

In the  
Indiana Supreme Court



CAUSE NUMBER: 94S00-1401-MS-57

ORDER AMENDING INDIANA RULES OF ADMINISTRATIVE PROCEDURE

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Indiana Administrative Rule 1 is amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

**Rules of Administrative Procedure**

**Administrative Rule 1.**

...

**(F) Reporting of Performance Measures in Juvenile Cases**

- (1) **Performance Measures Report.** All trial courts exercising jurisdiction over Children in Need of Services (CHINS) and Termination of Parental Rights (TPR) cases shall ~~annually~~ compile and report on court performance measures for all qualifying cases in their jurisdiction. The Division of State Court Administration shall draft forms to be used in the gathering of statistical data and ~~other information to the Supreme Court for approval.~~ ~~After the Supreme Court approves the forms the Division shall~~ distribute the forms to all courts to be used in the preparation of reports.
- (2) **Reporting Periods.** All trial courts ~~exercising jurisdiction over child in need of services and termination of parent-child relationship cases~~ subject to this rule shall prepare ~~an annual~~ a quarterly summary report of the court performances measures for their respective court to

the Division of State Court Administration ~~on the forms provided by the Division of State Court Administration.~~

~~(3)~~The reporting period for Court Performance Measures under this rule shall be the fiscal year for the federal government, October 1 of the prior year through September 30 of the year being described. The last day of the reporting period for the quarterly reports shall be December 31, March 31, June 30, and September 30.

**(3) Information for reports.** The judge of the trial court subject to this rule may require clerks, court reporters, or any other officer or employee of the court to furnish the information needed to prepare the reports.

~~(3)(4)~~ **Report Submission Dates.** Beginning in federal fiscal year 2014 (October 1, 2013 – September 30, 2014), ~~trial courts subject to this rule shall file the required reports within thirty~~ ~~(30)~~ days after the close of the reporting period. the judge of the trial court subject to this rule shall cause the quarterly timeliness measures report to be filed with the Division no later than ten (10) calendar days after the end of the reporting period in electronic format as established by the Division.

~~(4)(5)~~ **Qualifying Cases.** All CHINS and TPR cases that were opened not more than five years prior to the beginning of the reporting period and which were closed in the reporting period shall be included in the Court Performance Measures report for that reporting period. All cases filed more than five years prior to October 1 of the reporting year shall be excluded from the report.

~~(5)~~ **(6) Court Performance Measures:** Effective for the federal fiscal year of October 1, 2013 – September 30, 2014, and ~~annually~~ for the same period thereafter, trial courts subject to this

rule shall quarterly report the statistics and data requested by the State Court Administration for the following defined court performance measures:

- a. **Time to Permanent Placement:** This measure is defined as the median number of days from the filing of the original CHINS petition to permanency. Permanency for the purposes of this measurement is defined as the date that wardship is terminated. This Measure is limited to those cases in which the child was removed from the original parent, guardian, or custodian at any time during the pendency of the case.
- b. **Time to First Permanency Hearing:** This measure is defined as the median number of days from the filing of the original CHINS petition to the date the first permanency hearing is held on the case as defined by of IC 31-34-21-7
- c. **Time to Termination of Parental Rights Petition:** This measure is defined as the median number of days from the filing of the original CHINS petition to the filing of the petition for termination of parental rights. This measure excludes automatic petitions for termination of parental rights that are filed under IC 31-35-2-4 and 31-35-2-4.5, and such petitions should not be counted in this measure.
- d. **Time to Termination of Parental Rights:** This measure is defined as the median number of days from the filing of the original CHINS petition to the day that the last order on the termination of parental rights is entered with regard to the child.
- e. **Time to all Subsequent Permanency Hearings:** This measure is defined as the median number of days between all subsequent permanency hearings in a case as defined by IC 31-34-21-7.

This Rule is drafted to conform with the requirements of the Program Instructions for the Court

Improvement Program as published by the Administration for Children and Families, U.S Department of Health and Human Services, Log. No: ACYF-CB-PI-12-02.

This amendment shall take effect on July 1, 2014.

The Clerk of this Court is directed to forward a copy of this Order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Prosecuting Attorney's Council; Public Defender's Council; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers Assistance Program; the libraries of all law schools in this state; the Michie Company; and Thomson Reuters. The Clerk is also directed to post this Order to the Court's website.

Thomson Reuters is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit and Superior Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public.

DONE at Indianapolis, on March 7, 2014.

/s/ Brent E. Dickson  
Brent E. Dickson  
Chief Justice of Indiana

All Justices concur.