

Court Rule Proposal - Child Custody Tracking Index

As the State of Indiana moves closer towards a paperless court system I feel that this provides an opportunity to better serve children who are subjects within this system. I would like for the appropriate stakeholders to investigate the possibility of creating what I will refer to as the *Child Custody Tracking Index*.

This would require the State Court Administration to develop software for tracking all cases that somehow involve child custody - divorce and paternity cases, CHINS, juvenile court, foster care, adoption, grandparent visitation, adoption and possibly others.

A form shall be established that identifies each child by;

a] Name

b] Date of Birth

c] SSN

d] Cause Number

e] Designation of the legal and physical custody arrangements [person, parent(s) or agency having legal custody, persons providing physical custody] and designation of the order(s) by cause number, title, date and paragraph of the order where the custodial designation may be found.

The form shall be attached to each related court file and is confidential pursuant to Adm. R. 9(G)(1) (b), (d), and (e).

A case code designation of DC [Domestic Custody] could be added to Adm. R. 8(B)(3) as a cross-reference cause number.

The Child Custody Tracking Index shall be able to identify all associated cause numbers through a search by child's name and date of birth, the child's SSN, or the Custody Tracking Cause Number that would use the DC designation.

A companion proposal would be to add a new section to Rule 2.9 of the Code of Judicial Conduct. This would need to be done through the appropriate rule committee of the Indiana Judicial Conference. The current rule reads;

Rule 2.9 Code of Judicial Conduct

(C) A judge shall not investigate facts in a matter independently, and shall consider only the evidence presented and any facts that may properly be judicially noticed.

The proposed new section, Rule 2.9(C)(1) reads;

(1) In all child custody cases the court shall take judicial notices of causes involving the same child(ren) as identified through the Child Custody Tracking Index. The court shall distribute a list of the underlying cause numbers to all parties.

This would allow for judges and the parties to be aware of all cases involving the same child so all necessary parties receive due process and it is more likely that a judgment in the best interest of the child would be rendered. Please feel free to request that I do any additional research.

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