

New Civil Protective Order (CPO) Court Begins on November 1st!

Effective November 1, 2013, St. Joseph County will implement a consolidated Civil Protective Order court, which will be operated under the supervision of the St. Joseph Circuit Court. Assigning cases to the CPO Court will help to reduce the significant volume of cases processed by the South Bend Small Claims Division.

CPO petitions may be filed with the Family Justice Center (FJC) or any St. Joseph County courthouse (1896, 1855, JJC, and Mishawaka). The FJC and the Clerk's Office will continue to assist self-represented litigants. Once filed, the petition will be assigned to the proper venue – where a CPO is associated with a dissolution action, the case will be assigned to divorce court (Circuit or Superior), and where a CPO is associated with a paternity action, the case will be assigned to the Probate Court. New filings will be reviewed by the proper Court on a timely basis, and orders will be entered ex parte or following hearing, as appropriate.

Hearings in the new CPO Court will occur on Monday, Wednesday and Thursday afternoons. Monday and Thursday hearings will take place in the 1896 Courthouse (Room 226) in South Bend; Wednesday hearings will occur in the Mishawaka Court Facility. The Superior Court will schedule protective order hearings during two time slots: Monday mornings in Mishawaka, and Wednesday mornings in South Bend. Scheduling hearings for specific days and times will facilitate the work of DV advocates offering support to litigants as well as that of court personnel and security.

Attorneys are encouraged to provide assistance to clients in preparing petitions for protective orders. It is common for a person filing for a protective order to inform the clerk that she was advised by her attorney to file for protection. On many occasions, it is obvious that the petition was prepared by the client and contains many errors and omissions. Unfortunately, requests for protection have been denied because the petition did not meet the legal standard to grant an order of protection.

Existing CPO cases will remain in the Court to which they were originally assigned. This initiative will not affect the processing of Workplace Violence Protective Orders or No Contact Orders.

The CPO Court is underwritten by the Family Court Grant from the Indiana Supreme Court, and was unanimously supported by the St. Joseph County Council. The Supreme Court has also designated additional senior judge hours to the CPO Court. The idea for this Court was developed at the Community Coordinated Response to Domestic Violence meeting hosted by the Indiana Coalition Against Domestic Violence, in cooperation with the YWCA of North Central Indiana and the Family Justice Center of St. Joseph County.