.

City and Town courts are not courts of record, and appeals are tried *de novo* in the circuit or superior court of the county.<sup>44</sup> Appeals from the Lake County city courts require some assignment of error in that the filing of a motion to correct errors appears to be a prerequisite.<sup>45</sup>

Town Courts have exclusive jurisdiction of all violations of town ordinances and jurisdiction of all misdemeanors and infractions.<sup>46</sup> Appeals from judgments of a town court are also taken to the circuit or superior court of the county.<sup>47</sup>

City and town court judges are elected for four-

year terms by the voters of the city or town. There is no requirement that they be attorneys, and the majority are lay persons.

SMALL CLAIMS COURTS (Marion County)

The Marion County Small Claims Court has eight divisions based on township lines and has territorial jurisdiction throughout the county. The court's trial jurisdiction is concurrent with the Circuit, Superior and Municipal Courts in all civil cases founded on contract or tort in which the claim does not exceed \$3,000,<sup>48</sup> in actions for possession of property where the value of the property sought to be recovered does not exceed \$3,000,<sup>49</sup> in possessory actions between landlord and tenant in which the past due rent at the time of filing does not exceed \$3,000. The Small Claims Court has no jurisdiction in actions seeking injunctive relief or involving partition of real estate, or to declare or enforce any lien thereon (with certain exceptions), or in cases in which the appointment of a receiver is asked, or in suits for dissolution or annulment of marriage. The Court also has jurisdiction to hear petitions for temporary protective orders.<sup>50</sup> The Small Claims Court is not a court of record,<sup>51</sup> and the appeals are tried de novo in the Marion Municipal Court in accordance with rules established by the Municipal Court.<sup>52</sup>

The small claims court judges are elected by the voters within the township in which the division of the court is located. The judge serves a four-year term.

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1. Ind. Const., Art. 7, Sec. 1.
  2. Ind. Const., Art. 7, Sec. 2; IC 33-2.1-2-1.
  3. Ind. Const., Art. 7, Sec. 4; Ind. Rules of Ct., App. Rule 4. In 1987, the General Assembly passed House Joint Resolution 1 (P.L. 375-1987) which amended Article 7, Section 4 of the Indiana Constitution to provide that criminal appeals from judgments imposing a sentence of death, life imprisonment or imprisonment for a term of greater than 50 years (as opposed to 10 under earlier provisions) shall go directly to the Supreme Court. A

referendum vote on this constitutional amendment was approved in the 1988 Fall election.

4. Ind. Const., Art. 7, Sec. 5.
5. IC 33-2.1-2-2
6. IC 33-2.1-2-4.
7. Ind. Const., Art. 7, Sec. 6; Ind. Rules of Ct., App. Rule 4(B)
8. IC 33-3-5-1 and 33-3-5-6.
9. IC 33-3-5-2.
10. IC 33-3-5-12.
11. IC 33-3-5-15.
12. Ind. Const., Art. 7, Sec. 7.
13. IC 33-4-4-3 and 33-10.1-5-9.
14. Circuit Courts with Small Claims and Misdemeanor Dockets:
 

Benton	Martin	Ripley	Warren
Brown	Newton	Spencer	Washington
Carroll	Owen	Starke	
Fountain	Parke	Tipton	
Franklin	Perry	Union	
Jennings	Pike	Vermillion	

The Newton and Washington Superior Courts also have standard small claims and misdemeanor dockets.
15. IC 33-4-3-7.
16. IC 33-4-3-11.
17. IC 33-4-3-8.
18. IC 33-5-43.2-1.
19. Ind. Const., Art. 7, Sec. 8; IC 33-4-4-1.
20. See footnotes to Appendix -- "1988 Trial Court Judges" -- for changes which have been enacted but were not in effect in 1988.
21. IC 33-10.1-5-9.
22. Effective 1/1/89, the three Lake County Courts will become Superior Courts, County Court Division. However, as the County Court Division, they will continue to be elected in a political election. IC 33-5-29.5-42.5, as added

by H.E.A. 1388, 1989 Session.

23. IC 33-8-2-9.

24. IC 33-8-2-10.

25. Effective July, 1989, Marion Municipal Court will increase to 16 judgeships. H.E.A. 1388, 1989 Session.

26. IC 33-6-1-2, as amended by P.L. 301-1985, SEC. 1.

27. IC 33-6-1-8.

28. IC 33-11.6-4-14.

29. IC 33-6-1-12.

30. See footnotes to Appendix -- "1988 Trial Court Judges" -- for changes which have been enacted but were not in effect in 1988.

31. There are 2 joint county courts: Fulton-Pulaski; Greene-Sullivan. Effective 1/1/89, the Greene-Sullivan County Court will become two Superior Courts in the two respective counties, P.L. 176-1988.

32. IC 33-10.5-3-1, as amended by P.L. 301-1985, SEC. 3

33. IC 33-10.5-7-1.

34. IC 33-10.5-3-2.

35. IC 33-10.5-4-2.

36. Acts 1975, P.L. 305, SEC. 55.

37. IC 33-10.1-1-3.

38. IC 33-10.1-1-3(e).

39. IC 33-10.1-2-2.

40. IC 33-10.1-2-3.1.

41. IC 33-10.1-2-4(a); effective 7/1/89, the \$2,500 limit will increase to \$3,000.

42. IC 33-10.1-2-4(b).

43. IC 33-10.1-2-5.

44. IC 33-10.1-5-9; 33-10.1-5-7(a).

45. IC 33-10.1-5-10.

46. IC 33-10.1-2-7.

47. IC 33-10.1-5-9(b).

48. IC 33-11.6-4-2.

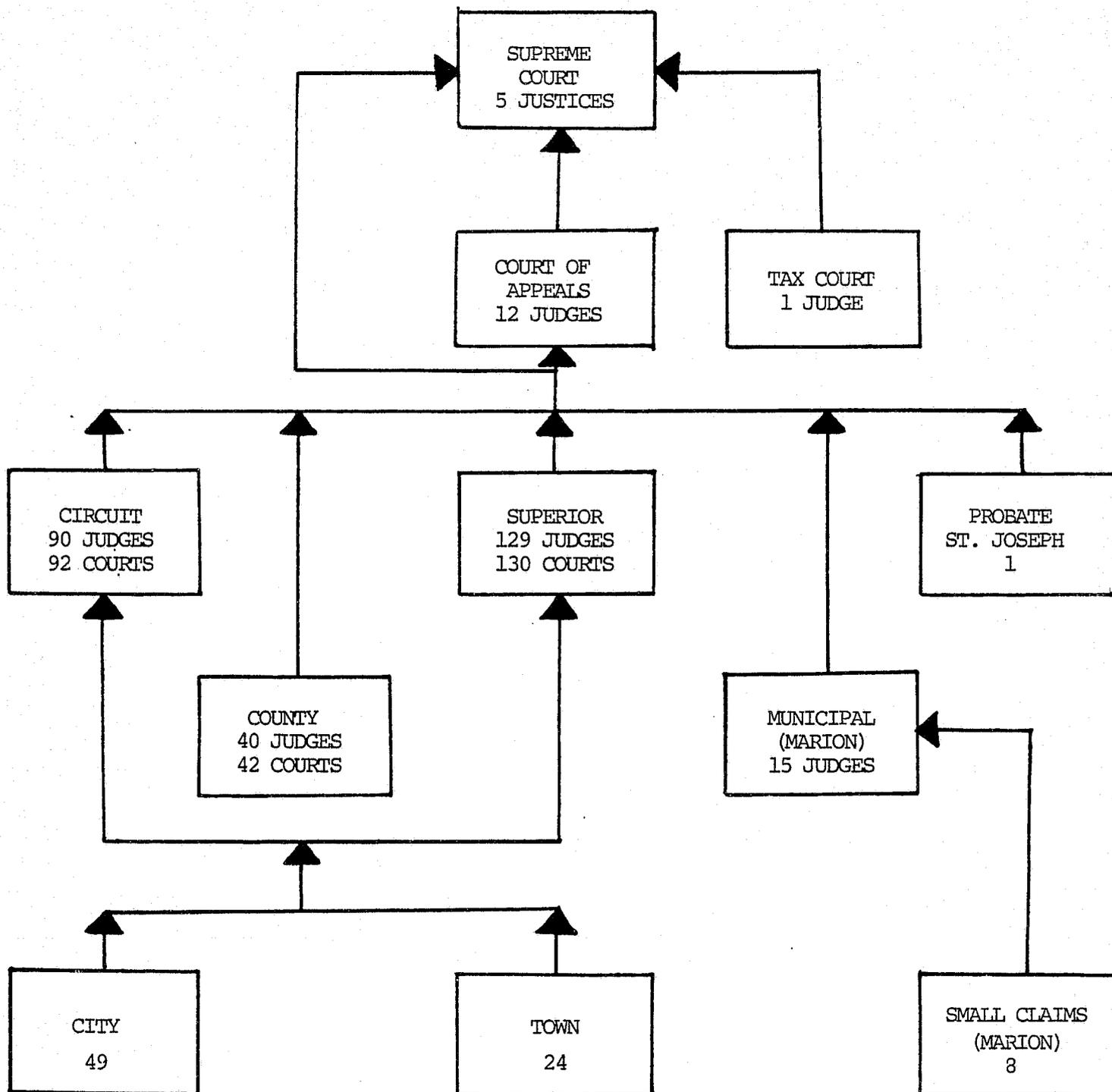
49. IC 33-11.6-4-3.

50. IC 33-11.6-4-4.

51. IC 33-11.6-1-4.

52. IC 33-11.6-4-14.

1988 INDIANA JUDICIAL SYSTEM



# CASELOAD OF INDIANA'S SUPREME COURT, COURT OF APPEALS, AND TAX COURT

In order to present a more complete composite of the workload of the entire Indiana judicial system, the 1988 caseload reports of the Indiana Supreme Court, Court of Appeals and the Tax Court are included herein. The information presented in these reports was obtained from the respective Court Administrators.

ANALYSIS 1988 SUPREME COURT STATISTICS

I. A. CRIMINAL CASES

Opinions on Direct Appeal . . . . .	262
Opinions on Pet./Transfer . . . . .	9
Pet./Transfer Den. w/o Opin. . . . .	<u>231</u>

502

B. CIVIL CASES

Opinions on Direct Appeal . . . . .	6
Opinions on Pet./Transfer . . . . .	27
Pet./Transfer Den./Dismissed w/o Opin . . . . .	<u>227</u>

260

C. ORIGINAL ACTIONS

Opinions Issued . . . . .	6
Pet. Denied w/o Opin. . . . .	32
Pet. Granted w/o Opin. . . . .	8
Pet. Cancelled/Dismissed . . . . .	<u>9</u>

55

D. DISCIPLINARY AND UNAUTHORIZED PRACTICE OF LAW MATTERS

Opinions Issued (signed) . . . . .	0
Per Curiam Opinions . . . . .	15
Other Dispos. of Verified Complaints . . . . .	16
Other Dispos. - Pets. for Reinstatement . . . . .	8
Other Dispos. - Unauth. Practice of Law . . . . .	<u>4</u>

43

E. BAR EXAM REVIEW PET. . . . .

9

9

F. JUDICIAL DISCIPLINE MATTERS

Public Reprimand (by opinion) . . . . .	1
Order Imposing Private Reprimand . . . . .	1
Order Accepting Resignation (1 by opinion) . . . . .	2
Dismissal of Complaint (by opinion) . . . . .	<u>1</u>

5

II. A. TOTAL MATTERS CONSIDERED AND HANDLED . . . . .

874

Of Which:	CRIM.	502	57%
	CIVIL	260	30%
	ORIG. ACT.	55	6%
	LAW PRACT.	43	5%
	BAR EXAM.	9	1%
	JUD. DISC.	5	1%

B. TOTAL OPINIONS (Majority Only) 328 (in 38% of 874)

Of Which	CRIM.	271	83%
	CIVIL	33	10%
	ORIG. ACT.	6	2%
	LAW PRACT.	15	4%
	JUD. DISC.	3	1%

SUPREME COURT OF INDIANA

PROGRESS REPORT

Cases Disposed of by each Justice  
From January 1, 1988  
Thru December 31, 1988

	<sup>1</sup> Total Cases Disp.	Opin. Direct Appeal	<sup>2</sup> Re- Hearing	Opin. Orig. Action	Opin. Pet. Trans. (CIVIL)	Opin. Pet. Trans. (CRIM.)
SHEPARD, C.J.	93	36	1	0	9	1
DeBRULER, J.	73	19	1	2	1	3
GIVAN, J.	191	133	0	3	4	4
PIVARNIK, J.	118	64	0	1	3	0
DICKSON, J.	65	16	0	0	6	1
PER CURIAM OPINIONS	22	0	0	0	4	0
CASE SUBMISSION-- <sup>3</sup> 605	562	268	2	6	27	9

<sup>1</sup>This figure is the sum of opinions on Direct Appeals, Original Actions, opinions on Civil Petitions to Transfer, opinions on Criminal Petitions to Transfer and denials of Civil Petitions to Transfer and Criminal Petitions to Transfer without opinion. Opinions on rehearing are not counted since a disposition is credited for the original majority opinion. In addition, a dissenting opinion is not counted as a case disposition.

<sup>2</sup>Two (2) Opinions on Rehearing issued this year; 58 Petitions for Rehearings were DENIED without opinion.

SUPREME COURT OF INDIANA

PROGRESS REPORT (continued)

Cases Disposed of by each Justice  
 From January 1, 1988  
 Thru December 31, 1988

Atty./ Judic. Disc. Opin.	Pet. Trans. w/o Opin. (CIVIL)	Pet. Trans. w/o Opin. (CRIM.)	Total Maj. Opin.	Con- curr. Opin.	Dis- sent. Opin.	Con./ Dis. Opin.
0	1	46	46	4	1	0
0	0	48	25	4	22	9
0	0	47	144	1	11	0
0	0	50	68	1	7	0
0	2	40	23	0	3	0
18	0	0	22	0	0	0
18	3	231	328	10	44	9

<sup>3</sup>This figure represents all cases assigned to the Court in 1988 for disposition. It consists of 10 Direct Civil Appeals; 271 Direct Criminal Appeals (includes 7 death penalty cases); 34 Civil Petitions to Transfer; 265 Criminal Petitions to Transfer; 6 Original Actions; 1 Certified Question and 18 Attorney/Judicial Discipline Opinions.

SUPREME COURT OF INDIANA

PENDING CASES AS OF DECEMBER 31, 1988

	Pending Cases as of December 31, 1988 (does not include Pet. for Rehearing)	Pending Petitions for Rehearing
	-----	-----
SHEPARD, C.J. . . . .	29	1
DeBRULER, J. . . . .	35	0
GIVAN, J. . . . .	36	0
PIVARNIK, J. . . . .	32	1
DICKSON, J. . . . .	47	4
*UNASSIGNED CASES . . . . .	145	0
	-----	-----
TOTAL	324	6

\*As of September 30, 1986, unless a case is entitled to immediate distribution, it is placed in the unassigned cases file. When a Justice requests more cases to review, the Administrator assigns the oldest cases from the file.

SUPREME COURT OF INDIANA

COURT ACTION ON PETITIONS TO TRANSFER IN CIVIL CASES

Total number of Petitions DENIED . . . . .	221
Total number of Petitions DISMISSED . . . . .	6
Total number of Petitions GRANTED (w/o Opinion) . . . . .	2
Total number of Petitions ASSIGNED FOR Majority Opinions . . . . .	34
Total number of Petitions ASSIGNED for Dissenting Opinions . . . . .	4
Total number of Petitions to Transfer (CIVIL) Completed . . . . .	267

COURT ACTION TAKEN ON PETITIONS

SEEKING WRITS OF MANDATE AND/OR PROHIBITION

Petitions for Writs SUBMITTED . . . . .	49
Petitions for Writs DENIED . . . . .	32
Petitions for Writs GRANTED . . . . .	8
Petitions for Writs CANCELLED . . . . .	9
Petitions for Writs of Mandate - ASSIGNED FOR OPINIONS . . . . .	6

SUPREME COURT OF INDIANA

JUDICIAL  
DISCIPLINARY MATTERS

1988

VERIFIED COMPLAINTS DISPOSED . . . . .	5
Type of Disposition	
Public Reprimand (by opinion) . . . . .	1
Order Imposing Private Reprimand . . . . .	1
Order Accepting Resignation (1 by opinion) . . . . .	2
Dismissal of Complaint (by opinion) . . . . .	1
TOTAL . . . . .	5
PER CURIAM OPINIONS . . . . .	3
Matters Pending 12/31/88 . . . . .	2

SUPREME COURT OF INDIANA  
APPLICANT'S BAR EXAMINATION  
REVIEW PETITIONS HANDLED IN 1988

Total number of Petitions HANDLED . . . . .	9
Total number of Petitions AFFIRMED . . . . .	4
Total number of Petitions REVERSED . . . . .	5

PETITIONS FOR EXTENSION OF TIME

Petitions for Extension of Time PROCESSED . . . . .	852
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MISCELLANEOUS ORDERS

*Total Miscellaneous Orders . . . . .	702
Special Judge Appointments . . . . .	778

\*Includes belated appeals, certiorari, hearing officer appointments -  
Disciplinary cases, amendments to briefs, appeal consolidations,  
dismissals and others.

