



VIGO COUNTY JUVENILE COURT

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April 22, 2024

TO: Interim Study Committee on Courts and the Judiciary

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.

At the beginning of 2024, by contrast, Vigo County had 677 CHINS cases pending and an additional 163 CHINS cases have been filed so far this year. Typically, with an increase in CHINS cases, we experience a proportionate increase in Termination of Parental Rights cases, where reunification efforts prove unsuccessful. In addition, the Juvenile Court has exclusive jurisdiction over all paternity proceedings, including child custody and parenting time issues, as well as many of the child support cases arising from cases where the child was born out-of-wedlock. Over 50% of Vigo County's children are born outside of marriage, and their cases must all be heard here.

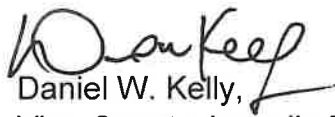
The result is that our court is virtually in session close to 100% of the time that the building is open. We are forced to work on orders and administrative tasks from home on a regular basis. Moreover, litigants who file a request to address problems with parenting time issues typically have to wait around eight (8) months for a hearing date, which is certainly not consistent with the Indiana Supreme Court's strong admonition to trial courts to give priority attention to matters involving children. But ALL of this court's docket involves children and the explosion of CHINS cases leaves us no way of

scheduling hearings sooner. There has been a recent 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. But this does not ease the juvenile court's burden, as it receives a new case from another court for each case transferred from 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 the services of a mediator to settle some of the CHINS cases has helped, but the situation has become unsustainable and grows worse year-by-year.

Thank you for your consideration of our request.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dan Kelly", written over the printed name "Daniel W. Kelly".

Daniel W. Kelly,
Vigo County Juvenile Magistrate