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County suspends all bench warrants

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Sandra Chapman/Eyewitness News

Indianapolis - Arrest warrants have vanished for thousands of deadbeat parents as a result of a new court policy.

Vicki Sadler and her daughter are awaiting \$9,000 in back child support. But last week, the bench warrant for the father's arrest was wiped off the books - along with 4,000 others.

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In Marion County, deadbeat parents who skip court no longer face the threat of jail.

"It's more than frustrating. The system itself is frustrating. It's unbelievable," Sadler said. "And then to find out they're untouchable."

"It's going to make it more difficult, there's no question about that," said John Owens, Chief Deputy Prosecutor for Child Support.

Owens' office deals with 72,000 open cases in any given month. Back in 2005, his office rolled out it's "Top Ten Most Wanted" on outstanding warrants. But now, even the worst of the worst can walk free because of a new policy.

"There could be some improvements," said Marion County Court Administrator Glenn Lawrence.

He said the warrants were suspended to allow no-shows the chance to explain why. He also said the county recently settled a case in which a defendant was denied due process.

"They might put them in jail and not bring them immediately before the

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court," Lawrence said. "So we felt it best to go ahead and do a blanket expungement [sic] of those outstanding - whatever they were - bench warrants."

Marion County's Civil Division says it would typically get between 12 and 15 bench warrants a day for delinquent parents failing to show up in court. But that all stopped abruptly about a week ago.

"Immediately, we had to recall and do away with all of the warrants we had in file and try to run them up around the state of Indiana to notify the sheriffs not to serve our warrants, because they were no longer active," said Marion County Sheriff's Department Capt. Norman Buckner.

Now, the courts can only order what's called a "body attachment".

"It's not really an arrest. It's a notice to bring them before the court," Lawrence said.

The challenge is finding the deadbeats during court hours. With the warrants erased, traffic stops will no longer show police the individual is wanted.

"They're getting a lot more than due process. It's just so unfair to these children that they're going without," Sadler said.

Indiana's Judicial Center is reviewing the new policy. Both the state's prosecutors and judges associations are looking to lawmakers to help remedy the situation.

But for now, failure to appear doesn't mean going to jail.

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