SUPREME COURT OF INDIANA

CASE LOAD REPORT

Cases Originating from each County, State Board or Commission  
 From January 1, 1988  
 Thru December 31, 1988

	[ Board of Law [ Examiners	Certified Question	Civil	Griminal	Disciplinary Action	Expediated	Judge Disc.
Adams	[ 0	0	0	1	0	0	0
Allen	[ 0	0	0	14	3	0	0
Bartholomew	[ 0	0	0	1	0	0	0
Benton	[ 0	0	0	0	0	0	0
Blackford	[ 0	0	0	1	0	0	0
Boone	[ 0	0	0	2	0	0	0
Brown	[ 0	0	0	0	1	0	0
Carroll	[ 0	0	0	0	0	0	0
Cass	[ 0	0	1	2	0	0	0
Clark	[ 0	0	0	2	2	0	0
Clay	[ 0	0	0	0	0	0	0
Clinton	[ 0	0	0	2	0	0	0
Crawford	[ 0	0	0	0	0	0	1
Daviess	[ 0	0	0	3	0	0	0
Dearborn	[ 0	0	0	4	0	0	0
Decatur	[ 0	0	0	2	0	0	0
DeKalb	[ 0	0	0	1	0	0	0
Delaware	[ 0	0	0	6	2	0	0
Dubois	[ 0	0	1	0	0	0	0
Elkhart	[ 0	0	1	11	0	0	0
Fayette	[ 0	0	0	0	0	0	0
Floyd	[ 0	0	0	1	1	0	0
Fountain	[ 0	0	1	2	0	0	0
Franklin	[ 0	0	0	1	0	0	0
Fulton	[ 0	0	1	1	0	0	0
Gibson	[ 0	0	0	2	0	0	0
Grant	[ 0	0	2	3	1	0	0
Greene	[ 0	0	0	4	1	0	0

SUPREME COURT OF INDIANA

CASE LOAD REPORT

Cases Originating from each County, State Board or Commission  
 From January 1, 1988  
 Thru December 31, 1988

Mandate of Funds	Misc.	Original Action	Post-Conviction Relief	Special Judge	Waiver of Parental Consent	[ Total [
0	0	0	0	2	0	[ 3
0	0	2	2	10	0	[ 31
0	0	0	0	2	0	[ 3
0	0	0	0	0	0	[ 0
0	0	0	0	0	0	[ 1
0	0	0	0	16	0	[ 18
0	0	0	1	4	0	[ 6
0	0	0	0	67	0	[ 67
0	0	0	0	19	0	[ 22
0	0	1	1	12	0	[ 18
0	0	0	0	0	0	[ 0
0	0	0	0	1	0	[ 3
0	0	0	0	22	0	[ 23
0	0	0	0	2	0	[ 5
0	0	0	0	34	0	[ 38
0	0	0	0	5	0	[ 7
0	0	0	0	2	0	[ 3
0	0	0	0	3	0	[ 11
0	0	0	0	0	0	[ 1
0	0	0	0	1	0	[ 13
0	0	0	0	2	0	[ 2
0	0	0	0	0	0	[ 2
0	0	0	0	3	0	[ 6
0	0	0	0	4	0	[ 5
0	0	0	0	1	0	[ 3
0	0	0	0	1	0	[ 3
0	0	0	1	3	0	[ 10
0	0	0	0	2	0	[ 7

SUPREME COURT OF INDIANA

CASE LOAD REPORT

Cases Originating from each County, State Board or Commission  
 From January 1, 1988  
 Thru December 31, 1988

	[ Board of Law [ Examiners	Certified Question	Civil	Criminal	Disciplinary Action	Expediated	Judge Disc.
Hamilton	[ 0	0	0	6	1	0	0
Hancock	[ 0	0	0	1	0	0	0
Harrison	[ 0	0	0	0	0	0	0
Hendricks	[ 0	0	1	0	1	0	0
Henry	[ 0	0	0	1	0	0	0
Howard	[ 0	0	2	5	0	0	0
Huntington	[ 0	0	0	0	0	0	0
Jackson	[ 0	0	1	2	0	0	0
Jasper	[ 0	0	1	0	0	0	0
Jay	[ 0	0	0	0	0	0	0
Jefferson	[ 0	0	0	0	0	0	0
Jennings	[ 0	0	0	2	1	0	1
Johnson	[ 0	0	1	0	2	0	0
Knox	[ 0	0	0	0	0	0	0
Kosciusko	[ 0	0	1	1	1	0	0
LaGrange	[ 0	0	0	1	2	0	0
Lake	[ 0	0	2	40	7	0	1
LaPorte	[ 0	0	1	5	0	0	0
Lawrence	[ 0	0	0	0	1	0	0
Madison	[ 0	0	0	12	1	0	0
Marion	[ 0	0	7	72	8	0	3
Marshall	[ 0	0	0	2	0	0	0
Martin	[ 0	0	0	1	1	0	0
Miami	[ 0	0	0	1	0	0	0
Monroe	[ 0	0	0	7	1	0	0
Montgomery	[ 0	0	0	2	0	0	0
Morgan	[ 0	0	0	2	0	0	0
Newton	[ 0	0	0	0	1	0	0

SUPREME COURT OF INDIANA

CASE LOAD REPORT

Cases Originating from each County, State Board or Commission  
 From January 1, 1988  
 Thru December 31, 1988

Mandate of Funds	Misc.	Original Action	Post-Conviction Relief	Special Judge	Waiver of Parental Consent	Total
0	0	0	1	7	0	15
0	1	0	0	2	0	4
0	0	0	0	37	0	37
0	0	0	0	4	0	6
0	1	0	1	2	0	5
0	0	0	0	15	0	22
0	0	0	0	2	0	2
0	0	0	0	23	0	26
0	1	0	0	2	0	4
0	0	0	0	1	0	1
0	0	1	0	1	0	2
0	0	0	0	1	0	5
0	0	0	1	6	0	10
0	0	2	0	15	0	17
0	0	0	0	6	0	9
0	0	0	0	2	0	5
0	0	3	1	25	0	79
0	0	1	0	2	0	9
0	0	0	0	13	0	14
0	0	1	0	3	0	17
0	1	10	8	14	0	123
0	0	0	0	2	0	4
0	0	0	0	5	0	7
0	0	0	0	23	0	24
0	0	0	0	3	0	11
0	0	0	0	1	0	3
0	0	0	0	6	0	8
0	0	1	0	1	0	3

SUPREME COURT OF INDIANA

CASE LOAD REPORT

Cases Originating from each County, State Board or Commission  
 From January 1, 1988  
 Thru December 31, 1988

	Board of Law Examiners	Certified Question	Civil	Criminal	Disciplinary Action	Expediated	Judge Disc.
Noble	0	0	1	3	0	0	0
Ohio	0	0	0	0	1	0	0
Orange	0	0	0	0	0	0	0
Owen	0	0	0	1	0	0	0
Parke	0	0	1	1	0	0	0
Perry	0	0	0	0	1	0	0
Pike	0	0	1	1	1	0	0
Porter	0	0	0	5	0	0	0
Posey	0	0	0	0	0	0	0
Pulaski	0	0	0	0	2	0	0
Putnam	0	0	0	3	1	0	0
Randolph	0	0	0	0	0	0	0
Ripley	0	0	0	0	0	0	0
Rush	0	0	0	0	0	0	0
St. Joseph	0	0	0	12	1	0	0
Scott	0	0	0	2	0	0	0
Shelby	0	0	2	0	0	0	0
Spencer	0	0	0	0	0	0	0
Starke	0	0	2	0	0	0	0
Steuben	0	0	0	0	0	0	0
Sullivan	0	0	0	0	0	0	0
Switzerland	0	0	0	0	0	0	0
Tippecanoe	0	0	2	0	0	0	0
Tipton	0	0	0	0	1	0	0
Union	0	0	0	1	0	0	0
Vanderburgh	0	0	0	16	1	0	0
Vermillion	0	0	0	0	0	0	0
Vigo	0	0	0	3	1	0	0

SUPREME COURT OF INDIANA

CASE LOAD REPORT

Cases Originating from each County, State Board or Commission  
 From January 1, 1988  
 Thru December 31, 1988

Mandate of Funds	Misc.	Original Action	Post-Conviction Relief	Special Judge	Waiver of Parental Consent	Total
0	0	0	0	1	0	5
0	0	0	0	1	0	2
0	0	0	0	2	0	2
0	0	0	0	2	0	3
0	0	0	0	3	0	5
0	0	1	0	3	0	5
0	0	0	0	2	0	5
0	1 <sup>1</sup>	2	0	1	0	9
0	0	0	0	7	0	7
0	0	0	0	1	0	3
0	0	0	1	0	0	5
0	0	1	0	0	0	1
0	0	0	0	31	0	31
0	0	0	0	3	0	3
0	0	0	0	4	0	17
0	0	0	0	1	0	3
0	0	0	0	3	0	5
0	0	0	0	0	0	0
0	0	0	0	0	0	2
0	0	0	0	2	0	2
0	0	0	0	5	0	5
0	0	0	0	0	0	0
0	0	3	0	4	0	9
0	0	0	0	1	0	2
0	0	0	0	0	0	1
0	0	1	2	1	0	21
0	0	0	0	0	0	0
0	0	1	1	4	0	10

SUPREME COURT OF INDIANA

CASE LOAD REPORT

Cases Originating from each County, State Board or Commission  
From January 1, 1988  
Thru December 31, 1988

	[ Board of Law [ Examiners	Certified Question	Civil	Criminal	Disciplinary Action	Expediated	Judge Disc.
Wabash	[ 0	0	0	1	0	0	0
Warren	[ 0	0	0	1	1	0	0
Warrick	[ 0	0	0	0	0	0	0
Washington	[ 0	0	1	0	0	0	0
Wayne	[ 0	0	0	0	0	0	0
Wells	[ 0	0	0	1	0	0	0
White	[ 0	0	0	0	0	0	0
Whitley	[ 0	0	0	0	0	0	0
Worker's Com- pensation Board	[ 0	0	0	0	0	0	0
Review Board	[ 0	0	0	0	0	1	0
Liability Referee within Appellate Juris	[ 0	0	0	0	0	0	0
Indiana Utility Regulatory Comm	[ 0	0	0	0	0	1	0
Out of State	[ 10 <sup>2</sup>	1	0	0	3	0	0
Miscellaneous Court Matters	[ 0	0	0	0	0	0	0
<b>TOTALS</b>	[ 10	1	34	280	53	2	6

1. The Supreme Court granted transfer on one juvenile appeal. Juvenile cases carry their own designation ("JV") in the cause number.

2. Appeals from the Board of Law Examiners wherein applicants are appealing their bar test results are given an Out of State designation rather than showing the county of residence as a device to protect the identity of the applicant. As such, not all appeals from the Board of Law Examiners are from Out of State.

SUPREME COURT OF INDIANA

CASE LOAD REPORT

Cases Originating from each County, State Board or Commission  
 From January 1, 1988  
 Thru December 31, 1988

Mandate of Funds	Misc.	Original Action	Post-Conviction Relief	Special Judge	Waiver of Parental Consent	Total
0	0	0	0	3	0	4
0	0	0	0	0	0	2
0	0	0	0	2	0	2
0	0	0	0	5	0	6
0	1	0	0	5	0	6
0	0	0	0	0	0	1
0	0	0	0	24	0	24
0	0	0	0	0	0	0
0	0	0	0	0	0	0
0	0	0	0	0	0	1
0	0	0	0	0	0	0
0	0	0	0	0	0	1
0	0	0	0	0	0	14
0	8	0	0	0	0	8
0	14	31	21	563	0	1,015

INDIANA COURT OF APPEALS

PROGRESS REPORT

JANUARY 1, 1988 THROUGH DECEMBER 31, 1988

	JAN. THRU JUNE	JULY THRU DEC.	TOTAL FOR YEAR
PENDING ON THE COURT 1-1-88 . . . . .	286		
FULLY BRIEFED CASES:			
Civil Cases Distributed . . . . .	274	293	567
Expedited Cases Distributed . . . . .	25	11	36
Criminal Cases Distributed . . . . .	<u>316</u>	<u>303</u>	<u>619</u>
TOTAL . . . . .	615	607	1222
CASES DISPOSED OF:			
Cases Handed Down by Majority Opinion . . . . .	505	616	1121
Cases Disposed of by Order . . . . .	<u>8</u>	<u>8</u>	<u>16</u>
TOTAL . . . . .	513	624	1137
NET CHANGE . . . . .	+102	-17	+85
PENDING ON THE COURT 6-30-88 . . . . .	388		
PENDING ON THE COURT 12-31-88 . . . . .			371
OPINIONS:			
Majority . . . . .	505	616	1121
Other . . . . .	<u>74</u>	<u>62</u>	<u>136</u>
TOTAL . . . . .	579	678	1257
MOTIONS, PETITIONS FOR TIME, MISC. ORDERS			
HANDLED DOWN . . . . .	2515	2311	4626
AVERAGE AGE OF PENDING CASES AS OF:			
6-30-88 . . . . .		3.4 months	
12-31-88 . . . . .		3.4 months	

INDIANA COURT OF APPEALS

WORKLOAD AND PROGRESS

JANUARY 1, 1988 THROUGH DECEMBER 31, 1988

	Cases Pending <u>1-1-88</u>	Total Cases Input w/Trans.	D I S P O S I T I O N S				Net Inc./Dec. Cases Pending	Cases Pending <u>12-31-88</u>
			Majority Opinions	Trans. Out	Orders	Total		
RATLIFF, C.J.	28	159 (*5)	155	3	0	158	+ 1	29
NEAL, J.	10	92 (*1)	93	4	0	97	- 5	5
ROBERTSON, J.	<u>8</u>	<u>99</u> (*3)	<u>94</u>	<u>2</u>	<u>3</u>	<u>99</u>	<u>- 0</u>	<u>8</u>
FIRST DISTRICT TOTAL	46	350 (*9)	342	9	3	354	- 4	42
SHIELDS, P.J.	38	99 (*5)	97	1	1	99	0	38
BUCHANAN, J.	54	100 (*2)	93	6	1	100	0	54
SULLIVAN, J.	<u>51</u>	<u>102</u> (*3)	<u>63</u>	<u>11</u>	<u>3</u>	<u>77</u>	<u>+25</u>	<u>76</u>
SECOND DISTRICT TOTAL	143	301(*10)	253	18	5	276	+25	168
GARRARD, P.J.	23	121 (*2)	101	0	3	104	+17	40
HOFFMAN, J.	11	140(*11)	120	1	1	122	+18	29
STATON, J.	<u>14</u>	<u>95</u>	<u>101</u>	<u>1</u>	<u>0</u>	<u>102</u>	<u>- 7</u>	<u>7</u>
THIRD DISTRICT TOTAL	48	356(*13)	322	2	4	328	+28	76
CONOVER, P.J.	18	126	118	5	2	125	+ 1	19
MILLER, J.	31	102 (*3)	86	1	2	89	+13	44
CHEZEM, J.	<u>0</u>	<u>22</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>+22</u>	<u>22</u>
FOURTH DISTRICT TOTAL	49	250 (*3)	204	6	4	214	+36	85
COURT TOTAL	286	1257(*35)	1121	35	16	1172	+85	371

\*Transferred In

INDIANA COURT OF APPEALS

OPINIONS WRITTEN

JANUARY 1, 1988 THROUGH DECEMBER 31, 1988

	<u>Majority</u>	<u>Concurring</u>	<u>Dissenting</u>	<u>Rehearing</u>	<u>Other</u>	<u>TOTAL</u>
RATLIFF, C.J.	155	4	5	3	1	168
NEAL, J.	93	1	3	1	1	99
ROBERTSON, J.	<u>94</u>	<u>0</u>	<u>4</u>	<u>0</u>	<u>0</u>	<u>98</u>
FIRST DISTRICT TOTAL	342	5	12	4	2	365
SHIELD, P.J.	97	9	4	2	0	112
BUCHANAN, J.	93	1	2	5	1	102
SULLIVAN, J.	<u>63</u>	<u>23</u>	<u>13</u>	<u>0</u>	<u>0</u>	<u>99</u>
SECOND DISTRICT TOTAL	253	33	19	7	1	313
GARRARD, P.J.	101	11	2	0	1	115
HOFFMAN, J.	120	4	4	1	1	130
STATON, J.	<u>101</u>	<u>1</u>	<u>5</u>	<u>5</u>	<u>0</u>	<u>112</u>
THIRD DISTRICT TOTAL	322	16	11	6	2	357
CONOVER, P.J.	118	1	9	1	0	129
MILLER, J.	86	3	3	0	0	92
CHEZEM, J.	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
FOURTH DISTRICT TOTAL	204	4	12	1	0	221
PER CURIAM	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>1</u>
COURT TOTAL	1121	58	54	19	5	1257

INDIANA COURT OF APPEALS

AGE OF CASES PENDING

DECEMBER 31, 1988

	Less than 3 months	Between 4 and 6 months	Between 7 and 9 months	Between 10 and 12 months	More than 12 months
RATLIFF, C.J.	26	1	1	0	1(**1)
NEAL, J.	5	0	0	0	0
ROBERTSON, J.	<u>7</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>
FIRST DISTRICT TOTAL	38	2	1	0	1(**1)
SHIELDS, P.J.	28	7	3	0	0
BUCHANAN, J.	26	14	9	4 (*1)	1
SULLIVAN, J.	<u>31</u>	<u>13</u>	<u>27</u>	<u>5</u>	<u>0</u>
SECOND DISTRICT TOTAL	85	34	39	9 (*1)	1
GARRARD, P.J.	19	19(**1)	2	0	0
HOFFMAN, J.	20	7	2	0	0
STATON, J.	<u>6</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>0</u>
THIRD DISTRICT TOTAL	45	26(**1)	5	0	0
CONOVER, P.J.	17(**2)	2	0	0	0
MILLER, J.	18	9	8	5	4
CHEZEM, J.	<u>22</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
FOURTH DISTRICT TOTAL	57(**2)	11	8	5	4
COURT TOTAL	225 (**2)	73(**1)	53	14 (*1)	6(**1)

\* Cases Retaining Jurisdiction

\*\* Cases delayed other than retaining jurisdiction.

