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FISCAL IMPACT STATEMENT

LS 6750
BILL NUMBER: HB 1101

NOTE PREPARED: Dec 30, 2023
BILL AMENDED:

SUBJECT: Courts for Children Three Years of Age and Younger in Need of Services.

FIRST AUTHOR: Rep. Lauer
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill establishes a safe baby court as a type of problem solving court. It provides that a Child in Need of Services (CHINS) is an eligible individual for purposes of a problem solving court program and that a parent or guardian of a CHINS may be responsible for paying certain fees.

Effective Date: July 1, 2024.

Explanation of State Expenditures: *Office of Judicial Administration (OJA):* If a safe baby court is established, the bill will increase the workload of the OJA to certify safe baby courts. The bill's requirements are within the OJA's routine administrative functions and should be able to be implemented with no additional appropriations, assuming near customary agency staffing and resource levels.

Additional Information - Under IC 33-23-16-17, the OJA is required to review and certify problem-solving courts. Problem solving courts involve a prearranged system of graduated sanctions and rewards which focus on addressing specific problems that a participant is facing. Judges monitor the progress of these participants, sometimes meeting with these participants weekly. When a participant does not comply with court orders, the judge may impose a sanction.

The bill establishes a safe baby court. By expanding the types of courts that could be certified as problem solving courts, this could potentially increase the number of courts to certify. As of 2023, there were approximately 123 problem-solving courts in 58 counties, with 18 more courts in the planning stages. This includes adult drug courts, truancy court, family recovery courts, veterans courts, re-entry courts, juvenile problem-solving courts, mental health courts, and domestic violence courts.

Explanation of State Revenues:

Explanation of Local Expenditures: *Problem-Solving Courts:* The bill expands eligible individuals who may participate in problem-solving court to include a parent or guardian of a child who is a CHINS. As a result, this could increase the number of eligible participants in problem solving courts.

Court Costs: The bill provides that a parent or guardian who is a CHINS is financially responsible for the problem-solving court services fee. This provision could potentially reduce court cost for program participation. [See *Explanation of State Expenditures.*]

Explanation of Local Revenues: Problem-solving courts could charge user fees if permitted by the OJA. Any increase in local revenue will depend on local action.

State Agencies Affected: Indiana Supreme Court, Office of Judicial Administration.

Local Agencies Affected: Trial and city courts; prosecuting attorneys.

Information Sources: Indiana Supreme Court, Problem-Solving Courts, <https://www.in.gov/courts/iocs/pscourts/>; Indiana Budget Committee, Judicial Branch Transmittal Letter, <https://www.in.gov/sba/budget-committee/2023-2025-budget-committee-hearing-archives/>;

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