

## **IC 33-23-10**

### Chapter 10. Commission on Courts

#### **IC 33-23-10-1**

##### **Establishment**

Sec. 1. The commission on courts is established.

*As added by P.L.98-2004, SEC.2.*

#### **IC 33-23-10-2**

##### **Members**

Sec. 2. The commission on courts is composed of the following thirteen (13) members:

(1) The chief justice of the supreme court or a representative designated by the chief justice.

(2) Four (4) members from the house of representatives, appointed by the speaker of the house of representatives, not more than two (2) of whom are from the same political party.

(3) Four (4) members from the senate, appointed by the president pro tempore of the senate, not more than two (2) of whom are from the same political party.

(4) Two (2) members, not more than one (1) of whom is from the same political party, appointed by the president pro tempore of the senate as follows:

(A) One (1) member must be a sitting judge.

(B) One (1) member must be a county commissioner.

(5) Two (2) members, not more than one (1) of whom is from the same political party, appointed by the speaker of the house of representatives as follows:

(A) One (1) member must be a member of a county council.

(B) One (1) member must be a circuit court clerk.

*As added by P.L.98-2004, SEC.2.*

#### **IC 33-23-10-3**

##### **Term of members**

Sec. 3. Each appointed member of the commission on courts serves for a term of four (4) years.

*As added by P.L.98-2004, SEC.2.*

#### **IC 33-23-10-4**

##### **Chairperson and vice chairperson**

Sec. 4. The chairman of the legislative council shall appoint the chairperson and vice chairperson of the commission on courts from among the legislative members of the commission. The chairperson and vice chairperson:

(1) may not be members of the same political party;

(2) may not be from the same house of the general assembly;  
and

(3) must be appointed from a different house of the general assembly each year.

*As added by P.L.98-2004, SEC.2.*

### **IC 33-23-10-5**

#### **Compensation; expenses**

Sec. 5. (a) Each member of the commission on courts who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

*As added by P.L.98-2004, SEC.2.*

### **IC 33-23-10-6**

#### **Staff; administrative duties and functions**

Sec. 6. (a) The legislative services agency shall employ necessary staff to carry out the administrative duties and functions of the commission on courts, including the following:

- (1) Giving notices of commission meetings and other communication services.
- (2) Keeping records related to commission meetings, proceedings, and actions.
- (3) Preparing the report required under section 7 of this chapter.
- (4) Providing the detailed investigation necessary for the commission to fulfill the duties imposed under section 7 of this chapter.
- (5) Preparing draft proposals required under section 7 of this chapter.

(b) The legislative services agency shall not expend more than forty-eight thousand dollars (\$48,000) per year to employ the staff required under subsection (a).

*As added by P.L.98-2004, SEC.2.*

### **IC 33-23-10-7**

#### **Duties of commission**

Sec. 7. The commission on courts shall do the following:

- (1) Review and report on all requests for new courts or changes in jurisdiction of existing courts. A request for review under this subdivision must be received by the commission not later than July 1 of each year. A request received after July 1 may not be considered unless a majority of the commission members

agrees to consider the request.

(2) Conduct research concerning requests for new courts or changes in jurisdiction of existing courts. The research may include conducting surveys sampling members of the bar, members of the judiciary, and local officials to determine needs and problems.

(3) Conduct public hearings throughout Indiana concerning requests for new courts or changes in jurisdiction of existing courts. The commission shall hold at least one (1) public hearing on each request presented to the commission.

(4) Review and report on any other matters relating to court administration that the commission determines appropriate, including the following:

(A) Court fees.

(B) Court personnel, except constables that have jurisdiction in a county that contains a consolidated city.

(C) Salaries of court officers and personnel, except constables that have jurisdiction in a county that contains a consolidated city.

(D) Jury selection.

(E) Any other issues relating to the operation of the courts.

(5) Submit a report in an electronic format under IC 5-14-6 before November 1 of each year to the general assembly. The report must include the following:

(A) A recommendation on all requests considered by the commission during the preceding year for the creation of new courts or changes in the jurisdiction of existing courts.

(B) If the commission recommends the creation of new courts or changes in jurisdiction of existing courts, the following:

(i) A draft of legislation implementing the changes.

(ii) A fiscal analysis of the cost to the state and local governments of implementing recommended changes.

(iii) Summaries of any research supporting the recommended changes.

(iv) Summaries of public hearings held concerning the recommended changes.

(C) A recommendation on any issues considered by the commission under subdivision (4).

*As added by P.L.98-2004, SEC.2.*

### **IC 33-23-10-8**

#### **Expiration of chapter**

Sec. 8. This chapter expires June 30, 2015.

*As added by P.L.98-2004, SEC.2. Amended by P.L.5-2007, SEC.1; P.L.201-2011, SEC.17.*