INDIANA COURT OF APPEALS

ORAL ARGUMENTS

JANUARY 1, 1988 THROUGH DECEMBER 31, 1988

	JAN. THRU <u>JUNE</u>	JULY THRU <u>DEC.</u>	TOTAL FOR <u>YEAR</u>
<b>FIRST DISTRICT:</b>			
RATLIFF, C.J. . . . .	2	0	2
NEAL, J. . . . .	0	0	0
ROBERTSON, J. . . . .	2	4	6
HEARINGS ON STAY . . . . .	<u>3</u>	<u>4</u>	<u>7</u>
	7	8	15
<b>SECOND DISTRICT:</b>			
SHIELDS, P.J. . . . .	0	0	0
BUCHANAN, J. . . . .	2	1	3
SULLIVAN, J. . . . .	0	2	2
HEARINGS ON STAY . . . . .	<u>2</u>	<u>2</u>	<u>4</u>
	4	5	9
<b>THIRD DISTRICT:</b>			
GARRARD, P.J. . . . .	1	0	1
HOFFMAN, J. . . . .	1	3	4
STATON, J. . . . .	3	0	3
HEARINGS ON STAY . . . . .	<u>0</u>	<u>2</u>	<u>2</u>
	5	5	10
<b>FOURTH DISTRICT:</b>			
CONOVER, P.J. . . . .	0	0	0
MILLER, J. . . . .	0	0	0
CHEZEM, J. . . . .	0	0	0
HEARINGS ON STAY . . . . .	<u>2</u>	<u>0</u>	<u>2</u>
	2	0	2
<b>COURT TOTAL . . . . .</b>	<b>18</b>	<b>18</b>	<b>36</b>

INDIANA COURT OF APPEALS

PRE-APPEAL CONFERENCES

JANUARY 1, 1988 THROUGH DECEMBER 31, 1988

	ORDERS <u>FOR</u>	<u>DENIED</u>	<u>HELD</u>
RATLIFF, C.J. . . . .	8	157	10
NEAL, J. . . . .	7	39	14
ROBERTSON, J. . . . .	<u>1</u>	<u>3</u>	<u>2</u>
FIRST DISTRICT:	16	199	26
SHIELDS, P.J. . . . .	4	149	13
BUCHANAN, J. . . . .	0	1	0
SULLIVAN, J. . . . .	<u>0</u>	<u>0</u>	<u>2</u>
SECOND DISTRICT:	4	150	15
GARRARD, P.J. . . . .	4	67	3
HOFFMAN, J. . . . .	10	66	7
STATON, J. . . . .	<u>2</u>	<u>26</u>	<u>5</u>
THIRD DISTRICT:	16	159	15
CONOVER, P.J. . . . .	3	114	3
MILLER, J. . . . .	22	90	21
CHEZEM, J. . . . .	<u>0</u>	<u>0</u>	<u>0</u>
FOURTH DISTRICT:	25	204	24
COURT TOTAL . . . . .	61	712	80

INDIANA COURT OF APPEALS

MOTIONS TO DISMISS OR AFFIRM

JANUARY 1, 1988 THROUGH DECEMBER 31, 1988

	JAN. THRU JUNE	JULY THRU DEC.	TOTAL FOR YEAR
MOTIONS TO DISMISS OR AFFIRM			
Pending 1-1-88 . . . . .	35		
Filed 1-1-88 through 6-30-88 . . . . .	75		
Filed 7-1-88 through 12-31-88 . . . . .	---	83	158
TOTAL . . . . .	110	83	193
DISPOSED OF BY PER CURIAM OR OTHER OPINIONS AND BY ORDERS AND TRANSFER TO JUDGES' OFFICES . .			
	81	90	171
PENDING AS OF 12-31-88 . . . . . 22			
TRANSFERRED TO A JUDGE'S OFFICE . . . . . 3			
BY PER CURIAM OPINIONS . . . . . 1			
BY ORDERS:			
Motion to Dismiss or Affirm Sustained . . . . .	32	40	72
Motion to Dismiss or Affirm Overruled . . . . .	42	43	85
Dismissed on Appellant's Motion . . . . .	1	1	2
Declining to Entertain Appeal . . . . .	0	0	0
Miscellaneous . . . . .	6	2	8
TOTAL DISPOSED OF . . . . .	81	90	171

INDIANA COURT OF APPEALS

STATISTICS REGARDING DISPOSITION OF  
CHIEF JUDGE MATTERS

JANUARY 1, 1988 THROUGH DECEMBER 31, 1988

	JAN. THRU JUNE	JULY THRU DEC.	TOTAL FOR YEAR
Petitions for Time to File Record Granted . . . . .	361	314	675
Petitions for Time to File Record Denied . . . . .	12	8	20
Petitions for Time to File Appellant's Brief Granted . . . . .	396	376	772
Petitions for Time to File Appellant's Brief Denied . . . . .	3	2	5
Petitions for Time to File Appellee's Brief Granted . . . . .	181	201	382
Petitions for Time to File Appellee's Brief Denied . . . . .	1	1	2
Petitions for Time to File Appellant's Reply Brief Granted . . . . .	74	86	160
Petitions for Time to File Appellant's Reply Brief Denied . . . . .	1	0	1
Petitions for Rehearing Granted . . . . .	0	0	0
Petitions for Rehearing Denied . . . . .	183	145	328
Petitions for Rehearing Granted with Opinion . . . . .	1	0	1
Petitions for Rehearing Denied with Opinion . . . . .	15	3	18
Orders Granting Withdrawal of Record . . . . .	55	67	122
Orders Denying Withdrawal of Record . . . . .	0	0	0
Orders Granting Consolidation of Appeals . . . . .	11	11	22
Orders Denying Consolidation of Appeals . . . . .	0	0	0
Orders Granting Writ of Certiorari . . . . .	37	24	61
Orders Denying Writ of Certiorari . . . . .	2	3	5
Orders Granting Appellants' Motions to Dismiss . . . . .	91	69	160
Orders Denying Appellants' Motions to Dismiss . . . . .	0	0	0
Orders Overruling Appellees' Motions to Dismiss or Affirm . . . . .	42	43	85
Orders Sustaining Appellees' Motions to Dismiss or Affirm . . . . .	32	40	72
Orders Declining to Entertain Appeal . . . . .	10	5	15
Orders Setting Oral Arguments . . . . .	18	19	37
Orders Denying Petition for Oral Argument . . . . .	61	64	125
Orders Granting Petitions to Amend Brief . . . . .	10	10	20
Orders Denying Petitions to Amend Brief . . . . .	0	1	1
Orders Granting Petitions to File Belated Appeal . . . . .	36	26	62
Orders Denying Petitions to File Belated Appeal . . . . .	1	0	1
Orders Granting Pre-Appeal Conference . . . . .	31	30	61
Orders Denying Pre-Appeal Conference . . . . .	393	319	712
Orders with Instructions from Pre-Appeal Conference . . . . .	32	48	80
Miscellaneous Orders . . . . .	<u>425</u>	<u>396</u>	<u>821</u>
TOTAL . . . . .	2515	2311	4826

COURT OF APPEALS OF INDIANA

CASE LOAD REPORT

Cases Originating from each County, State Board or Commission  
 From January 1, 1988  
 Thru December 31, 1988

	Civil	Criminal	Expediated	Infraction	Juvenile	Post-Conviction Relief	Total
Adams	2	1	0	0	0	0	3
Allen	31	28	0	0	0	6	65
Bartholomew	12	6	0	0	0	1	19
Benton	1	0	0	0	0	1	2
Blackford	1	0	0	0	0	2	3
Boone	17	1	0	0	0	1	19
Brown	9	0	0	0	0	0	9
Carroll	0	0	0	0	1	0	1
Cass	4	0	0	0	0	1	5
Clark	21	1	0	0	0	1	23
Clay	5	0	0	0	0	4	9
Clinton	5	3	0	0	0	1	9
Crawford	0	1	0	0	0	0	1
Daviess	1	1	0	0	0	0	2
Dearborn	5	2	0	0	0	0	7
Decatur	3	3	0	0	1	0	7
DeKalb	3	3	0	0	0	0	6
Delaware	9	17	0	0	0	6	32
Dubois	1	0	0	0	0	1	2
Elkhart	18	4	0	0	0	4	26
Fayette	1	0	0	0	0	2	3
Floyd	12	5	0	0	0	0	17
Fountain	2	0	0	0	0	1	3
Franklin	5	2	0	0	0	1	8
Fulton	3	2	0	2	0	0	7
Gibson	3	0	0	0	0	0	3
Grant	10	3	0	0	0	4	17
Greene	6	3	0	0	0	0	9

COURT OF APPEALS OF INDIANA

CASE LOAD REPORT

Cases Originating from each County, State Board or Commission  
 From January 1, 1988  
 Thru December 31, 1988

	Civil	Criminal	Expediated	Infraction	Juvenile	Post-Conviction Relief	Total
Hamilton	22	4	0	2	0	1	29
Hancock	15	0	0	0	0	2	17
Harrison	2	1	0	0	0	0	3
Hendricks	6	5	0	0	0	2	13
Henry	5	0	0	0	0	1	6
Howard	11	11	0	0	0	3	25
Huntington	4	2	0	0	0	0	6
Jackson	6	2	0	0	0	0	8
Jasper	26	3	0	0	0	2	31
Jay	1	0	0	0	0	0	1
Jefferson	9	1	0	0	0	0	10
Jennings	2	3	0	0	0	1	6
Johnson	22	10	0	0	0	0	32
Knox	2	1	0	0	0	0	3
Kosciusko	13	3	0	0	0	1	17
LaGrange	3	3	0	0	0	0	6
Lake	44	59	0	0	0	13	116
LaPorte	16	10	0	0	0	6	32
Lawrence	7	1	0	0	0	1	9
Madison	13	13	0	0	1	1	28
Marion	94	111	0	0	4	91	300
Marshall	16	3	0	0	0	3	22
Martin	0	0	0	0	0	0	0
Miami	7	1	0	0	0	1	9
Monroe	25	11	0	0	2	1	39
Montgomery	11	0	0	0	0	0	11
Morgan	9	11	0	2	0	1	23
Newton	12	1	0	0	0	0	13

COURT OF APPEALS OF INDIANA

CASE LOAD REPORT

Cases Originating from each County, State Board or Commission  
 From January 1, 1988  
 Thru December 31, 1988

	Civil	Criminal	Expediated	Infraction	Juvenile	Post-Conviction Relief	Total
Noble	17	2	0	0	0	3	22
Ohio	2	1	0	0	0	0	3
Orange	3	0	0	0	0	0	3
Owen	4	0	0	0	0	1	5
Parke	9	2	0	0	0	0	11
Perry	1	1	0	0	0	0	2
Pike	5	0	0	0	0	0	5
Porter	34	4	0	0	0	3	41
Posey	1	6	0	0	0	2	9
Pulaski	5	1	0	0	0	0	6
Putnam	11	1	0	0	0	3	15
Randolph	0	1	0	0	0	0	1
Ripley	4	1	0	0	0	0	5
Rush	3	1	0	0	0	0	4
St. Jcseph	27	24	0	0	3	4	58
Scott	5	1	0	0	0	0	6
Shelby	14	4	0	0	0	1	19
Spencer	0	1	0	0	0	0	1
Starke	9	1	0	0	0	2	12
Steuben	6	0	0	0	0	0	6
Sullivan	5	0	0	0	0	0	5
Switzerland	0	1	0	0	0	0	1
Tippecanoe	16	4	0	0	0	1	21
Tipton	6	1	0	0	0	0	7
Union	0	0	0	0	0	0	0
Vanderburgh	22	28	0	1	0	7	58
Vermillion	4	4	0	0	0	1	9
Vigo	5	2	0	0	0	4	11

COURT OF APPEALS OF INDIANA

CASE LOAD REPORT

Cases Originating from each County, State Board or Commission  
 From January 1, 1988  
 Thru December 31, 1988

	Civil	Criminal	Expediated	Infraction	Juvenile	Post-Conviction Relief	Total
Wabash	3	1	0	0	3	1	8
Warren	2	1	0	0	0	0	3
Warrick	6	5	0	0	0	1	12
Washington	10	1	0	0	0	0	11
Wayne	1	4	0	0	0	0	5
Wells	9	3	0	1	0	1	14
White	3	2	0	0	0	0	5
Whitley	4	0	0	0	0	0	4
Worker's Compensation Board	0	0	11	0	0	0	11
Review Board	0	0	31	0	0	0	31
Liability Referee within Appellate Jurisdiction	0	0	2	0	0	0	2
Indiana Utility Regulatory Commission	0	0	11	0	0	0	11
Other	0	0	0	0	0	0	0
<b>TOTALS</b>	<b>849</b>	<b>465</b>	<b>55</b>	<b>8</b>	<b>15</b>	<b>203</b>	<b>1,595</b>

INDIANA TAX COURT

1988 REPORT

I.	Total Cases Pending 12-31-88 . . . . .	62
	Total Cases Filed in 1988 . . . . .	72
II.	Dispositions . . . . .	64
	Dismissed - Settled . . . . .	44
	Decided on Merits . . . . .	20
III.	Total Pending 12-31-88 . . . . .	71
IV.	Analysis of Cases Filed in 1988:	
	A. State Board of Tax Commissioners . . . . .	48
	Personal Property . . . . .	23
	Real Property . . . . .	24
	Assessment Issue . . . . .	28
	Exemption Issue . . . . .	19
	Appropriation Issue . . . . .	1
	Injunction Requests . . . . .	0
	B. Department of Revenue . . . . .	24
	Income Tax . . . . .	8
	Sales & Use Tax . . . . .	11
	Special Fuels Tax . . . . .	1
	Inheritance & Estate Tax . . . . .	4
	Injunction Requests . . . . .	8
	Injunctions Granted . . . . .	3
	Injunctions Denied . . . . .	1
	Injunctions Pending . . . . .	4
	C. County Elections:	
	Marion . . . . .	52
	Allen . . . . .	2
	St. Joseph . . . . .	8
	Lake . . . . .	2
	Vigo . . . . .	0
	Vanderburgh . . . . .	8
	Jefferson . . . . .	0
V.	Analysis of Pending Cases:	
	Settled - Dismissals Pending . . . . .	6
	Set for Trial . . . . .	7
	Proceedings Stayed Pending Outcome in Related Cases in This and Other Courts . . . . .	17
	Preliminary & Pleading Stages . . . . .	35
	Under Advisement . . . . .	6

# CASELOAD OF TRIAL COURTS

On a quarterly basis, the trial courts of the state provide the Division of State Court Administration with caseload information by filing a standard form (Quarterly Case Status Report). These reports contain information on the cases filed (including those that are received on a change of venue), disposed and pending at the beginning and end of the reporting period. This information is categorized by type of case based on classification which corresponds to a state-wide case numbering system. The reports also show the method of disposition for each type of cases. Other matters, such as number of days with Judge Pro Tempore, number of trials disposed by Special Judges, number of cases heard or disposed by Masters, the use of Court Commissioner or Referee, and the number of days the Judge served in another county are also reported, but are not reflected in this report.

The Indiana Judicial Report is a annual compilation of the information submitted by the trial courts. Volume I of this annual report is a general overview of judicial activities and contains totals for the entire state. Volumes II and III of the annual report present caseload information on a county-by-county basis with separate sub-totals for the courts of record and the other minor courts within the county. The case type designations have been abbreviated and correspond to case type designations used in a state-wide uniform case numbering system.

