

ELKHART SUPERIOR COURT No. 1

STATE OF INDIANA
34TH JUDICIAL DISTRICT
ELKHART COUNTY, INDIANA



315 SOUTH SECOND STREET
ELKHART, INDIANA 46516
(574) 523-2231
FAX (574) 523-2292

KRISTINE A. OSTERDAY
JUDGE

May 30, 2018

Dear Colleagues:

In an ongoing effort to increase courtroom efficiency, I have been reviewing the schedule and practices in Elkhart Superior Court 1 to determine where we can make improvements. Currently, we conduct criminal hearings on Monday and Thursday afternoons. Monday and Thursday mornings are designated for civil and domestic relations cases. As some of you are painfully aware, we have had some very late evenings on Mondays. Thursday afternoons, by contrast, have been more manageable. Therefore, starting July 2, 2018, the following changes will be implemented.

Mondays docket will consist of criminal hearings only. Out-of-custody defendants will have hearings starting at 8:30 am. In-custody cases will begin at 1:00 pm and will be held in the courtroom at the Elkhart County Correctional Complex. When there is a Monday holiday, criminal hearings will be held the next Tuesday. When criminal hearings take place on Tuesdays, the only change in the schedule will be that in-custody hearings will start at 2:00 pm so that we can accommodate Magistrate Ditton's schedule.

One of the questions and concerns that has been raised by attorneys, as well as court staff, is how we will know if a defendant is in custody prior to their hearing. At the time I set a hearing date, I will set the time based on the defendant's current custody status. For instance, if the defendant is in custody when I set the hearing, I will set his or her next hearing time for 1:00 pm. If the defendant is out of custody when I schedule his or her next hearing, the time of the next hearing will be 8:30 am. While I wish that there was a way to make this process foolproof, I do not know how to do so with 100% accuracy. We will work through it and make adjustments as needed.

I respectfully request that attorneys do their due diligence prior to upcoming hearings and if there is a change in custody status, which is not reflected in the court's calendar, kindly notify my staff. We will also confer with the jail no later than the Friday before hearings. It is very important that we update changes as soon as possible, especially in light of the new text message notification system through Odyssey.

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Civil and domestic relations cases will be heard on Thursday mornings starting at 8:30 am. Fifteen (15) minutes will be reserved for each case. If an attorney believes that his or her case will require additional time, please notify my staff in advance to try to find a different date and time to address the issues.

Thank you in advance to all of you for your assistance in this matter. If you have any questions or concerns regarding this issue, or any other issue, please do not hesitate to contact me.

Best,

Kristi Osterday

Distribution: Elkhart City Bar Association
Goshen City Bar Association
Elkhart County Prosecutor's Office
Elkhart County Public Defender's Office
Elkhart County Probation Department
Elkhart County Correctional Complex