

SENATE BILL No. 320

DIGEST OF INTRODUCED BILL

Citations Affected: None (noncode).

Synopsis: Alternative dispute resolution. Beginning January 1, 1999, and ending July 1, 2001, allows the filing fee for marriage dissolution actions in the Monroe circuit court to be increased from \$100 to \$120, upon approval by the judicial conference of Indiana. Provides that the difference between the amount of the old fee and the amount of the increased fee must be deposited into an alternative dispute resolution fund, administered by the circuit court, to be used to foster mediation, reconciliation, parental counseling, and other forms of alternative dispute resolution. Requires litigants referred for services covered by the alternative dispute resolution fund to make a copayment for the services in an amount determined by the court.

Effective: July 1, 1998.

Simpson

January 8, 1998, read first time and referred to Committee on Judiciary.

C
O
P
Y



Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

C
o
p
y

SENATE BILL No. 320



A BILL FOR AN ACT concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE JULY 1, 1998] (a) **This SECTION**
 2 **applies to the circuit court having jurisdiction in a county having**
 3 **a population of more than one hundred eight thousand nine**
 4 **hundred fifty (108,950) but less than one hundred twelve thousand**
 5 **(112,000) in which dissolution of marriage actions are filed.**
 6 (b) **Notwithstanding IC 33-19-5-4, the clerk of the circuit court**
 7 **shall collect from the party filing a dissolution of marriage action**
 8 **under IC 31-15 after December 31, 1998, a civil costs fee of one**
 9 **hundred twenty dollars (\$120). Within thirty (30) days after the**
 10 **clerk of the circuit court collects a fee, the clerk shall forward to**
 11 **the county auditor the difference between the amount of fees**
 12 **collected under this subsection and the fees that would have been**
 13 **collected under IC 33-19-5-4. The county auditor shall deposit the**
 14 **fees forwarded by the clerk of the circuit court under this**
 15 **subsection into the alternative dispute resolution fund for the circuit**
 16 **court.**
 17 (c) **There is established an alternative dispute resolution fund**
 18 **for the circuit court. The exclusive source of money for the**



1 alternative dispute resolution fund shall be the fees deposited into
2 the alternative dispute resolution fund under subsection (b). The
3 fund must be used to foster alternative dispute resolution,
4 including mediation, reconciliation, and parental counseling.
5 Litigants referred by the circuit court for services covered by the
6 fund shall be required to make a copayment for the services in an
7 amount determined by the circuit court. The fund shall be
8 administered by the circuit court. Money in the fund at the end of
9 a fiscal year does not revert to the county general fund but remains
10 in the fund for the uses specified in this subsection.

11 (d) The circuit court shall submit a plan to the judicial
12 conference of Indiana not later than September 30, 1998. The plan
13 must include information concerning how the circuit court
14 proposes to carry out the purposes for the alternative dispute
15 resolution fund described in subsection (c). The judicial conference
16 of Indiana shall determine from the plan submitted under this
17 subsection whether to approve the circuit court's participation in
18 the program. The judicial conference of Indiana may request such
19 additional information from the circuit court as is necessary to
20 assist in a determination under this subsection.

21 (e) The circuit court shall submit a report to the judicial
22 conference of Indiana not later than December 31, 2000,
23 summarizing the results of the program of alternative dispute
24 resolution funded as provided under this SECTION.

25 (f) This SECTION expires July 1, 2001.

C
o
p
y