As used in this Report, the following definitions apply:

CP - Civil Plenary: This category is intended to cover the basic civil case not otherwise specifically listed on the form. It will generally include actions founded in tort and contract, actions dealing with real and personal property, as well as actions seeking equitable or injunctive relief. Civil cases filed in city and town courts are entered as "CP" but are treated separately.

SC - Small Claims: This category reflects the civil small claims filed on the small claims docket of the circuit, superior or county courts and civil cases in the Marion County Small Claims Courts.

Re-docketed Civil: This category is intended to cover the proceedings which arise following the disposition of a civil matter. This category includes cases which are reversed on appeal, cases which are retried by reason of a ruling of the trial court, and proceedings supplemental.

DM - Domestic Relations: This category reflects actions involving dissolutions of marriage, petitions for support, annulments and legal separations.

Re-docketed Domestic Relations: This category reflects matters which are reopened after an initial resolution. Most frequently, this category would consist of petitions for modification of custody or support. Actions for reciprocal enforcement of child support are included in this category.

MH - Mental Health: This category is intended to reflect proceedings involving mental health commitments. A proceeding seeking temporary commitment, an extension of temporary commitment, regular commitment or termination of a commitment would be reported in this category.

AD - Adoption: This category reflects the filing of petitions to adopt.

ES - Estates: This category reflects those causes which involve the probate of estates. Claims against the estate which are transferred for trial are listed as "Civil" matters.

GU - Guardianship: This category is intended to reflect the number of guardianships that are before the court during the reporting period. When application for appointment of a guardian is filed, the report reflects a "new filing" under this category. When the guardianship is discharged, the guardianship is considered closed and is counted out of

the system.

TR - Trusts: As with guardianships, this category reflects trusts which are before the court during the reporting period.

MI - Miscellaneous: This category reflects routine civil matters which do not relate to any other pending litigation. This would include petitions for name change, appointment of appraisers, marriage waivers, tax warrants and petitions for temporary protective orders.

CF - Criminal Felony: This category covers all cases filed as felonies. If a defendant is charged with both, a felony and misdemeanor, the case is counted one time under the most serious charge.

CM - Criminal Misdemeanor: This category covers those criminal cases which are filed as misdemeanors.

Re-docketed Criminal: This category reflects those criminal matters (Felony and Misdemeanors) which have been reopened after being initially decided. This would include petitions for post-conviction relief, sentence modifications as well as retrials.

IF - Infractions: This category reflects all infraction cases. As with felonies and misdemeanors, when a defendant is charged with multiple offenses of varying severity, the case is reported one time in the category of the most serious offense.

OV - Ordinance Violations: This category reflects those cases where a defendant is charged with violating a local ordinance.

MC - Miscellaneous Criminal: These are criminal matters which cannot be classified as a felony or misdemeanor but which require some amount of judicial scrutiny.

JC - Juvenile CHINS: This category will reflect those juvenile cases before the court where a child is alleged to be a child in need of services.

JD - Juvenile Delinquency: This category will reflect cases before the court in which a child is alleged to be a delinquent.

JP - Juvenile Paternity: This category reflects pater-

nity actions filed by any of the parties specified by statute, including the prosecutor.

JM - Juvenile Miscellaneous: This category is intended to include those juvenile matters which are not specifically listed in the previous three categories. An example in this category would be approval by the court of informal adjustments.

Re-docketed Juvenile: This category includes all juvenile matters (CHINS, Delinquency and Paternity) which have been decided and reopened. Examples falling in this category are support and custody modifications in paternity cases, review hearings in juvenile matters and revocation of probation.

PENDING - NAC: The "NAC" column in the Pending charts indicates the number of cases which are pending but which the court can take no action. Many of these are criminal matters or infractions in which the defendant has failed to appear.



CASELOAD COMPARISON TABLE -- CASES FILED  
CIRCUIT, SUPERIOR, COUNTY AND MUNICIPAL COURTS ONLY

Type of Case	Year				
	1978	1979	1980	1981	1982
Criminal	106,231	124,318	140,344	137,976	142,508
Felony	X	X	X	X	X
Misdemeanor	X	X	X	X	X
Traffic Misdemeanors	350,124	375,934	411,983	354,232	229,617
Re-Docketed Criminal	3,687	3,621	5,105	6,984	7,921
Infractions	X	X	X	X	131,342
Ordinance Violations	X	X	X	X	X
Miscellaneous Criminal	X	X	X	X	X
Juvenile	24,458	25,068	27,732	26,315	29,002
Juvenile CHINS	X	X	X	X	X
Juvenile Delinquency	X	X	X	X	X
Juvenile Paternity	X	X	X	X	X
Juvenile Miscellaneous	X	X	X	X	X
Re-Docketed Juvenile	X	X	X	X	X
Civil (Plenary)	59,464	69,829	79,392	80,127	72,458
(Small Claims)	95,693	103,046	111,448	121,114	111,436
Re-Docketed Civil	53,110	62,426	76,255	77,364	78,161
Dissolution/Domestic Relations	48,517	49,114	49,132	47,867	43,694
Re-Docketed Dissolution/ Domestic Relations	26,150	27,989	29,837	33,998	32,744
Mental Health	X	X	X	X	X
Probate/Adoption	23,555	22,197	21,799	22,281	20,939
Adoptions	X	X	X	X	X
Estates	X	X	X	X	X
Guardianship	5,175	5,206	5,532	5,550	5,504
Trusts	X	X	X	X	X
Other	15,050	17,298	16,745	13,463	12,990
Miscellaneous	X	X	X	X	X
<b>TOTAL</b>	<b>811,214</b>	<b>886,046</b>	<b>975,304</b>	<b>927,271</b>	<b>918,316</b>

CASELOAD COMPARISON TABLE -- CASES FILED (Continued)  
CIRCUIT, SUPERIOR, COUNTY AND MUNICIPAL COURTS ONLY

Year					
1983	1984	1985	1986	1987	1988
138,645	143,092	145,522	X	X	X
X	X	X	35,662	36,592	35,366
X	X	X	99,634	152,296	143,419
111,412	96,188	176,741	129,210	X*	X*
9,002	9,626	10,828	11,893	13,555	15,400
279,792	305,953	235,782	306,635	383,637	392,643
X	X	27,955	49,931	56,589	54,934
X	X	X	X	2,949	2,662
28,596	30,347	29,263	30,469	X	X
X	X	X	X	4,809	4,458
X	X	X	X	15,985	17,284
X	X	X	X	12,489	13,385
X	X	X	X	8,012	7,536
X	X	X	X	X	6,811
69,025	65,018	70,969	73,825	65,408	66,358
98,625	102,325	112,221	120,638	129,800	131,608
74,291	78,541	82,250	90,090	93,011	103,587
43,158	43,095	42,873	42,863	46,106	47,086
32,557	34,222	37,569	34,505	34,865	36,924
X	X	X	X	4,897	4,311
20,949	21,690	21,772	21,041	X	X
X	X	X	X	3,082	3,315
X	X	X	X	17,053	17,933
5,914	6,334	6,599	6,935	6,098	6,287
X	X	X	X	211	199
14,433	16,261	18,460	18,984	X	X
X	X	X	X	7,615	8,051
926,399	952,692	1,018,804	1,072,315	1,095,059	1,119,557

\*Traffic Misdemeanors have been included in Total Misdemeanors.

CASELOAD COMPARISON TABLE -- CASES DISPOSED  
CIRCUIT, SUPERIOR, COUNTY AND MUNICIPAL COURTS ONLY

Type of Case	Year				
	1978	1979	1980	1981	1982
Criminal	93,991	104,518	118,803	127,105	130,468
Felony	X	X	X	X	X
Misdemeanor	X	X	X	X	X
Traffic Misdemeanors	326,020	354,731	389,905	356,179	227,825
Re-Docketed Criminal	3,380	3,546	4,958	6,321	7,454
Infractions	X	X	X	X	125,216
Ordinance Violations	X	X	X	X	X
Miscellaneous Criminal	X	X	X	X	X
Juvenile	22,939	22,329	26,462	25,570	29,783
Juvenile CHINS	X	X	X	X	X
Juvenile Delinquency	X	X	X	X	X
Juvenile Paternity	X	X	X	X	X
Juvenile Miscellaneous	X	X	X	X	X
Re-Docketed Juvenile	X	X	X	X	X
Civil (Plenary)	60,955	69,483	72,640	80,321	79,527
(Small Claims)	87,810	95,388	107,342	118,095	117,796
Re-Docketed Civil	40,888	49,880	57,650	65,611	64,210
Dissolution/Domestic Relations	44,896	50,854	48,053	47,947	45,849
Re-Docketed Dis-solution	22,584	26,969	27,111	30,905	32,326
Mental Health	X	X	X	X	X
Probate/Adoption	20,444	20,644	21,743	19,497	20,169
Adoptions	X	X	X	X	X
Estates	X	X	X	X	X
Guardianship	5,323	4,508	4,185	5,311	5,013
Trusts	X	X	X	X	X
Other	14,365	16,514	14,373	13,518	13,022
Miscellaneous	X	X	X	X	X
<b>TOTAL</b>	<b>743,595</b>	<b>819,364</b>	<b>893,225</b>	<b>896,380</b>	<b>898,658</b>

CASELOAD COMPARISON TABLE -- CASES DISPOSED (Continued)  
CIRCUIT, SUPERIOR, COUNTY AND MUNICIPAL COURTS ONLY

Year					
1983	1984	1985	1986	1987	1988
128,563	125,322	125,723	X	X	X
X	X	X	29,956	32,507	33,966
X	X	X	89,263	134,970	136,451
111,571	95,413	166,014	118,234	X*	X*
8,030	8,239	9,599	11,296	11,580	14,246
267,902	290,011	229,258	291,814	374,464	354,768
X	X	23,197	44,346	55,038	50,645
X	X	X	X	2,405	2,448
27,491	27,985	29,269	28,362	X	X
X	X	X	X	5,531	4,260
X	X	X	X	15,999	14,384
X	X	X	X	12,198	12,298
X	X	X	X	7,243	6,801
X	X	X	X	X	6,086
74,673	69,279	73,662	74,046	72,875	69,835
100,555	99,481	106,476	122,915	128,299	130,249
67,785	81,886	75,504	87,129	82,360	91,436
43,640	44,151	43,201	42,597	44,868	44,565
31,048	37,359	37,872	33,758	34,193	36,234
X	X	X	X	4,477	3,856
19,394	19,639	21,182	19,012	X	X
X	X	X	X	3,184	3,098
X	X	X	X	16,155	16,389
4,982	5,541	5,893	5,046	5,233	5,124
X	X	X	X	561	202
13,514	15,136	17,689	17,884	X	X
X	X	X	X	6,628	7,429
899,148	919,442	964,539	1,015,658	1,050,768	1,044,770

\*Traffic Misdemeanors have been included in Total Misdemeanors.

TOTAL CASES PENDING AS OF JANUARY 1, 1988

SUMMARY

	Circuit, Superior & Probate Courts	County, Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts	TOTAL
Criminal Felony	17,613	22,369	0	0	39,982
Criminal Misdemeanor	8,864	126,361	21,743	0	156,968
Re-Docketed Criminal	4,941	4,563	291	0	9,795
Infractions	0	106,289	25,442	0	131,731
Ordinance Violations	0	27,983	10,727	0	38,710
Miscellaneous Criminal	287	2,725	554	0	3,566
Juvenile CHINS	4,504	0	0	0	4,504
Juvenile Delinquency	11,119	0	0	0	11,119
Juvenile Paternity	8,411	0	0	0	8,411
Juvenile Miscellaneous	1,758	0	0	0	1,758
Re-Docketed Juvenile	1,286	0	0	0	1,286
Civil Plenary	86,256	10,896	0	0	97,152
Small Claims	0	60,546	0	10,406	70,952
Civil-City & Town Courts	0	0	43,466	0	43,466
Re-Docketed Civil	42,710	59,370	4,828	8,902	115,810
Domestic Relations	40,368	0	0	0	40,368
Re-Docketed Domestic Relations	23,831	0	0	0	23,831
Mental Health	3,133	2,148	0	0	5,281
Adoptions	2,442	0	0	0	2,442
Estates	41,277	0	0	0	41,277
Guardianships	40,185	0	0	0	40,185
Trusts	1,636	0	0	0	1,636
Miscellaneous	3,598	1,004	168	0	4,770
<b>TOTAL</b>	<b>344,219</b>	<b>424,254</b>	<b>107,219</b>	<b>19,308</b>	<b>895,000</b>

TOTAL CASES FILED IN 1988

SUMMARY

	Circuit, Superior & Probate Courts	County, Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts	TOTAL
Criminal Felony	17,923	17,443	0	0	35,366
Criminal Misdemeanor	13,051	130,368	35,523	0	178,942
Re-Docketed Criminal	8,512	6,888	524	0	15,924
Infractions	0	392,643	138,365	0	531,008
Ordinance Violations	0	54,934	13,645	0	68,579
Miscellaneous Criminal	1,227	1,435	2,358	0	5,020
Juvenile CHINS	4,458	0	0	0	4,458
Juvenile Delinquency	17,284	0	0	0	17,284
Juvenile Paternity	13,385	0	0	0	13,385
Juvenile Miscellaneous	7,536	0	0	0	7,536
Re-Docketed Juvenile	6,811	0	0	0	6,811
Civil Plenary	49,330	17,028	0	0	66,358
Small Claims	0	131,608	0	65,374	196,982
Civil-City & Town Courts	0	0	12,015	0	12,015
Re-Docketed Civil	18,369	85,218	2,502	23,932	130,021
Domestic Relations	47,086	0	0	0	47,086
Re-Docketed Domestic Relations	36,924	0	0	0	36,924
Mental Health	3,955	356	0	0	4,311
Adoptions	3,315	0	0	0	3,315
Estates	17,933	0	0	0	17,933
Guardianships	6,287	0	0	0	6,287
Trusts	199	0	0	0	199
Miscellaneous	6,094	1,957	168	771	8,990
<b>TOTAL</b>	<b>279,679</b>	<b>839,878</b>	<b>205,100</b>	<b>90,077</b>	<b>1,414,734</b>

CASES VENUED-IN

SUMMARY

	Circuit, Superior & Probate Courts	County, Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts	TOTAL
Criminal Felony	99	663	0	0	762
Criminal Misdemeanor	16	693	0	0	709
Re-Docketed Criminal	5	0	0	0	5
Infractions	0	113	0	0	113
Ordinance Violations	0	18	0	0	18
Miscellaneous Criminal	0	0	0	0	0
Juvenile CHINS	6	0	0	0	6
Juvenile Delinquency	9	0	0	0	9
Juvenile Paternity	38	0	0	0	38
Juvenile Miscellaneous	477	0	0	0	477
Re-Docketed Juvenile	1	0	0	0	1
Civil Plenary	5,588	180	0	0	5,768
Small Claims	0	43	0	0	43
Civil-City & Town Courts	0	0	0	0	0
Re-Docketed Civil	89	0	0	0	89
Domestic Relations	1,251	0	0	0	1,251
Re-Docketed Domestic Relations	223	0	0	0	223
Mental Health	2	0	0	0	2
Adoptions	4	0	0	0	4
Estates	10	0	0	0	10
Guardianships	9	0	0	0	9
Trusts	2	0	0	0	2
Miscellaneous	11	1	0	0	12
<b>TOTAL</b>	<b>7,840</b>	<b>1,711</b>	<b>0</b>	<b>0</b>	<b>9,551</b>

TOTAL CASES DISPOSED IN 1988

SUMMARY

	Circuit, Superior & Probate Courts	County, Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts	TOTAL
Criminal Felony	16,713	17,253	0	0	33,966
Criminal Misdemeanor	12,611	123,840	39,353	0	175,804
Re-Docketed Criminal	7,708	6,538	546	0	14,792
Infractions	0	354,768	135,741	0	490,509
Ordinance Violations	0	50,645	16,785	0	67,430
Miscellaneous Criminal	1,090	1,358	2,217	0	4,665
Juvenile CHINS	4,260	0	0	0	4,260
Juvenile Delinquency	14,384	0	0	0	14,384
Juvenile Paternity	12,298	0	0	0	12,298
Juvenile Miscellaneous	6,801	0	0	0	6,801
Re-Docketed Juvenile	6,086	0	0	0	6,086
Civil Plenary	53,109	16,726	0	0	69,835
Small Claims	0	130,249	0	59,465	189,714
Civil-City & Town Courts	0	0	9,082	0	9,082
Re-Docketed Civil	14,675	76,761	4,654	21,447	117,537
Domestic Relations	44,565	0	0	0	44,565
Re-Docketed Domestic Relations	36,234	0	0	0	36,234
Mental Health	3,687	169	0	0	3,856
Adoptions	3,098	0	0	0	3,098
Estates	16,389	0	0	0	16,389
Guardianships	5,124	0	0	0	5,124
Trusts	202	0	0	0	202
Miscellaneous	4,644	2,785	134	725	8,288
<b>TOTAL</b>	<b>263,678</b>	<b>781,092</b>	<b>208,512</b>	<b>81,637</b>	<b>1,334,919</b>

