



## VIGO COUNTY JUVENILE COURT

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DANIEL W. KELLY  
JUVENILE COURT MAGISTRATE

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September 30, 2022

TO: Interim Study Committee on Courts and the Judiciary  
Senator Liz Brown, Senator Jon Ford

RE: Request for Additional Judge and Court

Greetings! As the magistrate over the Vigo County Juvenile Court, I wanted to take a quick minute to express my strong support for Vigo County's request for an additional court and judge.

When I was appointed juvenile magistrate in 2010, there were 103 Child In Need of Services cases filed for the entire year. Our court handled those cases, the few Termination of Parental Rights cases that arose out of CHINS cases where parental reunification efforts were unsuccessful, and our county's paternity and juvenile delinquency proceedings, as well as orders of protection where the parties had a child outside of marriage or where the respondent was a minor.

By the beginning of 2022, we had 556 CHINS cases pending and an additional 302 had been filed year-to-date as of last week. Approximately 300 Termination of Parental Rights proceedings have been filed this year, and all paternity proceedings, including child custody or parenting time, as well as many of the child support cases, are also heard in our court, which has exclusive jurisdiction over such matters. Over 50% of Vigo County's children are born outside of marriage, so their cases must be heard here.

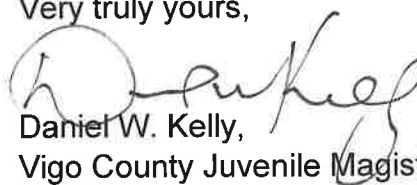
The result is that our court is virtually in session close to 100% of the time that the building is open. We are forced to work on orders and administrative tasks from home on a regular basis. Moreover, litigants who file a request to address problems with parenting time today will not have their case heard until May 2023. This despite the Indiana Supreme Court's strong admonition to trial courts to give priority attention to matters involving children. There has been an increasing trend of attorneys in child custody cases filing for a change of judge, knowing that if the case is heard in another

judge's court, the case may be heard several months earlier than it could be heard in the juvenile court.

In addition, the statutory deadlines that help ensure speedy permanency for children in the child welfare system packs the court's docket well beyond its capacity. Utilizing a senior judge to conduct review hearings and the services of a mediator to settle some of the cases set for fact-finding hearings has helped, but the situation has become unsustainable.

Thank you for your consideration of our request.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Daniel W. Kelly". The signature is written in dark ink and is positioned above the printed name and title.

Daniel W. Kelly,  
Vigo County Juvenile Magistrate