

Court a written motion which seeks leave of Court to withdraw his/her former plea of not guilty and to enter a plea of guilty together with a fully executed copy of the proposed plea agreement. Pre-sentence reports shall be prepared by the Probation Department prior to the change of plea hearing in all felony cases.

LR76-CR-6 Discovery/Character Evidence

A. In all criminal cases, the State and the defendant shall comply with the terms of the standing Criminal Discovery Order set forth at Appendix 6.

B. All character evidence which the State intends to offer pursuant to Ind. Rules of Evidence 404(b) shall be made available to defendant no later than the date scheduled for the initial pre-trial conference, except for good cause shown.

LR76-CR-7 Bail Policies and Schedule

A. All persons charged with a criminal offense, other than murder, or attempted murder, shall be admitted to bail in an amount fixed by the Court and endorsed upon the warrant of arrest.

B. Persons entitled to bail may be admitted to bail by:

- (1) executing a bail bond with sufficient solvent sureties as required by Ind. Code § 35-33-8; or,
- (2) depositing cash in an amount equal to the bail; or,
- (3) providing any other bond or surety as may be approved by the Court.

C. Except where restriction is endorsed on the warrant, or as set forth below, a defendant may be admitted to bail by executing a Personal Appearance Bond with ten percent (10%) Cash Deposit Surety

Agreement as set forth at Appendix 7, and depositing with the Clerk cash equal to ten percent (10%) of the aggregate bail or fifty dollars (\$50.00), whichever is greater.

However, a ten percent (10%) cash bond is authorized only when:

- (1) the defendant is a resident of the State of Indiana;
- (2) the defendant is charged with a Class C, Level 3 or lesser crime;
- (3) the defendant has no prior conviction for a felony known to the detaining officer; or,
- (4) the defendant is not charged with a crime of violence involving personal injury.

D. In any case in which a full cash bond or ten percent (10%) cash bond has been deposited:

- (1) The full cash bond or ten percent (10%) cash bond deposit shall be posted by the defendant only and in the defendant's name only and shall be considered a personal asset of the defendant.
- (2) The full cash bond or ten percent (10%) case bond deposit, after final judgment of conviction, shall be applied as follows:
 - (a) payment of the Clerk's administrative fee;
 - (b) payment of public defender fees;
 - (c) payment of fines, court costs, restitution and initial and monthly probation user fees;
 - (d) payment of administrative fees;
 - (e) payment of any other fees as ordered by the Court; and,
 - (f) The balance shall be released to the defendant.

E. Individuals arrested without a warrant may post bail according to the bail schedule set forth below, including a ten percent (10%) cash bond, without being first brought before the Court if the

standards of paragraph C above are satisfied. All other individuals arrested without a warrant shall be brought before the Court no later than the day of arrest if the Court is in session, or, the next day Court is in session following arrest for his/her initial hearing.

F. No individual arrested while intoxicated shall be released or brought before the Court until sober.

G. Juveniles (individuals under 18 years of age) shall not be held to bail and are to be released to the recognizance of a parent or guardian upon approval of the Court or Probation Officer. Juveniles who are detained shall be brought before the Court for a prompt detention hearing in accordance with law.

H. The following bail schedule determines presumptively reasonable bail that shall be set pursuant to paragraph E above for offenses occurring before July 1, 2014. This bail schedule is superseded by bail endorsed upon a warrant or otherwise set by order of the Court.

Murder	presumptively not bailable
Class A Felony	\$100,000.00
Class B Felony	\$ 50,000.00
Class C Felony\$ 20,000.00
Class D Felony\$ 5,000.00
Class A Misdemeanor	\$ 2,500.00
Class B Misdemeanor	\$ 1,000.00
Class C Misdemeanor	\$ 500.00

I. The following bail schedule determines presumptively reasonable bail that shall be set pursuant to paragraph E above for

offenses occurring on or after July 1, 2014. This bail schedule is superseded by bail endorsed upon a warrant or otherwise set by order of the Court.

Murder	presumptively not bailable
Level 1 Felony	\$100,000.00
Level 2 Felony	\$ 50,000.00
Level 3 Felony\$ 25,000.00
Level 4 Felony\$ 10,000.00
Level 5 Felony\$ 5,000.00
Level 6 Felony\$ 3,000.00
Class A Misdemeanor	\$ 2,500.00
Class B Misdemeanor	\$ 1,000.00
Class C Misdemeanor	\$ 500.00

J. Pursuant to Indiana Code 35-33-8-3.2, a Judicial Officer assessing bail may also require reasonable conditions for bail. The conditions may include:

- (1) Reasonable restrictions on the activities, movements, associations, and residence of a defendant during the period of release.
- (2) A requirement that a defendant be refrained from any direct or indirect contact with an individual.
- (3) Placing a defendant under the reasonable supervision of a probation officer or other appropriate public official.
- (4) Releasing a defendant into the care of a qualified person or organization responsible for supervising the defendant and assisting the defendant in appearing in court.

LR76-CR-8 LOCAL TRAFFIC VIOLATION