TOTAL CASES PENDING AS OF DECEMBER 31, 1988

SUMMARY

	Circuit, Superior & Probate Courts	County, Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts	TOTAL
Criminal Felony	18,922	23,222	0	0	42,144
Criminal Misdemeanor	9,320	133,582	17,913	0	160,815
Re-Docketed Criminal	5,750	4,913	269	0	10,932
Infractions	0	144,277	28,066	0	172,343
Ordinance Violations	0	32,290	7,587	0	39,877
Miscellaneous Criminal	424	2,802	695	0	3,921
Juvenile CHINS	4,708	0	0	0	4,708
Juvenile Delinquency	14,028	0	0	0	14,028
Juvenile Paternity	9,536	0	0	0	9,536
Juvenile Miscellaneous	2,970	0	0	0	2,970
Re-Docketed Juvenile	2,012	0	0	0	2,012
Civil Plenary	88,065	11,378	0	0	99,443
Small Claims	0	61,948	0	16,315	78,263
Civil-City & Town Courts	0	0	46,399	0	46,399
Re-Docketed Civil	46,493	67,827	2,676	11,387	128,383
Domestic Relations	44,140	0	0	0	44,140
Re-Docketed Domestic Relations	24,744	0	0	0	24,744
Mental Health	3,403	2,335	0	0	5,738
Adoptions	2,663	0	0	0	2,663
Estates	42,831	0	0	0	42,831
Guardianships	41,357	0	0	0	41,357
Trusts	1,635	0	0	0	1,635
Miscellaneous	5,059	177	202	46	5,484
<b>TOTAL</b>	<b>368,060</b>	<b>484,751</b>	<b>103,807</b>	<b>27,748</b>	<b>984,366</b>

METHOD OF CASE DISPOSITION -- JURY TRIALS

CRIMINAL

	Circuit Superior & Probate Courts	County Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts	TOTAL
Criminal Felony	1,009	173	0	0	1,182
Criminal Misdemeanor	34	225	7	0	266
Redocketed Criminal	10	4	0	0	14
Infractions	0	15	0	0	15
Ordinance Violations	0	25	0	0	25
Miscellaneous Criminal	2	0	0	0	2
Juvenile CHINS	0	0	0	0	0
Juvenile Delinquency	0	0	0	0	0
Juvenile Paternity	19	0	0	0	19
Juvenile Miscellaneous	0	0	0	0	0
Re-Docketed Juvenile	1	0	0	0	1

CIVIL

Civil Plenary	577	69	0	0	646
Small Claims	0	663	0	0	663
Civil-City & Town Courts	0	0	0	0	0
Redocketed Civil	8	261	0	0	269
Domestic Relations	70	0	0	0	70
Redocketed Domestic Relations	13	0	0	0	13
Mental Health	0	0	0	0	0
Adoptions	3	0	0	0	3
Estates	1	0	0	0	1
Guardianships	1	0	0	0	1
Trusts	0	0	0	0	0
Miscellaneous	3	0	0	0	3
<b>TOTAL</b>	<b>1,751</b>	<b>1,435</b>	<b>7</b>	<b>0</b>	<b>3,193</b>

METHOD OF CASE DISPOSITION -- BENCH TRIALS

CRIMINAL

	Circuit Superior & Probate Courts	County Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts	TOTAL
Criminal Felony	1,083	1,142	0	0	2,225
Criminal Misdemeanor	728	10,080	7,980	0	18,788
Redocketed Criminal	4,488	1,026	157	0	5,671
Infractions	0	9,818	7,466	0	17,284
Ordinance Violations	0	2,493	2,361	0	4,854
Miscellaneous Criminal	621	98	646	0	1,365
Juvenile CHINS	2,675	0	0	0	2,675
Juvenile Delinquency	5,643	0	0	0	5,643
Juvenile Paternity	9,396	0	0	0	9,396
Juvenile Miscellaneous	1,192	0	0	0	1,192
Re-Docketed Juvenile	4,821	0	0	0	4,821

CIVIL

Civil Plenary	9,978	2,542	0	0	12,520
Small Claims	0	27,492	0	12,129	39,621
Civil-City & Town Courts	0	0	208	0	208
Redocketed Civil	6,972	32,987	17	7,127	47,103
Domestic Relations	31,705	0	0	0	31,705
Redocketed Domestic Relations	26,333	0	0	0	26,333
Mental Health	2,159	43	0	0	2,202
Adoptions	2,166	0	0	0	2,166
Estates	6,009	0	0	0	6,009
Guardianships	2,266	0	0	0	2,266
Trusts	102	0	0	0	102
Miscellaneous	2,007	1,304	46	609	3,966
<b>TOTAL</b>	<b>120,344</b>	<b>89,025</b>	<b>18,881</b>	<b>19,865</b>	<b>248,115</b>

METHOD OF CASE DISPOSITION -- DISMISSED

CRIMINAL

	Circuit Superior & Probate Courts	County Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts	TOTAL
Criminal Felony	3,566	4,383	0	0	7,949
Criminal Misdemeanor	2,719	41,734	5,588	0	50,041
Redocketed Criminal	1,212	2,429	259	0	3,900
Infractions	0	34,222	8,659	0	42,881
Ordinance Violations	0	6,348	2,750	0	9,098
Miscellaneous Criminal	73	37	57	0	167
Juvenile CHINS	1,027	0	0	0	1,027
Juvenile Delinquency	3,662	0	0	0	3,662
Juvenile Paternity	2,009	0	0	0	2,009
Juvenile Miscellaneous	617	0	0	0	617
Re-Docketed Juvenile	463	0	0	0	463

CIVIL

Civil Plenary	20,967	5,570	0	0	26,537
Small Claims	0	37,168	0	9,483	46,651
Civil-City & Town Courts	0	0	1,517	0	1,517
Redocketed Civil	5,371	20,332	4,387	4,808	34,898
Domestic Relations	8,794	0	0	0	8,794
Redocketed Domestic Relations	6,416	0	0	0	6,416
Mental Health	980	35	0	0	1,015
Adoptions	162	0	0	0	162
Estates	43	0	0	0	43
Guardianships	182	0	0	0	182
Trusts	4	0	0	0	4
Miscellaneous	820	100	18	116	1,054
<b>TOTAL</b>	<b>59,087</b>	<b>152,358</b>	<b>23,235</b>	<b>14,407</b>	<b>249,087</b>

METHOD OF CASE DISPOSITION -- TRANSFERRED OUT

CRIMINAL

	Circuit Superior & Probate Courts	County Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts	TOTAL
Criminal Felony	213	930	0	0	1,143
Criminal Misdemeanor	76	1,319	817	0	2,212
Redocketed Criminal	42	100	1	0	143
Infractions	0	419	791	0	1,210
Ordinance Violations	0	29	3	0	32
Miscellaneous Criminal	6	230	8	0	244
Juvenile CHINS	7	0	0	0	7
Juvenile Delinquency	73	0	0	0	73
Juvenile Paternity	98	0	0	0	98
Juvenile Miscellaneous	3	0	0	0	3
Re-Docketed Juvenile	13	0	0	0	13

CIVIL

Civil Plenary	532	180	0	0	712
Small Claims	0	712	0	911	1,623
Civil-City & Town Courts	0	0	17	0	17
Redocketed Civil	40	505	0	1	546
Domestic Relations	864	0	0	0	864
Redocketed Domestic Relations	329	0	0	0	329
Mental Health	11	0	0	0	11
Adoptions	7	0	0	0	7
Estates	14	0	0	0	14
Guardianships	10	0	0	0	10
Trusts	0	0	0	0	0
Miscellaneous	5	0	0	0	5

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TOTAL	2,343	4,424	1,637	912	9,316
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METHOD OF CASE DISPOSITION -- VENUED OUT

CRIMINAL

	Circuit Superior & Probate Courts	County Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts	TOTAL
Criminal Felony	43	43	0	0	86
Criminal Misdemeanor	4	168	0	0	172
Redocketed Criminal	4	47	0	0	51
Infractions	0	54	0	0	54
Ordinance Violations	0	0	0	0	0
Miscellaneous Criminal	1	5	0	0	6
Juvenile CHINS	7	0	0	0	7
Juvenile Delinquency	28	0	0	0	28
Juvenile Paternity	29	0	0	0	29
Juvenile Miscellaneous	1	0	0	0	1
Re-Docketed Juvenile	7	0	0	0	7

CIVIL

Civil Plenary	5,177	293	0	0	5,470
Small Claims	0	204	0	0	204
Civil-City & Town Courts	0	0	0	0	0
Redocketed Civil	30	0	0	0	30
Domestic Relations	985	0	0	0	985
Redocketed Domestic Relations	82	0	0	0	82
Mental Health	2	1	0	0	3
Adoptions	8	0	0	0	8
Estates	8	0	0	0	8
Guardianships	16	0	0	0	16
Trusts	2	0	0	0	2
Miscellaneous	14	1	0	0	15
<b>TOTAL</b>	<b>6,448</b>	<b>816</b>	<b>0</b>	<b>0</b>	<b>7,264</b>

METHOD OF CASE DISPOSITION  
GUILTY PLEA/ADMISSION  
CRIMINAL

	Circuit Superior & Probate Courts	County Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts	TOTAL
Criminal Felony	10,478	8,821	0	0	19,299
Criminal Misdemeanor	8,764	65,595	20,575	0	94,934
Redocketed Criminal	1,215	1,898	124	0	3,237
Infractions	0	118,053	88,444	0	206,497
Ordinance Violations	0	12,220	8,121	0	20,341
Miscellaneous Criminal	94	73	1,479	0	1,646
Juvenile CHINS	403	0	0	0	403
Juvenile Delinquency	4,552	0	0	0	4,552
Juvenile Paternity	180	0	0	0	180
Juvenile Miscellaneous	2,168	0	0	0	2,168
Re-Docketed Juvenile	139	0	0	0	139
<b>TOTAL</b>	<b>27,993</b>	<b>206,660</b>	<b>118,743</b>	<b>0</b>	<b>353,396</b>

DEFAULT  
CIVIL

Civil Plenary	13,933	7,345	0	0	21,278
Small Claims	0	51,708	0	35,779	87,487
Civil-City & Town Courts	0	0	5,096	0	5,096
Redocketed Civil	1,337	9,765	80	4,856	16,038
Domestic Relations	990	0	0	0	990
Redocketed Domestic Relations	299	0	0	0	299
Mental Health	2	0	0	0	2
Adoptions	1	0	0	0	1
Estates	3	0	0	0	3
Guardianships	3	0	0	0	3
Trusts	2	0	0	0	2
Miscellaneous	82	25	3	0	110
<b>TOTAL</b>	<b>16,652</b>	<b>68,843</b>	<b>5,179</b>	<b>40,635</b>	<b>131,309</b>

METHOD OF CASE DISPOSITION  
VIOLATIONS BUREAU  
CRIMINAL

	Circuit Superior & Probate Courts	County Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts	TOTAL
Criminal Felony	0	1	0	0	1
Criminal Misdemeanor	0	257	72	0	329
Redocketed Criminal	0	45	0	0	45
Infractions	0	160,184	22,316	0	182,500
Ordinance Violations	0	24,560	990	0	25,550
Miscellaneous Criminal	0	23	0	0	23
Juvenile CHINS	0	0	0	0	0
Juvenile Delinquency	0	0	0	0	0
Juvenile Paternity	0	0	0	0	0
Juvenile Miscellaneous	0	0	0	0	0
Re-Docketed Juvenile	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>185,070</b>	<b>23,378</b>	<b>0</b>	<b>208,448</b>

CLOSED  
CIVIL

Civil Plenary	872	0	0	0	872
Small Claims	0	0	0	0	0
Civil-City & Town Courts	0	0	0	0	0
Redocketed Civil	339	0	0	0	339
Domestic Relations	267	0	0	0	267
Redocketed Domestic Relations	1,130	0	0	0	1,130
Mental Health	414	0	0	0	414
Adoptions	687	0	0	0	687
Estates	10,294	0	0	0	10,294
Guardianships	2,629	0	0	0	2,629
Trusts	91	0	0	0	91
Miscellaneous	630	0	0	0	630
<b>TOTAL</b>	<b>17,353</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>17,353</b>

1988 AVERAGE CASELOAD -- FILINGS

	Circuit, Superior & Probate Courts	County, Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts
Criminal Felony	80.37	142.98	0	0
Criminal Misdemeanor	58.52	1,068.59	486.62	0
Re-Docketed Criminal	38.17	56.46	7.18	0
Infractions	0	3,218.39	1,895.41	0
Ordinance Violations	0	450.28	186.92	0
Miscellaneous Criminal	5.50	11.76	32.30	0
Juvenile CHINS	19.99	0	0	0
Juvenile Delinquency	77.51	0	0	0
Juvenile Paternity	60.02	0	0	0
Juvenile Miscellaneous	33.79	0	0	0
Re-Docketed Juveniles	30.54	0	0	0
Civil Plenary	221.21	139.57	0	0
Small Claims	0	1,078.75	0	8,171.75
Civil-City & Town Courts	0	0	164.59	0
Re-Docketed Civil	82.37	698.51	34.27	2,991.50
Domestic Relations	211.15	0	0	0
Re-Docketed Domestic Relations	165.58	0	0	0
Mental Health	17.74	2.92	0	0
Adoptions	14.87	0	0	0
Estates	80.42	0	0	0
Guardianships	28.19	0	0	0
Trusts	.89	0	0	0
Miscellaneous	27.33	16.04	2.30	96.38
<b>TOTAL</b>	<b>1,254.16</b>	<b>6,884.25</b>	<b>2,809.59</b>	<b>11,259.63</b>

1988 AVERAGE CASELOAD -- DISPOSITIONS

	Circuit, Superior & Probate Courts	County, Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts
Criminal Felony	74.95	141.42	0	0
Criminal Misdemeanor	56.55	1,015.08	539.08	0
Re-Docketed Criminal	34.57	53.59	7.48	0
Infractions	0	2,907.93	1,859.47	0
Ordinance Violations	0	415.12	229.93	0
Miscellaneous Criminal	4.89	11.13	30.37	0
Juvenile CHINS	19.10	0	0	0
Juvenile Delinquency	64.50	0	0	0
Juvenile Paternity	55.15	0	0	0
Juvenile Miscellaneous	30.50	0	0	0
Re-Docketed Juvenile	27.29	0	0	0
Civil Plenary	238.16	137.10	0	0
Small Claims	0	1,067.61	0	7,433.13
Civil-City & Town Courts	0	0	124.41	0
Re-Docketed Civil	65.81	629.19	63.75	2,680.88
Domestic Relations	199.84	0	0	0
Re-Docketed Domestic Relations	162.48	0	0	0
Mental Health	16.53	1.39	0	0
Adoptions	13.89	0	0	0
Estates	73.49	0	0	0
Guardianships	22.98	0	0	0
Trusts	.91	0	0	0
Miscellaneous	20.83	22.83	1.84	90.63
<b>TOTAL</b>	<b>1,182.42</b>	<b>6,402.39</b>	<b>2,856.33</b>	<b>10,204.64</b>

1988 AVERAGE CASELOAD

METHOD OF CASE DISPOSITION -- JURY TRIALS

CRIMINAL

	Circuit Superior & Probate Courts	County Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts
Criminal Felony	4.52	1.42	0	0
Criminal Misdemeanor	.15	1.84	.10	0
Re-docketed Criminal	.04	.03	0	0
Infractions	0	.12	0	0
Ordinance Violations	0	.20	0	0
Miscellaneous Criminal	.01	0	0	0
Juvenile CHINS	0	0	0	0
Juvenile Delinquency	0	0	0	0
Juvenile Paternity	.09	0	0	0
Juvenile Miscellaneous	0	0	0	0
Re-Docketed Juvenile	0	0	0	0

CIVIL

Civil Plenary	2.59	.57	0	0
Small Claims	0	5.43	0	0
Civil-City & Town Courts	0	0	0	0
Re-docketed Civil	.04	2.14	0	0
Domestic Relations	.31	0	0	0
Re-docketed Domestic Relations	.06	0	0	0
Mental Health	0	0	0	0
Adoptions	.01	0	0	0
Estates	0	0	0	0
Guardianships	0	0	0	0
Trusts	0	0	0	0
Miscellaneous	.01	0	0	0
<b>TOTAL</b>	<b>7.83</b>	<b>11.75</b>	<b>.10</b>	<b>0</b>

