

LR-27 TR 63-1
Authority to Sit in Other Courts

- A. The judges of Grant Circuit Court, Grant Superior Court 1, Grant Superior Court 2, Grant Superior Court 3, and the full-time juvenile magistrate appointed by the judge of Grant Superior Court 2, may sit as acting judge in any matter as if the judge were the elected or appointed judge in the courts listed below upon the unavailability of the elected or appointed judges and shall denominate their authority as "Acting Judge", as provided in Ind. Administrative Rule 1:
1. Grant Circuit;
 2. Grant Superior 1;
 3. Grant Superior 2;
 4. Grant Superior 3;
 5. Gas City City Court; and
 6. Marion City Court.

LR-27 AR 01-24
Assignment of Civil Cases

- A. Civil cases for the following case types shall be filed as follows:
1. All MH cases shall be filed in Circuit Court.
 2. All cases related to tax sales shall be filed in Superior Court 1
 3. All PO and AD cases shall be filed in Superior Court 2.
 4. All IV-D cases for the collection of support shall be filed in Superior Court 2.
 5. All JP, JC, JT, and JM cases shall be filed in Superior Court 2
 6. All SC, and EV cases shall be filed in Superior Court 3.
 7. All ES, EU, and EM cases shall be filed in Superior Court 1.
 8. All GU cases involving the guardianship of incapacitated adults and minors shall be filed in Superior Court 1.
 9. All DC, DN, MF, CC, CT, CE, GV, RA and PL cases, and all IF and OV cases that are not designated to be filed in the Gas City City court or the Marion City Court, may be filed in Circuit Court, Superior Court 1, or Superior Court 2, at the filer's election.
- B) Except as set forth above, any statutory limitations on subject matter jurisdiction civil cases may be filed in any court.

LR-27 CR 2.2-2

Assignment of Criminal Cases

All felony and misdemeanor (CM) cases [and all infraction (IF) cases and all ordinance (OV) cases] are to be filed in the Courts in Grant County pursuant to this Local Rule (this Rule). The Courts are Gas City City Court (27H01), Marion City Court (27H02), Grant Circuit Court (27C01), Grant Superior Court 1 (27D01), Grant Superior Court 2 (27D02), and Grant Superior Court 3 (27D03).

I. Case Assignments When There Is a Pending Case or Probation

- A. If charges are pending against an individual in 27C01, 27D01, 27D02 or 27D03 or if an individual is on probation in 27C01, 27D01, 27D02 or 27D03, and a new felony charge is filed, the new felony shall be filed in the Court with the pending charge or probation.
- B. Otherwise, the felony cases shall be filed as shown in Section II and III of this Rule.

II. Case Assignments When There Are No Pending Cases nor Probation

Cases shall be assigned as set out below when no other criminal proceeding is pending and when the Defendant is not on probation:

- A. The following cases shall be filed in 27H01:
 - (1) All CM and IF cases that are alleged to have occurred in Grant County, Indiana, outside the corporate limits of the City of Marion, except those assigned to 27D03 pursuant to this Rule.
 - (2) All OV cases that are alleged to have occurred within the city limits of Gas City.
 - (3) All CM and infraction cases that are alleged to have occurred within the corporate limits of the City of Marion, when the primary law enforcement officer is an officer with the Grant County Sheriff's Department or with the Indiana State Police, except those cases assigned to 27D03 pursuant to this Rule.
 - (4) All CM cases in which the crime alleged is compulsory school attendance violation [Ind. Code § 20-33-2], including cases that would otherwise be filed in 27H02.
- B. The following cases shall be filed in 27H02:
 - (1) All CM and IF cases that are alleged to have occurred within the corporate limits of the City of Marion, Indiana, that are not assigned to 27H01 or 27D03.
 - (2) All OV cases that are alleged to have occurred within the city limits of Marion.
- C. The following cases shall be filed in 27C01:
 - (1) All waivers of jurisdiction over juveniles to adult court.
 - (2) All cases designated as Drug Court or Veterans Court cases.

- (3) All grand jury proceedings, including impaneling the grand jury.
- D. The following cases shall be filed in 27D01:
 - (1) All Reentry Court cases.
- E. The following cases shall be filed in 27D02:
 - (1) All juvenile cases except waivers of jurisdiction to adult court.
 - (2)
- F. The following cases shall be filed in 27D03:
 - (1) All L6 felony cases.
 - (2) All CM cases that include a charge under I.C. § 9-30-5 (Operating a Vehicle While Intoxicated).
- G. When a City Court Judge enters an order of disqualification or recusal or grants a motion for change of judge, such case shall be transferred to the remaining city court. If both city court judges must disqualify or recuse, the case shall be transferred to the Grant County Clerk for random selection from among the four County Courts.

