

## Putnam County Family Court Project

**Population:** 36,019

**County Seat:** Greencastle

**Judicial Officers:** 3

**Project Implementation:** July 2000

### **Putnam County Project Judge:**

Matthew L. Headley, Judge of Putnam Circuit Court, and Diana J. LaViolette,  
Senior Judge, Putnam County

**Putnam Family Court Personnel:** The project was implemented with a part-time project administrator position (approx. 10 hours per week). This position was split into two, part-time co-administrators in 2003 without increasing the total weekly hours. In January 2005, the administrator became a salaried position (approx. 15 hours per week). In November 2006, the administrator's hours were cut to nine hours per week due to a decline in cases. The project also contracts with local attorneys on an hourly basis for facilitation services.

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### **Funding for Putnam County**

#### Family Court Project Funding

**\$9,000** (designated solely for Putnam County in 2003)

**\$5000 in 2006**

**\$2000 in 2007**

#### **Court Improvement Project Funding**

**\$37,200** for period of July 2000 through October 2001

**\$37,000** available October 2001 through 2002

**\$12,000** available 2002 through 2003

#### **Putnam County Division of Children's Services**

**\$10,000** per year through June 2006

#### **Putnam County Community Foundation**

**\$12,000** through 2003

#### **Putnam County (through Circuit Court)**

**\$5,000** per year (2004 - 2007)

#### **ADR Funds**

**\$5481** – 2003 - 2004

**\$3900** - 2005

**\$4250** – 2006

**\$3790** - 2007 (through September)

#### **Private Donation**

**\$10,000** per year - 2005-2007

## **Family Court Mission Statement**

*(A) To provide an alternative to adversarial conflict resolution in the courtroom, and the inevitable escalation of hostility.*

*(B) To give all parties to the facilitation the opportunity to be heard, to hear each other's point-of-view in a positive and problem-solving environment, and to work together to reach an agreed-on resolution regarding the family matters involved. All facilitated agreements are voluntary and consensual. No one is forced to accept a proposed agreement.*

*(C) To allow an opportunity for balancing power among the litigants by providing a forum where all can contribute to an agreed settlement. Even if no final resolution can be reached, the facilitator can work with the parties to streamline the issues and stipulate to the matters that are not in conflict.*

*(D) To achieve more efficiency for the court staff and to make better use of court time, by, for example, reducing the number of repeated hearings in the same case. It will also expedite cases by bringing the parties together faster than the court could set a hearing.*

*(E) To provide protection and some guidance for those who are indigent and cannot afford the assistance of counsel, and also to assist retained counsel who cannot be fully compensated for their services.*

*(F) To decrease the trauma to the children involved.*

*(G) To provide a method of increasing the amount of information available at critical decision-making time points and encouraging a wide range of professionals to participate.*

*(H) To bring all relevant parties together at one time, thus allowing the sharing of information, opinions, and ideas that can resolve disputes, clarify issues, narrow differences, or reveal that no dispute actually exists.*

### **Family Court Model and Programming for both Putnam and Owen Counties**

The Putnam County Project began in 2000 with a grant from the Court Improvement Project (CIP), but it was not officially designated a family court project until it was selected in 2002 as the Putnam-Owen Multiple County Family Court Project. Putnam and Owen Counties maintain their funding separately and have separate family court personnel. The \$20,000 Family Court Project grant awarded to the joint project for 2002 and 2003 was apportioned by the Division of State Court Administration directly to each county depending upon its needs.

The pilot project model utilized in Putnam County is affordable, non-adversarial dispute resolution referred to as "facilitation." Facilitation is used in CHINS and termination of parental rights cases, paternity cases, all pro se divorces, and other appropriate litigation involving families. Putnam County has also facilitated the CHINS and related criminal cases involving the same child victim. The project model avoids unnecessary court hearings and helps families participate in their own case resolutions. The project is particularly geared to families without legal counsel.

The process is implemented when the Project Administrator receives referrals from the court or parties, conducts an intake meeting with the parties, researches court databases to identify if family members have other pending litigation to be addressed or joined in the facilitation, and arranges for one of the family law trained mediators to serve as a neutral in conducting a facilitation meeting. In CHINS cases or complex custody disputes, the facilitation meeting may also include the Division of Children's Services, child advocates, and service providers. These more complex

facilitation meetings may have the additional goal of encouraging full disclosure between the parents and service providers on issues affecting child safety and permanency.

The facilitator's pre-set hourly rate of \$100 is paid from project funds and the family court may issue an order for cost reimbursement, total or partial based on the financial status of each party. Pursuant to new legislation, Putnam County filed an ADR Plan in 2003 to increase filing fees to subsidize mediation services to low income parties in divorce and paternity cases. Through August 2006, \$12,791 has been collected.

The Putnam County family court project has some additional programming. In December 2002, a "Pro Se Desk" was developed. The Project Administrator schedules attorney volunteers once a month who, for two hours, answer basic legal questions and assist indigent or pro se parties to obtain necessary court pleading forms. The county provides a resource room where persons can get information on available services. Through September 2007, 262 people have taken advantage of this free service.

The Putnam County project has also initiated a pre-hearing intake program in protective order cases. The intake meeting assists pro se parents who are seeking child support or visitation orders as part of the protective order process, but have not yet filed a divorce or paternity proceeding. Through September 2007, 131 families have been served through this program. .

### **Families Served in Putnam County**

The Putnam County project was initiated in July 2000. During 2003 and 2004, Putnam County has offered facilitation services to 200 families involving 220 cases. (Statistics involving multiple cases were not kept prior to 2003.) Through September 2007, Putnam County has offered facilitation services to 143 families involving 164 cases. Not all cases have proceeded to a facilitation meeting. During 2006-07, the facilitation program successfully or partially resolved 87.5% of all cases which participated.