1988 AVERAGE CASELOAD

METHOD OF CASE DISPOSITION -- BENCH TRIALS  
CRIMINAL

	Circuit Superior & Probate Courts	County Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts
Criminal Felony	4.86	9.36	0	0
Criminal Misdemeanor	3.26	82.62	109.32	0
Re-docketed Criminal	20.13	8.41	2.15	0
Infractions	0	80.48	102.27	0
Ordinance Violations	0	20.43	32.34	0
Miscellaneous Criminal	2.78	.80	8.85	0
Juvenile CHINS	12.00	0	0	0
Juvenile Delinquency	25.30	0	0	0
Juvenile Paternity	42.13	0	0	0
Juvenile Miscellaneous	5.35	0	0	0
Re-Docketed Juvenile	21.62	0	0	0

CIVIL

Civil Plenary	44.74	20.84	0	0
Small Claims	0	225.34	0	1516.13
Civil-City & Town Courts	0	0	2.85	0
Re-docketed Civil	31.26	270.39	.23	890.88
Domestic Relations	142.17	0	0	0
Re-docketed Domestic Relations	118.09	0	0	0
Mental Health	9.68	.35	0	0
Adoptions	9.71	0	0	0
Estates	26.95	0	0	0
Guardianships	10.16	0	0	0
Trusts	.46	0	0	0
Miscellaneous	9.00	10.69	.63	76.13
<b>TOTAL</b>	<b>539.65</b>	<b>729.71</b>	<b>258.64</b>	<b>2483.14</b>

1988 AVERAGE CASELOAD

METHOD OF CASE DISPOSITION -- DISMISSED  
CRIMINAL

	Circuit Superior & Probate Courts	County Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts
Criminal Felony	15.99	35.93	0	0
Criminal Misdemeanor	12.19	342.08	76.55	0
Re-docketed Criminal	5.43	19.91	3.55	0
Infractions	0	280.51	118.62	0
Ordinance Violations	0	52.03	37.67	0
Miscellaneous Criminal	.33	.30	.78	0
Juvenile CHINS	4.61	0	0	0
Juvenile Delinquency	16.42	0	0	0
Juvenile Paternity	9.01	0	0	0
Juvenile Miscellaneous	2.77	0	0	0
Re-Docketed Juvenile	2.08	0	0	0

CIVIL

Civil Plenary	94.02	45.66	0	0
Small Claims	0	304.66	0	1185.38
Civil-City & Town Courts	0	0	20.78	0
Re-docketed Civil	24.09	166.66	60.10	601.00
Domestic Relations	39.43	0	0	0
Re-docketed Domestic Relations	28.77	0	0	0
Mental Health	4.39	.29	0	0
Adoptions	.73	0	0	0
Estates	.19	0	0	0
Guardianships	.82	0	0	0
Trusts	.02	0	0	0
Miscellaneous	3.68	.82	.25	14.50

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<b>TOTAL</b>	<b>264.97</b>	<b>1248.85</b>	<b>318.30</b>	<b>1800.88</b>
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1988 AVERAGE CASELOAD

METHOD OF CASE DISPOSITION -- TRANSFERRED OUT  
CRIMINAL

	Circuit Superior & Probate Courts	County Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts
Criminal Felony	.96	7.62	0	0
Criminal Misdemeanor	.34	10.81	11.19	0
Re-docketed Criminal	.19	.82	.01	0
Infractions	0	3.43	10.84	0
Ordinance Violations	0	.24	.04	0
Miscellaneous Criminal	.03	1.89	.11	0
Juvenile CHINS	.03	0	0	0
Juvenile Delinquency	.33	0	0	0
Juvenile Paternity	.44	0	0	0
Juvenile Miscellaneous	.01	0	0	0
Re-Docketed Juvenile	.06	0	0	0

CIVIL

Civil Plenary	2.39	1.48	0	0
Small Claims	0	5.84	0	113.88
Civil-City & Town Courts	0	0	.23	0
Re-docketed Civil	.18	4.14	0	.13
Domestic Relations	3.87	0	0	0
Re-docketed Domestic Relations	1.48	0	0	0
Mental Health	.05	0	0	0
Adoptions	.03	0	0	0
Estates	.06	0	0	0
Guardianships	.04	0	0	0
Trusts	0	0	0	0
Miscellaneous	.02	0	0	0
<b>TOTAL</b>	<b>10.51</b>	<b>36.27</b>	<b>22.42</b>	<b>114.61</b>

1988 AVERAGE CASELOAD

METHOD OF CASE DISPOSITION -- VENUED OUT  
CRIMINAL

	Circuit Superior & Probate Courts	County Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts
Criminal Felony	.19	.35	0	0
Criminal Misdemeanor	.02	1.38	0	0
Re-docketed Criminal	.02	.39	0	0
Infractions	0	.44	0	0
Ordinance Violations	0	0	0	0
Miscellaneous Criminal	0	.04	0	0
Juvenile CHINS	.03	0	0	0
Juvenile Delinquency	.13	0	0	0
Juvenile Paternity	.13	0	0	0
Juvenile Miscellaneous	0	0	0	0
Re-Docketed Juvenile	.03	0	0	0

CIVIL

Civil Plenary	23.22	2.40	0	0
Small Claims	0	1.67	0	0
Civil-City & Town Courts	0	0	0	0
Re-docketed Civil	.13	0	0	0
Domestic Relations	4.42	0	0	0
Re-docketed Domestic Relations	.37	0	0	0
Mental Health	.01	.01	0	0
Adoptions	.04	0	0	0
Estates	.04	0	0	0
Guardianships	.07	0	0	0
Trusts	.01	0	0	0
Miscellaneous	.06	.01	0	0
<b>TOTAL</b>	<b>28.92</b>	<b>6.69</b>	<b>0</b>	<b>0</b>

1988 AVERAGE CASELOAD  
METHOD OF CASE DISPOSITION -- GUILTY PLEA/ADMISSION  
CRIMINAL

	Circuit Superior & Probate Courts	County Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts
Criminal Felony	46.99	72.30	0	0
Criminal Misdemeanor	39.30	537.66	281.85	0
Re-docketed Criminal	5.45	15.56	1.70	0
Infractions	0	967.65	1211.56	0
Ordinance Violations	0	100.16	111.25	0
Miscellaneous Criminal	.42	.60	20.26	0
Juvenile CHINS	1.81	0	0	0
Juvenile Delinquency	20.41	0	0	0
Juvenile Paternity	.81	0	0	0
Juvenile Miscellaneous	9.72	0	0	0
Re-Docketed Juvenile	.62	0	0	0
<b>TOTAL</b>	<b>125.53</b>	<b>1693.93</b>	<b>1626.62</b>	<b>0</b>

DEFAULT  
CIVIL

Civil Plenary	62.48	60.20	0	0
Small Claims	0	423.84	0	4472.38
Civil-City & Town Courts	0	0	69.81	0
Re-docketed Civil	6.00	80.04	1.10	607.00
Domestic Relations	4.44	0	0	0
Re-docketed Domestic Relations	1.34	0	0	0
Mental Health	.01	0	0	0
Adoptions	0	0	0	0
Estates	.01	0	0	0
Guardianships	.01	0	0	0
Trusts	.01	0	0	0
Miscellaneous	.37	.20	.04	0
<b>TOTAL</b>	<b>74.67</b>	<b>564.28</b>	<b>70.95</b>	<b>5079.38</b>

1988 AVERAGE CASELOAD  
METHOD OF CASE DISPOSITION -- VIOLATIONS BUREAU  
CRIMINAL

	Circuit Superior & Probate Courts	County Municipal & County Court Function	City & Town Courts	Marion County Small Claims Courts
Criminal Felony	0	.01	0	0
Criminal Misdemeanor	0	2.11	.99	0
Re-docketed Criminal	0	.37	0	0
Infractions	0	1312.98	305.70	0
Ordinance Violations	0	201.31	13.56	0
Miscellaneous Criminal	0	.19	0	0
Juvenile CHINS	0	0	0	0
Juvenile Delinquency	0	0	0	0
Juvenile Paternity	0	0	0	0
Juvenile Miscellaneous	0	0	0	0
Re-Docketed Juvenile	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>1516.97</b>	<b>320.25</b>	<b>0</b>

CLOSED  
CIVIL

Civil Plenary	3.91	0	0	0
Small Claims	0	0	0	0
Civil-City & Town Courts	0	0	0	0
Re-docketed Civil	1.52	0	0	0
Domestic Relations	1.20	0	0	0
Re-docketed Domestic Relations	5.07	0	0	0
Mental Health	1.86	0	0	0
Adoptions	3.08	0	0	0
Estates	46.16	0	0	0
Guardianships	11.79	0	0	0
Trusts	.41	0	0	0
Miscellaneous	2.83	0	0	0
<b>TOTAL</b>	<b>77.83</b>	<b>0</b>	<b>0</b>	<b>0</b>

# 1988 FISCAL REPORT

Pursuant to Indiana Code 33-2.1-7-3, the Division of State Court Administration is directed to collect and compile statistical data as to the receipt and expenditure of public moneys by and for the operation of the courts.

This portion of the report is intended to present a general financial overview of the expenditures of Indiana's courts and revenues generated through their operation. The financial information is gathered on an annual basis at the end of each calendar year. This is a manual data gathering system whereby each court prepares a form and forwards it, by mail, to the Division of State Court Administration. The reporting forms call for the court's requested and approved budget, the actual expenditures and the amounts collected by the clerk through the various fees and costs. This publication, however, reflects only the expenditure and revenue data; the requested and approved budgets are available, but are not published here.

## EXPENDITURES

The Supreme Court, Court of Appeals and Tax Court are funded through appropriations from the State general fund. The Indiana State Auditor's Report contains information as to the expenditures by these courts and other state level expenditures on related functions.

Indiana's trial courts are funded through appropriations from the respective county's general fund. State funds are used only for portion of the judges' salaries<sup>1</sup> and for special judge expenses.<sup>2</sup> In some of the more populous counties, separate budgets are maintained for probation services, juvenile services and pauper defense services. These expenses have been included in the final totals. Expenditures which have not been included are those not directly related to the court's operation, such as the prosecuting attorney's office and the clerk's office.

The city and town courts are funded by the respective municipalities. In many instances a distinct city or town court budget is not maintained, and all expenses are paid directly from the local general fund. This practice makes it extremely difficult to provide accurate expenditure information on the city and town courts.

The Marion County Small Claims Courts are funded by the respective townships through budget appropriations.

## REVENUES

Revenues generated through the operation of the trial courts are collected, accounted for and disbursed by the Clerk of the Circuit Court, an independently elected constitutional office. The Clerk of the Circuit Court also functions as the clerk of the county and, as such, performs many other functions not related to court operations.

These revenues are generated primarily from filing fees, costs and fines and user fees assessed to the litigants. They are disbursed to either the state, county or local general fund or to a long list of special funds established by the Legislature for specific programs and services. In order to provide the information needed to fulfill this requirement, trial courts must invariably rely on the figures provided to them by the Clerk's office which actually collects the moneys. As a result, the revenue reporting forms have been designed to correlate the fee collection reports used by the clerks. This is important as it underscores the nature of the data presented in this report and the fact that it is not intended as an actual accounting of receipts.

Revenues generated through the city, town and Marion Small Claims Courts are collected by the local clerk and disbursed pursuant to statutory provisions. The only direct payment fee in existence is the personal service of process fee charged to small claims litigants in the Marion

County Small Claims Courts. This fee goes to the constable and his deputies.<sup>3</sup>

Prior to a 1987 Legislative amendment,<sup>4</sup> court costs and fees were collected under a complex and burdensome structure which provided for more than twenty different fees to be charged in different cases and disbursed to different funds. Effective July 1, 1987, the Legislature enacted a somewhat more simplified schedule of court costs. Following is an explanation of the costs and fees reflected in this report.

### COURT COSTS AND OTHER FEES

Upon the filing of a civil case, a guilty finding in a criminal case, or a judgment for an infraction or ordinance violation, the litigant is charged a specified court cost. In addition, the General Assembly has designated numerous other fees which could be charged under certain circumstances. Many of the added fees are so called "user fees" which pay for defendants' enrollment in court or prosecutor sponsored programs. Following is a description of the costs and fees:

1. Court Costs: In every case resulting in a felony or misdemeanor conviction a fee of \$100.00 is charged (\$110.00 effective 7/1/89);<sup>5</sup> In each action which results in a judgment for a violation constituting an infraction or ordinance, the fee is \$50.00;<sup>6</sup> In each juvenile action, the fee is \$40.00;<sup>7</sup> In each civil action, the fee is \$55.00;<sup>8</sup> The fee in small claims cases is \$30.00;<sup>9</sup> (This does not include small claims cases filed in the Marion County Small Claims Courts. The fees in those courts are set out in IC 33-11.6-4-5.) The fee in probate and trust matters is \$100.00;<sup>10</sup>

These court costs include service of process by mail, unless service by sheriff is required.<sup>11</sup>

2. Court Costs - State Portion: Of the total amount collected through court costs the clerk of the circuit court distributes semi-annually to the state auditor for deposit in the state general fund, fifty percent (50%) of the amount collected.<sup>12</sup>

3. Court Costs - County Portion: The county share is forty-seven percent (47%) of the total collected from court costs; it is forwarded to the county auditor.<sup>13</sup>

If a county police pension fund has been established in the county, the sheriff may present a claim for each service of process and the county fiscal body will appropriate \$12.00 for each claim.<sup>14</sup>

4. Court Costs - City and Town Portion: Three percent (3%) of the collected fees is the qualified municipality share distributed to each city and town maintaining a law enforcement agency that prosecutes at least fifty percent (50%) of its ordinance violations in a circuit, superior, county or municipal court of the county.<sup>15</sup> The county auditor determines the amount to be distributed to each city and town based upon a specific formula; the funds are distributed semi-annually.<sup>16</sup>

5. Court Costs in City and Town Courts: The fees collected through the city and town courts are distributed as follows:

- a. Fifty-five percent (55%) semi-annually to the state auditor for the state general fund;
- b. Each month the city or town fiscal officer distributed fifteen percent (15%) of the fees to the county auditor as the county share and thirty percent (30%) is retained as the city or town share.<sup>17</sup>

6. Special State Fund: In order to assure funding of the special programs and activities previously supported through fees collected from litigants, the law provides that twice a year the state auditor must transfer to the state treasurer \$4,865,500 for deposit into eight specific funds pursuant to percentages set out in the statute.<sup>18</sup>

Those funds are:

- a. Family Violence and Victim Assistance Fund - 15.26%
- b. Judges Retirement Fund - 7.3%
- c. Law Enforcement Academy Building Fund - 4.83%
- d. Law Enforcement Training Fund - 19.54%
- e. Violent Crime Victims Compensation Fund - 12.48%

- f. Motor Vehicles Highway Account - 37.12%
- g. Fish and Wildlife Fund - 0.42%
- h. Division of Addiction Services Account for administration, certification and support of alcohol and drug services programs - 3.05%

7. Fines and Forfeitures: Fines and forfeitures assessed in criminal cases go to the State Common School Fund pursuant to a constitutional provision.<sup>19</sup>

8. Infraction Judgments: This category reflects moneys collected as infraction judgments in cases involving state law violations. (See also "Deferral Program Fee".) Infraction judgments go to the state general fund.

9. City and Town Infraction Judgments: This category reflects amounts collected as judgments for local ordinance violations. They go to the respective municipality. (See also "Deferral Program Fee".)

10. Vehicle License Fee: This category represents amounts collected as infraction judgments in overweight vehicle cases. These funds go to the State Highway Fund rather than the general fund.<sup>20</sup> (See also "Deferral Program Fee".)

11. Support Fees: This category reflects a fee collected in actions in which a final court order requires a person to pay support or maintenance payments through the clerk. The fee may be \$10, \$20 or \$30 depending on when it is paid.<sup>21</sup> The fee goes to the county general fund.

12. Bond Administration Fee: When a defendant executes a bail bond with the clerk, ten percent (10%) or \$50.00, whichever is less, may be retained as the administrative fee which is reflected here.<sup>22</sup> These fees also go to the county general fund.

Effective 7/1/89, when public funds have been expended on defense, the court must order the clerk to remit the difference, if any, and retain the rest, between the bond deposit and the cost of pauper defense. The retained amount is deposited in a Supplemental Public Defender Services Fund established by IC 33-9-11.5. Prior to 7/1/

89, this applied to only Allen County. Any amounts collected under these provisions are reflected in the "other" category.<sup>23</sup>

13. Death Benefit Fund Fee: The clerk must also collect or retain \$5.00 for each bond. This fee is remitted semi-annually to the Public Employees Retirement Fund for deposit in a special Death Benefit Fund. The fund provides a \$50,000 lump sum death benefit to the spouse or children of a public safety officer who dies in the line of duty. With the approval of the clerk, this fee may be collected by the county sheriff who remits it to the clerk. These fees are reflected in the "other" category. (This section expires 12/31/93.)