III. Random Selection for All Other Criminal Cases

Level 5 and above felony cases shall be filed by random selection in 27C01, 27D01, 27D02 and 27D03. Random selection shall be done as follows:

- A. The Clerk of the Grant Circuit Court (the Clerk) shall utilize the Odyssey case management program's random filing feature to select a court.
- B. If the case must be transferred from the Court selected on the first draw, the Clerk shall randomly select one (1) of the remaining Courts and the case shall then be filed in that Court. The Clerk shall enter the Court so designated on the criminal information and record the date and time the Court was selected.
- C.

If any court becomes over-burdened with cases from the blind draw system that Court may be removed from further draws in criminal cases upon majority vote of the Judges of those Courts for whatever length of time and upon such terms and conditions that those Judges agree.
- D. When a change of Judge has been granted, the successor Court shall be selected in accordance with the random selection process outlined above. If all Grant County Judges have declined to exercise jurisdiction or are unable to do so, a special judge will be assigned according to the provisions of Local Rule 79-3(E).

IV. Miscellaneous Provisions

- A. Multiple offenses against the same defendant arising from the same course of conduct shall be filed contemporaneously with the other charges using the highest class of charge in determining in which Court the case shall be filed.

- B. When multiple defendants are charged with crimes arising out of the same facts and circumstances, all of the charges shall be filed in the same Court, which shall be selected according to the highest class of the charges filed against any of the defendants.
- C. The Judge of one Court may transfer any case to be redocketed in another Court, if the Judge of the receiving Court consents to the transfer and the receiving Court has jurisdiction over the subject matter of the case.

LR-27 CR 00-20 Bond Schedule
Bail/10% Cash Bond/Surety Bond/Schedule for Warrantless Arrests
For All Courts in Grant County, Indiana

The **Bail / Surety Bond Schedule** for cases filed in Gas City City Court (GCCC); Grant Circuit Court (Circuit), Grant Superior Court 1 (Superior 1), Grant Superior Court 2 (Superior 2), Grant Superior Court 3 (Superior 3), and Marion City Court (MCC) shall be as set out below, **unless otherwise ordered by a judicial officer in a specific case**. The term "bail" means the full amount (100%). The term "cash bond" refers to posting 10% of the amount of the bail in cash. The term "surety bond" refers to paying a non-refundable fee (usually 10% of the bail) to an approved surety company, which in turn posts its guarantee to pay the full amount of the bail, if the Defendant fails to appear and the appropriate revocation procedures have been followed. The term "cash" includes a credit card payment.

When a 10% cash bond or a surety bond is posted, the Defendant must also pay the \$5 special death benefit fee. [See Ind. Code § 35-33-8-3.2(d)(1).]

If the Defendant posts a cash bond, a 10% administrative fee not to exceed \$50 will be assessed. [See I.C. § 35-33-8-3.2(a)(2).]

The Defendant and any other person posting cash must execute an agreement authorizing the Court, if the Defendant is convicted, to use all or part of the cash to pay the following: 1) fines; 2) costs; 3) fees; 4) publicly paid costs of representation; and 5) restitution. [See I.C. § 35-33-8-1.5 and I.C. § 35-33-8-3.2(a).] In addition, the agreement must authorize the Defendant to use all or part of the cash to privately employ and pay an attorney to represent the Defendant in the criminal case. [See *State ex rel. Williams v. Ryan*, 490 N.E.2d 1113 (Ind. 1986).]

If the Defendant is a foreign national unlawfully present in the United States under federal immigration law, only a 100% cash bail may be posted.

A Defendant posting bail or the 10% cash bond by means of a credit card must pay the credit card service fee under I.C. § 33-37-6.

If the Defendant is a sexually violent predator defendant, as defined in I.C. § 35-38-1-7.5, or is arrested for or charged with the commission of an offense that would classify the person as a sex or violent offender, as defined in I.C. § 11-8-8-5, the Defendant may not be admitted to bail until a judicial officer has conducted a bail hearing in open court, which should be done within 48 hours after arrest unless exigent circumstances prevent