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**FISCAL IMPACT STATEMENT**

**LS 6350**

**BILL NUMBER: SB 91**

**NOTE PREPARED: Dec 9, 2010**

**BILL AMENDED:**

**SUBJECT:** Henry and Madison Unified Circuit Courts.

**FIRST AUTHOR:** Sen. Bray

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

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

**IMPACT:** Local

**Summary of Legislation:** This bill has the following provisions:

- A. It establishes: (1) a unified circuit court for Henry County by combining the current judge of the Henry circuit court and the two judges of the Henry superior court into a unified circuit court with three judges; and (2) a unified circuit court for Madison County by combining the current judge of the Madison circuit court and the five judges of the Madison superior court into a unified circuit court with six judges.
- B. It specifies that the Henry superior court judges and Madison superior court judges serving on June 30, 2011, serve as judges of their respective unified circuit courts beginning July 1, 2011.
- C. It transfers all cases and other matters pending in the Henry superior court and Madison superior court at the close of business on June 30, 2011, to their respective circuit courts on July 1, 2011.
- D. It repeals provisions concerning the establishment and operation of the Henry superior court and Madison superior court.

**Effective Date:** June 30, 2011; July 1, 2011.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** This bill could, at a minimum, redistribute the workload between the courts in Henry and Madison Counties, respectively, depending on the rules and agreements between the judges.

*Weighted Caseload Analysis* -- The following table shows the weighted caseload analysis of these courts in CY 2009 and the number of judicial officers that each court needs to dispose of its workload. The Weighted Caseload Study published by the Indiana Supreme Court's Division of State Court Administration can identify the efficiencies of the current court systems.

This study is based on a methodology that assigns a normative amount of time that each type of case would take to be resolved. Criminal cases, particularly capital murder cases, take the longest amount of time, while disposing infractions and ordinance violation cases takes the least.

Based on the number of filings that each court receives and the average time that each case should require to make a decision, the weighted caseload method can estimate the number of judicial officers needed to decide these cases within this normative framework. The "Need" column represents the number of judicial officers that the court needs to resolve its mixture of cases based on the average number of minutes needed for each case category. The "Have" category represents the number of judicial officers that each court has available. The "Utilization" is simply the "Need" divided by the "Have".

<b>2009 Weighted Caseload Analysis – Henry County</b>			
<b>Court</b>	<b>Need</b>	<b>Have</b>	<b>Utilization</b>
Circuit Court	1.85	1.3	1.42
Superior Court #1	1.05	1.25	0.84
Superior Court #2	1.01	1.0	1.01
<b>Total for Clark County</b>	<b>3.91</b>	<b>3.55</b>	<b>1.1</b>

<b>2009 Weighted Caseload Analysis – Madison County</b>			
<b>Court</b>	<b>Need</b>	<b>Have</b>	<b>Utilization</b>
Circuit Court	1.95	1.4	1.4
Superior Court #1	1.98	1.46	1.4
Superior Court #2	3.45	1.6	2.2
Superior Court #3	1.88	1.4	1.3
Superior Court #4	1.52	1.1	1.4
Superior Court #5	1.60	1.1	1.5
<b>Total for Madison County</b>	<b>12.38</b>	<b>8.06</b>	<b>1.5</b>

The average utilization rate per court in Indiana in 2009 was 1.35.

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:** Courts in Henry and Madison Counties.

**Information Sources:** Division of State Court Administration.

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