14. Late Surrender Fees: When a bonded defendant fails to appear, a late surrender fee based on a percent of the value of the bond is assessed against the bondsman. This fee is deposited in the Police Pension Trust Fund set up under 36-8-10-12.<sup>24</sup>

15. User Fees: This category reflects the total amount of user fees collected by the clerk. These user fees are then deposited with either the county auditor or, in the case of city and town courts, with the fiscal officer of the city or town. The user fee funds are used to pay for various programs. The special programs must submit a claim to the county auditor or the city or town fiscal officer who then appropriates the claimed amount from the general user fee fund to the special program or fund.

a. County User Fees: This fund consists of and may be used for the following:<sup>25</sup>

1. Pretrial diversion program fee
2. Informal adjustment program fee
3. Marijuana eradication program fee
4. Alcohol and drug services program fee
5. Law enforcement continuing education program fee
6. "Deferral Program Fee" - effective 7/1/89
7. Alcohol Abuse Deterrent Program Fee - effective 7/1/89

All but the informal adjustment program fees are collected by the clerk; the informal adjustment fee is collected by the probation departments.

b. City and Town User Fees: This fund consists of and may be used for:<sup>26</sup>

1. Pretrial diversion program fee
2. Alcohol and drug services fee
3. Law enforcement continuing education program fee
4. Deferral Program Fee -- effective 7/1/89

The following is a description of the user fees collected:

1. A Marijuana Eradication Program Fee of no more than \$300. It may be set by the court pursuant to IC 15-3-4.6-4.1 to be charged in criminal convictions under IC 35-48-4 (offenses relating to controlled substances) in a county where a weed control board has been established.<sup>27</sup>

2. An Alcohol and Drug Services Fee may be collected in criminal, infraction and ordinance violations as set by the court pursuant to IC 16-13-6.1-31(c).<sup>28</sup>

3. A Law Enforcement Continuing Education Program fee of \$3.00 is collected in each criminal, infraction or ordinance violation.<sup>29</sup>

4. A Pretrial Diversion Program Fee is collected when there is an agreement between the prosecutor and the accused as set out in IC 33-14-1-7. The accused is charged \$50.00 as an initial fee and \$10.00 monthly. It is charged in lieu of the court costs.<sup>30</sup> Effective 7/1/89, the prosecutor can certify to the county fiscal body that the funds in the program exceeds its needs and the county council may, by ordinance, appropriate the excess funds to the prosecutor's office for any purpose specified in the appropriation. IC 33-19-8-7, as added by Acts, 1989, P.L. 289.

5. An Informal Adjustment Program Fee of \$5.00 to \$15.00 may be ordered by the court to be paid in cases where a juvenile has been placed in an informal adjustment program prior to having a petition filed.<sup>31</sup>

6. Deferral Program Fee -- Effective 7/1/89, this additional user fee may be collected in infractions and ordinance violations instead of court costs or any infraction judgments when the county prosecutor or attorney for the municipal corporation sets up a deferral program for such cases.

Under such a program, the prosecutor or the attorney for the municipal corporation can offer a defendant in an infraction or ordinance violation action to enter into an agreement with the law enforcement official whereby the defendant agrees to pay an initial users fee of \$50 and a monthly users fee of \$10 and to comply with the conditions of the program. There are no statutory guidelines for the conditions or duration of such deferral programs, and, since infractions and ordinances are civil in nature and carry no time for incarceration, it is not clear how long a monthly users fee may be charged.

The clerk of a traffic violations bureau can accept a program agreement from a defendant. The court must dismiss the infraction or ordinance when the prosecutor or municipal attorney requests the dismissal of the deferred case. IC 33-19-5-2 and 33-19-8-3, as amended by P.L. 288, Acts 1989; IC 34-4-32-1 a amended by P.L. 288, Acts 1989.

7. Alcohol Abuse Deterrent Program Fee or Medical Fee -- Effective 7/1/89, the circuit court may establish an alcohol abuse deterrent program after the county fiscal body adopts a resolution approving the program. This applies to a circuit court that is not authorized to establish an alcohol and drug services program.

The program applies to criminal proceedings in which the use or abuse of alcohol is a contributing factor or a material element of the offense. In such cases, the court may, with the consent of the defendant and the prosecutor, conditionally defer the proceeding for up to 4 years (with exception for certain repeat offenses) and may order the defendant to complete the program. The court must order the deferred defendant to pay a deterrent program fee of no more than \$350 or a medical fee of no more than \$100, or both, unless the defendant is indi-

gent.

The Deterrent Program Fund is established by the county auditor; it is administered by the circuit court which submits claims for disbursement of the funds. IC 9-11-5-1 et seq., as added by P.L. 126, Acts 1989. (Chapter 5 expires 12/31/96); IC 33-19-5-1, as amended by P.L. 51 and P.L. 126, Acts 1989.

c. State User Fees -- Effective 7/1/89, the following two fees will be collected for a state user fee fund:<sup>32</sup>

1. Drug Abuse, Prosecution, Interdiction and Correction Fee: The court shall assess the above fee of at least \$100 and not more than \$1,000 against a person convicted of an offense under IC 35-48-4 (controlled substance). The clerk collects the fees and distributes them semiannually to the state auditor for deposit in the state user fee fund established in IC 33-19-9-2.

2. Alcohol and Drug Countermeasures Fee: In each action in which a person is found to have committed an offense or violation a statute defined as an infraction under IC 9-11-2 (DUI), or a person who has been adjudicated a delinquent for an act that would be an offense under 9-11-2 if committed by an adult, and the person's driving privileges are suspended, the clerk collects alcohol and drug countermeasures fees of \$20. IC 33-19-6-10, as added by Acts 1989, P.L. 126.

The State User Fee Fund is administered by the treasurer of the state. The treasurer transfers \$175,000 to an Alcohol and Drug Countermeasures Fund established by IC 9-6-2-9 and divides the remainder to four other funds:

40% to a Drug Interdiction Fund set up by IC 10-1-8 and administered by the State Police;

20% to a Drug Prosecution Fund set up under IC 35-14-8-5 and administered by the Prosecuting Attorney's Council;

25% to a Corrections Drug Abuse Fund

established under IC 11-8-2-11 and administered by the State Police; and

15% to a Local Law Enforcement Drug Abuse Prevention Fund established under IC 5-2-6-15 and administered by the Criminal Justice Institute.

These fees are also collected by the clerk of a city or town court who distributes them semiannually to the state auditor for deposit in the State User Fee Fund for the above two fees.

16. Guardian Ad Litem or Special Advocate Fees:

The trial court may order the parent or estate of a child for whom a guardian ad litem or a special advocate is appointed to pay up to \$100 for the service. The money is to be deposited in a designated fund and used for providing these services.<sup>33</sup>

17. Adult Probation User's Fee: This category reflects user fees charged to adults placed on probation after a conviction of a felony or misdemeanor. In felony cases the fee is mandatory; it ranges between \$25 and \$100 as an initial fee and between \$5 and \$15 as a monthly users fee for each month the person remains on probation.<sup>34</sup> In misdemeanor cases, the probation user's fee is optional with the court. If imposed, the initial fee cannot exceed \$50 and the monthly fee cannot exceed \$10. The fees are deposited in a county adult probation services fund which is used for probation services.

18. Juvenile Probation User's Fee: A court may order a juvenile and/or the parent of a juvenile who is placed on supervision to pay an initial user's fee of \$25 to \$100 and a monthly user's fee of \$5 to \$15. These fees are deposited with a Probation Services Supplemental Juvenile Fund and are used for the specifically designated purpose.<sup>35</sup>

19. Document Fee: This category reflects fees collected by the clerk for copying and preparing documents.<sup>36</sup>

20. Interest on Investment: This category reflects

income generated through deposits of various funds.

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1. IC 33-13-12-7
2. Ind. Rules of Court, T.R. 79(14) and C.R. 13(12);  
Administrative Rule 5.
3. 33-11.6-8-4(d) and 33-11.6-4-15
4. P.L. 305-1987
5. IC 33-19-5-1(a); effective 7/1/89, this fee will be  
\$110.00.
6. IC 33-19-5-2(a).
7. IC 33-19-5-3(a).
8. IC 33-19-5-4(a).
9. IC 33-19-5-5(a).
10. IC 33-19-5-6.
11. IC 33-19-3-5.
12. IC 33-19-7-1.
13. IC 33-19-7-2.
14. IC 33-19-7-7.
15. IC 33-19-7-3(a).
16. IC 33-19-7-3(b).
17. IC 33-19-7-4.
18. IC 33-19-7-5.
19. Const. of Ind., Article 8, Section 2.
20. IC 9-8-1-22.
21. IC 33-19-6-5.
22. IC 35-33-8-3.
23. IC 33-19-7-5, as amended by Acts 1989, P.L. 284
24. IC 27-10-2-12.
25. IC 33-19-8-5.
26. IC 33-19-8-3.
27. IC 33-19-6-6.
28. IC 33-19-6-7.
29. IC 33-19-6-7(c)(3).
30. IC 33-19-5-1(c).
31. IC 33-19-8-5(b) and 31-6-4-12.
32. IC 33-19-7-1 and 4, as amended by P.L. 126, Acts  
1989.
33. IC 31-6-1-18(h).
34. IC 35-38-2-1(b).
35. IC 31-6-4-18.
36. IC 33-19-6-1, 2 and 3



FINANCIAL COMPARISON TABLE

	State Expenditure on Judicial System	County Expenditure on Judicial System	City, Town and Township Expenditures
Fiscal Year 1977 - 1978 Calendar Year 1978	9,167,196	24,891,171	N/A
Fiscal Year 1978 - 1979 Calendar Year 1979	10,899,907	28,912,106	N/A
Fiscal Year 1979 - 1980 Calendar Year 1980	12,820,325	34,090,329	1,923,064
Fiscal Year 1980 - 1981 Calendar Year 1981	13,965,078*	38,715,918	2,311,938
Fiscal Year 1981 - 1982 Calendar Year 1982	14,473,069	43,051,328	2,633,472
Fiscal Year 1982 - 1983 Calendar Year 1983	15,923,988	44,931,173	2,280,952
Fiscal Year 1983 - 1984 Calendar Year 1984	16,278,081**	46,844,048	2,500,346
Fiscal Year 1984 - 1985 Calendar Year 1985	18,686,108	48,976,842	3,228,559
Fiscal Year 1985 - 1986 Calendar Year 1986	20,555,327	52,303,018	3,022,966
Fiscal Year 1986 - 1987 Calendar Year 1987	21,491,360	55,419,080	3,553,365
Fiscal Year 1987 - 1988 Calendar Year 1988	26,868,211	62,034,184	3,978,598

\*This figure reflects a correction made in the Judges Retirement Contribution entry subsequent to the publication of the 1981 Judicial Report.

\*\*This figure reflects a correction made in the Judges Retirement Contribution subsequent to the publication of the 1984 Judicial Report.

FINANCIAL COMPARISON TABLE (Continued)

Revenues Generated by all Courts for all State Funds	Revenues Generated by all Courts for all County Funds	Revenues Generated by all Courts for all Local Funds	TOTAL REVENUES GENERATED BY TRIAL COURTS
13,914,019***	7,268,025***	32,784***	21,214,828***
18,471,848***	8,351,379***	511,460***	27,334,687***
22,096,238	9,925,389	2,128,966	34,150,593
21,002,649	10,093,722	2,242,390	33,338,761
22,003,775	11,614,975	2,745,868	36,364,618
23,212,149	14,593,128	3,549,385	41,354,662
24,208,895	18,250,687	3,975,671	46,435,253
27,330,077	18,601,962	3,183,435	49,115,474
30,061,723	19,823,321	4,328,333	54,213,377
28,355,237	21,930,463	4,459,612	54,745,312
31,444,541	30,889,071	4,911,018	67,244,630

\*\*\*City, Town and Small Claims Courts are not included in these figures.

EXPENDITURES BY THE STATE OF INDIANA ON THE INDIANA COURTS  
FOR THE FISCAL YEAR 1987-1988

(Obtained from the Annual Report of the State Auditor)

	Personal Services	Service Other than Personal	Service by Contract
Supreme Court*	1,766,761	122,358	155,235
Court of Appeals	2,688,222	55,933	201,523
Tax Court	209,184	5,921	32,536
Trial Judges Salaries	14,954,914	0	0
Special Judges	400,983	0	0
Judges Pension Fund	0	0	0
Public Defender	1,532,413	138,925	228,320
Judicial Conference and Indiana Judicial Center	351,907	25,855	172,418
<b>TOTALS</b>	<b>21,904,384</b>	<b>348,992</b>	<b>790,032</b>

\*The budget of the Office of Judicial Administration is included within the Supreme Court budget.

EXPENDITURES BY THE STATE OF INDIANA ON THE INDIANA COURTS  
FOR THE FISCAL YEAR 1987-1988

(Obtained from the Annual Report of the State Auditor)  
(Continued)

Materials, Parts and Supplies	Equipment	Grants Subsidies, Refunds and Awards	In-State Travel	Out of State Travel	TOTAL
18,407	185,092	0	13,392	8,199	2,269,444
15,701	67,614	1,268	25,895	7,537	3,063,693
3,381	27,831	0	1,755	1,174	281,782
0	0	0	10,000	0	14,964,914
0	0	0	139,263	0	540,246
0	0	3,100,000	0	0	3,100,000
30,363	22,968	1,015	40,874	4,648	1,999,526
19,855	31,944	277	45,674	676	648,606
87,707	335,449	3,102,560	276,853	22,234	26,868,211

EXPENDITURES

COUNTY EXPENDITURES

Expenditures	Circuit, Superior, County, Municipal and Probate Courts
Judge(s) Salary - County Portion	\$ 3,292,782
Judge(s) Salary - Paid by City, Town or Township	
Commissioner(s) or Referee(s)	1,911,698
Reporter(s)	7,078,485
Bailiff(s)	4,816,317
Probation Office	14,746,125
Jury Commission	65,812
Administrator & Staff	1,813,633
Secretary(ies)	2,231,339
Law Clerks & Interns	278,592
Public Defender & Staff	5,212,531
Court Clerks & Other Employees	4,036,967
<b>TOTAL SALARIES PERSONNEL</b>	<b>45,484,281</b>
Per Diem - Judges - Venued Out	8,888
Per Diem - Judges - Venued In	155,482
Per Diem - Court Reporters - Venued Out	4,126
Per Diem - Court Reporters - Venued In	77,663
Per Diem - Bailiffs - Venued Out	2,275
Per Diem - Bailiffs - Venued In	57,883
Per Diem - Grand Jurors	93,538
Per Diem - Petit Jurors	1,821,922
Witness Fees	115,451
Medical & Psychiatric	560,635
Pauper Attorneys - Case by Case	3,018,486
Other Indigent Expenses	658,888
Judge(s) Pro Tem	86,142
Other Non-Salary Personnel Services	229,133
<b>TOTAL NON-SALARY PERSONNEL SERVICES</b>	<b>6,890,512</b>
<b>TOTAL PERSONNEL SERVICES</b>	<b>52,374,793</b>
<b>TOTAL SUPPLIES</b>	<b>1,225,886</b>

EXPENDITURES

CITY/TOWN EXPENDITURES

TOWNSHIP EXPENDITURES

City and Town Courts	Marion County Small Claims Courts	TOTAL
		\$ 3,292,782
\$ 644,968	\$199,512	844,480
83,963	0	1,995,661
23,571	0	7,102,056
250,369	0	5,066,686
446,280	0	15,192,405
0	0	65,812
122,886	39,210	1,975,729
210,535	238,847	2,680,721
0	0	278,592
57,504	0	5,270,035
449,143	304,244	4,790,354
2,289,219	781,813	48,555,313
1,500	0	10,388
0	0	155,482
0	0	4,126
0	0	77,663
0	0	2,275
0	0	57,883
0	0	93,538
186	0	1,822,108
0	0	115,451
0	624	575,259
10,391	0	3,028,877
0	0	658,888
34,169	2,791	123,102
21,563	40	250,736
67,809	17,455	6,975,776
2,357,028	799,268	55,531,089
131,657	124,379	1,481,922

EXPENDITURES (Continued)

COUNTY EXPENDITURES

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Expenditures	Circuit, Superior, County, Municipal and Probate Courts
Rentals	1,536,154
Lodging & Meals for Jurors	416,966
Other Services & Charges	4,017,248
<b>TOTAL SERVICES</b>	<b>5,970,368</b>
Law Books	1,246,611
Other Capital Outlays	1,216,526
<b>TOTAL CAPITAL OUTLAYS</b>	<b>2,463,137</b>
<b>TOTAL EXPENDITURES</b>	<b>\$62,034,184</b>

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EXPENDITURES (Continued)

CITY/TOWN EXPENDITURES

TOWNSHIP EXPENDITURES

City and Town Courts	Marion County Small Claims Courts	TOTAL
14,095	72,202	1,622,451
6,833	0	423,799
158,207	197,301	4,372,756
179,135	269,503	6,419,006
9,946	1,363	1,257,920
66,116	40,203	1,322,845
76,062	41,566	2,580,765
\$2,743,882	\$1,234,716	\$66,012,782

TOTAL REVENUES GENERATED THROUGH OPERATION OF INDIANA'S  
CIRCUIT, SUPERIOR, COUNTY, MUNICIPAL, CITY AND TOWN,  
AND MARION COUNTY SMALL CLAIMS COURTS

	Circuit, Superior, County, Municipal and Probate Courts	City and Town	Marion Co. Small Claims	TOTAL
<u>TO STATE LEVEL FUNDS</u>	25,165,724	6,278,817	0	31,444,541
<u>TO COUNTY LEVEL FUNDS</u>	29,801,892	1,087,179	0	30,889,071
<u>TO LOCAL LEVEL FUNDS</u>	1,317,702	2,082,286	1,511,030	4,911,018
<u>TO OTHERS</u> *			(821,318) *	
TOTAL REVENUES GENERATED DURING 1988	56,285,318	9,448,282	1,511,030	67,244,630

\* This amount is not included in the final total since these fees go directly to the Marion County Small Claims constables for personal service or for certified mail.

