

**STATE OF INDIANA – COUNTY OF MIAMI
IN THE MIAMI CIRCUIT AND SUPERIOR COURTS**

**Notice of Adoption of Local Rule Amendments,
Effective July 1, 2016**

The judges of the Miami Circuit and Superior Courts, pursuant to Trial Rule 81(B), give notice that they hereby adopt certain amendments to the Local Rules pertaining to **family law cases (LR52-FL00-1, LR52-FL00-2, and LR52-FL00-3)** and the Courts' **bond schedule (LR52-CR00-1)**. True and complete copies of the newly amended versions of said Local Rules are attached hereto and incorporated herein.

Notice of said amendments has been given to the public by posting in the Office of the Miami County Clerk and on the Clerk's website and on the Indiana Judicial Website, and by furnishing a copy to the officers of the Miami County Bar Association. Certain amendments to the originally proposed rule amendments have been made in response to recommendations from the public.

Said rule amendments shall take effect on **July 1, 2016**.

Dated this 20th day of June, 2016.

**/S/ TIMOTHY P. SPAHR, JUDGE
MIAMI CIRCUIT COURT**

**/S/ J. DAVID GRUND, JUDGE
MIAMI SUPERIOR COURT I**

**/S/ DANIEL C. BANINA, JUDGE
MIAMI SUPERIOR COURT II**

LR52-FL00-1 WORKSHEET - CHILD SUPPORT OBLIGATION

[No text – This Local Rule was abrogated, effective July 1, 2016.]

LR52-FL00-2 SCHEDULE OF ASSETS AND LIABILITIES

[No text – This Local Rule was abrogated, effective July 1, 2016.]

LR52-FL00-3 INCOME AND PROPERTY DISCLOSURE

[No text – This Local Rule was abrogated, effective July 1, 2016.]

LR52-CR00-1 BOND SCHEDULE

**NON-ALCOHOL-RELATED
TRAFFIC MISDEMEANORS:** \$100 cash bond

ALL OTHER MISDEMEANORS: \$300 cash bond

**FOR FELONY OFFENSES (OTHER THAN MURDER) ALLEGEDLY COMMITTED ON
OR BEFORE JUNE 30, 2014:**

CLASS D FELONIES: \$500 cash bond

CLASS C FELONIES: \$12,000 corporate security bond or 10% cash

CLASS B FELONIES: \$25,000 corporate security bond or 10% cash

CLASS A FELONIES: \$50,000 corporate security bond only

**FOR FELONY OFFENSES (OTHER THAN MURDER) ALLEGEDLY COMMITTED ON
OR AFTER JULY 1, 2014:**

LEVEL 6 FELONIES: \$500 cash bond

LEVEL 5 FELONIES: \$10,000 corporate security bond or 10% cash

LEVEL 4 FELONIES: \$20,000 corporate security bond or 10% cash

LEVEL 3 FELONIES: \$30,000 corporate security bond or 10% cash

LEVEL 2 FELONIES: \$40,000 corporate security bond only

LEVEL 1 FELONIES: \$50,000 corporate security bond only

MURDER: INITIALLY, NO BAIL WILL BE SET.

When deemed appropriate, the judge may set bond in amounts and under terms different than are stated on this bond schedule.

ADDITIONAL BONDING TERMS:

1. A defendant charged with a “violent crime” (as described in I.C. 5-2-6.1-8) shall have no contact, directly or indirectly, with the alleged victim(s).
2. A defendant charged with a “crime of domestic violence” (as described in I.C. 35-31.5-2-78), which includes domestic battery, regardless of the class, shall remain in jail for eight (8) hours following arrest before being eligible for release on bail.
3. A defendant who is charged with child molesting (I.C. 35-42-4-3) or child solicitation (I.C. 35-42-4-6) or who is a sexually violent predator under I.C. 35-38-1-7.5 and 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) may not be admitted to bail until the Court has conducted a bail hearing in open court. That hearing shall be held within forty-eight (48) hours of the defendant being arrested, unless exigent circumstances prevent holding the hearing within forty-eight (48) hours. It shall be the responsibility of the Miami County Sheriff to promptly notify the Court of the arrest of such a defendant in order that such a hearing may be held in a timely fashion.
4. \$10,000 shall be added to a defendant’s bond if charged with using a deadly weapon.
5. \$10,000 shall be added to a defendant’s bond if charged with manufacturing any controlled substance.
6. For a defendant charged as a habitual violator (excluding a habitual traffic violator), there shall be an additional bond equal to the bond for the highest class felony charged against the defendant.
7. For a defendant charged as a habitual substance offender, there shall be a \$5,000 corporate security bond required in addition to any bond set under this schedule.

8. Upon arrest, any defendant already on terms of probation or parole is subject, pursuant to statute, to a detention hold for fifteen days before being released on bail. In order to provide the county prosecutor with sufficient opportunity to request a probation hold, the Miami County Sheriff shall hold the defendant in custody until the defendant's first court appearance.
9. Except as augmented under these additional bonding terms, a defendant's bail shall be determined by adding the bonds for each criminal charge then pending against the defendant.
10. With regard to a defendant who is a foreign national and who is unlawfully present in the United States under federal immigration law, such a defendant may be released from custody only by posting a bond in accordance with the provisions of I.C. 35-33-8-4.5.

(Effective July 1, 2016)