REVENUES GENERATED THROUGH OPERATION OF INDIANA'S  
CIRCUIT, SUPERIOR, COUNTY, MUNICIPAL AND PROBATE COURTS

January 1, 1988 to December 31, 1988

Fee	To State Level Funds	To County Level Funds	To Local Level Funds	TOTAL
1. Court Costs	17,186,239	16,501,480	872,689	34,560,408
2. Fines & Forfeitures	3,967,046			3,967,046
3. Infraction Judgments	3,523,060			3,523,060
4. City and Town Infraction Judgments			242,962	242,962
5. Vehicle License Fee	375,608			375,608
6. Support Fees		1,458,867		1,458,867
7. Bond Administration Fee		437,968	185	438,153
8. Late Surrender Fee		338,740	5,676	344,416
9. User Fees		5,080,138	118,527	5,198,665
10. Adult Probation User's Fee		2,153,958	41,550	2,195,508
11. Juvenile Probation User's Fee		334,052		334,052
12. Guardian Ad Litem Fee		28,192		28,192
13. Document Fees		651,662	20	651,682
14. Interest on Investments		1,382,639		1,382,639
15. Other	113,771	1,434,196	36,093	1,584,060
<b>TOTAL REVENUES</b>	<b>25,165,724</b>	<b>29,801,892</b>	<b>1,317,702</b>	<b>56,285,318</b>

REVENUES GENERATED THROUGH OPERATION OF INDIANA'S  
CITY AND TOWN COURTS

January 1, 1988 to December 31, 1988

Fee	To State Level Funds	To County Level Funds	To Local Level Funds	TOTAL
1. Court Costs	3,821,621	1,002,014	2,113,946	6,937,581
2. Fines & Forfeitures	1,976,338			1,976,338
3. Infraction Judgments	297,071			297,071
4. City and Town Infraction Judgments			192,584	192,584
5. Vehicle License Fee	159,110			159,110
6. Support Fees	0	0	0	0
7. Bond Administration Fee		20	16,512	16,532
8. Late Surrender Fee		18,302	5,753	24,055
9. User Fees		38,932	389,028	427,960
10. Adult Probation User's Fee		9,130	262,865	271,995
11. Juvenile Probation User's Fee	0	0	0	0
12. Guardian Ad Litem Fee	0	0	0	0
13. Document Fees		16,664	35,696	52,360
14. Interest on Investments			40,482	40,482
15. Other	24,677	2,117	25,420	52,214
<b>TOTAL REVENUES</b>	<b>6,278,817</b>	<b>1,087,179</b>	<b>3,082,286</b>	<b>10,448,282</b>

1988 REVENUES GENERATED THROUGH OPERATION  
OF MARION COUNTY SMALL CLAIMS COURTS

Type of Revenue	To State Funds	To County Funds	To Local Funds	To Other	TOTAL
Township Docket Fee	0	0	1,511,030	0	1,511,030
Service of Process Fee for Certified Mail	0	0	0	(45,473)*	(45,473)*
Service of Process Fee for Personal Service (To Constables)	0	0	0	(821,318)*	(821,318)*
Other Fees	0	0	0	0	0
<b>TOTAL</b>	0	0	1,511,030	(866,791)*	1,511,030
Per Cent of Total	0	0	100	0	

\*These fees are not included in the final total since they go directly to the constables for personal service or for certified mail.

1988 TRIAL JUDGES

<u>COUNTY</u>	<u>Cir</u>	<u>Sup</u>	<u>Co.</u>	<u>Other</u>	<u>TOTAL</u>	<u>County Population</u>	<u>Ratio of Judges</u>
ADAMS	1	1	0	0	2	30,900	1:15,450
ALLEN <sup>1</sup>	1	8-U	0	0	9	302,000	1:33,555
BARTHOLOMEW	1	2	0	0	3	65,000	1:21,667
BENTON	1	0	0	0	1	9,800	1: 9,800
BLACKFORD	1	0	1	0	2	14,600	1: 7,300
BOONE	1	2	0	0	3	38,600	1:12,867
BROWN	1	0	0	0	1	13,100	1:13,100
CARROLL	1	1	0	0	2	19,300	1: 9,650
CASS	1	1	0	0	2	40,200	1:20,100
CLARK	1	2	1	0	4	89,500	1:22,375
CLAY	1	1	0	0	2	24,800	1:12,400
CLINTON	1	0	1	0	2	31,400	1:15,700
CRAWFORD	1	0	0	0	1	10,300	1:10,300
DAVISS	1	1	0	0	2	28,800	1:14,400
DEARBORN	1/2	0	1	0	1 1/2	37,900	1:25,267
DECATUR	1	0	1	0	2	23,900	1:11,950
DEKALB	1	1	0	0	2	34,800	1:17,400
DELAWARE	1	4	0	0	5	120,500	1:24,100
DUBOIS	1	1	0	0	2	36,300	1:18,150
ELKHART	1	3-U	2	0	6	149,700	1:24,950
FAYETTE	1	1	0	0	2	27,400	1:13,700
FLOYD	1	1	1	0	3	64,000	1:21,333
FOUNTAIN	1	0	0	0	1	18,400	1:18,400
FRANKLIN	1	0	0	0	1	20,000	1:20,000
FULTON	1	0	1/2	0	1 1/2	18,600	1:12,400
GIBSON	1	1	0	0	2	33,200	1:16,600
GRANT	1	2	1	0	4	76,600	1:19,150
GREENE <sup>2</sup>	1	0	1/2	0	1 1/2	30,700	1:20,467

1 Allen County: Effective 7/1/89, the Allen Superior Court will increase to nine (9) judgeships. IC 33-5-5.1, as amended by H.E.A. 1388, 1989 session.

2 Greene County: Effective 1/1/89, Greene County will have a superior court with a standard small claims and misdemeanor docket. IC 33-5-19.5-1 et seq. P.L. 176-1988.

The joint Greene-Sullivan County Court will be abolished as of 12/31/88.

1988 TRIAL JUDGES

COUNTY	Cir	Sup	Co.	Other	TOTAL	County Population	Ratio of Judges
HAMILTON	1	3	1	0	5	98,100	1:19,620
HANCOCK	1	1	1	0	3	45,000	1:15,000
HARRISON	1	0	1	0	2	28,800	1:14,400
HENDRICKS	1	2	0	0	3	76,100	1:25,367
HENRY	1	1	1	0	3	49,600	1:16,533
HOWARD	1	2-U	1	0	4	84,400	1:21,100
HUNTINGTON	1	1	0	0	2	35,900	1:17,950
JACKSON	1	1	0	0	2	37,300	1:18,650
JASPER	1	1	0	0	2	26,200	1:13,100
JAY <sup>3</sup>	1	0	1	0	2	21,900	1:10,950
JEFFERSON	1/2	0	1	0	1 1/2	29,400	1:19,600
JENNINGS	1	0	0	0	1	23,000	1:23,000
JOHNSON	1	2	0	0	3	86,100	1:28,700
KNOX	1	2	0	0	3	40,900	1:13,633
KOSCIUSKO	1	1	1	0	3	64,200	1:21,400
LAGRANGE	1	1	0	0	2	28,900	1:14,450
LAKE <sup>4</sup>	1	10-U	3	0	14	481,200	1:34,371
LAPORTE	1	4	0	0	5	104,600	1:20,920
LAWRENCE	1	1	1	0	3	42,900	1:14,300
MADISON	1	3-U	2	0	6	132,800	1:22,133
MARION <sup>5</sup>	1	15-U	0	15-U	31	790,100	1:25,487
MARSHALL	1	2	0	0	3	41,200	1:13,733
MARTIN	1	0	0	0	1	11,300	1:11,300
MIAMI	1	1	0	0	2	38,400	1:19,200
MONROE	1	5-U	0	0	6	103,600	1:17,267

3 Jay County: Effective 1/1/89, there will be a Jay Superior Court with a standard small claims and misdemeanor docket. IC 33-5-25.7-1 et seq., P.L. 392-1987. The county court judge is entitled to serve as judge of the new superior court.

4 Lake County: Effective 1/1/89, the three Lake County Courts will become superior courts. IC 33-5-29.5-27, P.L. 176-1988.

5 Marion County: Marion County Municipal Court will increase to 16 judgeships as of 6/1/89. IC 33-6-1-1, as amended by H.E.A. 1388, 1989 session.

1988 TRIAL JUDGES

COUNTY	Cir	Sup	Co.	Other	TOTAL	County Population	Ratio of Judges
MONTGOMERY <sup>6</sup>	1	0	1	0	2	35,800	1:17,900
MORGAN	1	1	1	0	3	54,300	1:18,100
NEWTON	1	1	0	0	2	13,800	1: 6,900
NOBLE	1	1	1	0	3	38,300	1:12,767
OHIO	1/2	1/2	0	0	1	5,400	1: 5,400
ORANGE	1	0	1	0	2	19,100	1: 9,550
OWEN	1	0	0	0	1	17,400	1:17,400
PARKE	1	0	0	0	1	15,900	1:15,900
PERRY	1	0	0	0	1	18,800	1:18,800
PIKE	1	0	0	0	1	12,900	1:12,900
PORTER	1	4	0	0	5	123,100	1:24,620
POSEY	1	0	1	0	2	25,800	1:12,900
PULASKI	1	0	1/2	0	1 1/2	13,300	1: 8,867
PUTNAM	1	0	1	0	2	30,300	1:15,150
RANDOLPH <sup>7</sup>	1	0	1	0	2	27,800	1:13,900
RIPLEY	1	0	0	0	1	25,300	1:25,300
RUSH	1	0	1	0	2	18,400	1: 9,200
ST. JOSEPH	1	7-U	0	1	9	242,400	1:26,933
SCOTT	1	0	1	0	2	21,100	1:10,550
SHELBY <sup>8</sup>	1	1	1	0	3	40,500	1:13,500
SPENCER	1	0	0	0	1	19,900	1:19,900
STARKE	1	0	0	0	1	21,700	1:21,700
STEUBEN	1	1	0	0	2	27,400	1:13,700

6 Montgomery County: Effective 1/1/91, Montgomery County will have a superior court. IC 33-5-36.1 et seq., as added by H.E.A. 1388, 1989 session.

7 Randolph County: Effective 1/1/89, the Randolph County County Court will become a superior court with a standard small claims/misdemeanor docket. IC 33-5-38.5-1 et. seq., P.L. 392-1987.

8 Shelby County: Effective 1/1/89, the Shelby County Court will become a second superior court. IC 33-5-39-1 et. seq., P.L. 176-1988.

1988 TRIAL JUDGES

COUNTY	Cir	Sup	Co.	Other	TOTAL	County Population	Ratio of Judges
SULLIVAN <sup>3</sup>	1	0	1/2	0	1 1/2	20,300	1:13,533
SWITZERLAND	1/2	1/2	0	0	1	7,500	1: 7,500
TIPPECANOE	1	3	2	0	6	124,800	1:20,800
TIPTON	1	0	0	0	1	16,500	1:16,500
UNION	1	0	0	0	1	6,900	1: 6,900
VANDEBURGH	1	7-U	0	0	8	166,700	1:20,837
VERMILLION	1	0	0	0	1	17,500	1:17,500
VIGO	1	2-U	2	0	5	107,600	1:21,520
WABASH	1	0	1	0	2	35,500	1:17,750
WARREN	1	0	0	0	1	8,300	1: 8,300
WARRICK	1	1	0	0	2	46,300	1:23,150
WASHINGTON	1	1	0	0	2	23,100	1:11,550
WAYNE	1	3	0	0	4	72,300	1:18,075
WELLS	1	1	0	0	2	26,100	1:13,050
WHITE	1	1	0	0	2	23,600	1:11,800
WHITLEY	1	1	0	0	2	27,600	1:13,800
TOTAL	90	129	40	16	275	5,531,500	1:20,115

9 Sullivan County: Effective 1/1/89, the joint Greene/Sullivan County Court will be abolished and a Sullivan Superior Court will come into existence. IC 33-5-40.5-1 et. seq., P.L. 176-1988

10 Joint Circuit Courts -- Two of the 90 circuits are joint circuits each with 2 counties served by one judge.

Dearborn - Ohio  
Jefferson - Switzerland

11 Joint Superior Courts -- One of the superior courts is a joint court with one judge serving two counties: Ohio - Switzerland

12 Joint County Courts -- Two of the county courts are joint, each serving two counties with one judge:

Fulton - Pulaski  
Greene - Sullivan (See footnote 2 or footnote 9)

NOTE: A) Population figures are based on July 1, 1987, population estimates.  
B) 1/2 indicates one judge serves two counties.  
C) "U" indicates unified courts.

1988 MINOR COURTS

<u>COUNTY</u>	<u>Small Claims</u>	<u>City Courts</u>	<u>Town Courts</u>
ADAMS	0		
ALLEN	0		
BARTHOLOMEW	0		
BENTON	0		
BLACKFORD	0	Montpelier	
BOONE	0	Lebanon	Jamestown Thorntown Zionsville Whitestown
BROWN	0		
CARROLL	0	Delphi	Burlington
CASS	0		
CLARK	0	Charlestown Jeffersonville	Clarksville
CLAY	0		
CLINTON	0	Frankfort	
CRAWFORD	0		
DAVISS	0		
DEARBORN	0	Aurora Lawrenceburg	
DECATUR	0		
DEKALB	0	Butler	
DELAWARE	0	Muncie	Yorktown
DUBOIS	0		
ELKHART	0	Elkhart Goshen Nappanee	
FAYETTE	0		
FLOYD	0		
FOUNTAIN	0	Attica	
FRANKLIN	0		
FULTON	0		
GIBSON	0		

1988 MINOR COURTS

<u>COUNTY</u>	<u>Small Claims</u>	<u>City Courts</u>	<u>Town Courts</u>
GRANT	0	Gas City Marion	
GREENE	0		
HAMILTON	0	Carmel Noblesville	
HANCOCK	0		
HARRISON	0		
HENDRICKS	0		
HENRY	0		Knightstown
HOWARD	0		
HUNTINGTON	0		Roanoke
JACKSON	0		
JASPER	0		DeMotte Wheatfield
JAY	0	Dunkirk Portland	
JEFFERSON	0		
JENNINGS	0	North Vernon	
JOHNSON	0	Franklin Greenwood	New Whiteland
KNOX	0	Bicknell	
KOSCIUSKO	0		
LAGRANGE	0		
LAKE	0	Crown Point East Chicago Gary Hammond Hobart Lake Station Whiting	
LAPORTE	0		
LAWRENCE	0		
MADISON	0	Alexandria Anderson Elwood	Edgewood

1988 MINOR COURTS

COUNTY	Small Claims	City Courts	Town Courts
MARION	8		
MARSHALL	0		
MARTIN	0		
MIAMI	0	Peru	Bunker Hill
MONROE	0		
MONTGOMERY	0	Crawfordsville	
MORGAN	0	Martinsville	Mooreville
NEWTON	0		
NOBLE	0		Cromwell
OHIO	0		
ORANGE	0		
OWEN	0		
PARKE	0		
PERRY	0	Tell City	
PIKE	0		
PORTER	0		Chesterton
POSEY	0		
PULASKI	0		
PUTNAM			
RANDOLPH	0	Union	
		Winchester	
RIPLEY	0	Batesville	Versailles
RUSH	0		
ST. JOSEPH	0		Walkerton
SCOTT	0		
SHELBY	0		
SPENCER	0	Rockport	
STARKE	0	Knox	
STEUREN	0		Fremont
SULLIVAN	0		
SWITZERLAND	0		
TIPPECANOE	0	West Lafayette	
TIPTON	0	Tipton	Sharpville
UNION	0		

1988 MINOR COURTS

<u>COUNTY</u>	<u>Small Claims</u>	<u>City Courts</u>	<u>Town Courts</u>
VANDERBURGH	0		
VERMILLION	0	Clinton	
VIGO	0	Terre Haute	
WABASH	0	Wabash	North Manchester
WARREN	0		
WARRICK	0		
WASHINGTON	0		
WAYNE	0		Hagerstown
WELLS	0	Bluffton	
WHITE	0		Monon
WHITLEY	0		
TOTAL	8	49	24