

**FILING FEES BY CASE TYPE COLLECTED BY THE CLERK
(JULY 1, 2021)**

CRIMINAL CASES

| | | | |
|----|--|-----------------|-------------------------|
| 15 | Court Costs | IC 33-37-4-1 | \$120.00 |
| 38 | Marijuana Eradication Program Fee | IC 33-37-5-7 | * |
| 5 | Alcohol and Drug Services Program Fee | IC 33-37-5-8(b) | * |
| 37 | Law Enforcement Continuing Education Fee | IC 33-37-5-8(c) | 4.00 |
| 23 | Drug Abuse, Prosecution, Interdiction, and Correction F | IC 33-37-5-9 | * |
| 4 | Alcohol and Drug Countermeasures Fee | IC 33-37-5-10 | * |
| 9 | Child Abuse Prevention Fee | IC 33-37-5-12 | * |
| 22 | Domestic Violence Prevention and Treatment Fee | IC 33-37-5-13 | * |
| 26 | Highway Worksite Zone Fee | IC 33-37-5-14 | (1) |
| 17 | Deferred Prosecution Fee | IC 33-37-5-17 | (2) |
| 47 | Safe School Fee | IC 33-37-5-18 | * |
| 33 | Jury Fee | IC 33-37-5-19 | 2.00 |
| 21 | Document Storage Fee | IC 33-37-5-20 | 5.00 |
| 7 | Automated Record Keeping Fee | IC 33-37-5-21 | 20.00 (4) |
| 34 | Late Payment Fee | IC 33-37-5-22 | *(5) |
| 48 | Sexual Assault Victims Assistance Fee | IC 33-37-5-23 | * |
| 46 | Public Defense Administration Fee | IC 33-37-5-21.2 | 5.00 |
| 31 | Judicial Insurance Adjustment Fee | IC 33-37-5-25 | 1.00 |
| 32 | Judicial Salaries Fee | IC 33-37-5-26 | 20.00 |
| 18 | DNA Sample Processing Fee | IC 33-37-5-26.2 | 3.00 |
| 14 | Court Administration Fee | IC 33-37-5-27 | 5.00 |
| | Total Criminal Filing Fee | | <u><u>\$185.00</u></u> |
| 54 | Sheriff's Service of Process Fee | IC 33-37-5-15 | 28.00 (3) |
| | Total Criminal Filing Fees (with service of process fee) | | <u><u>\$ 213.00</u></u> |

* Judge determines if this fee is to be collected and/or the amount of the fee.

(1) Collect \$.50 only if traffic offense and could be \$25.50 if exceeding the worksite speed limit or failure to merge.

(2) If the criminal action is a misdemeanor and the defendant enters the pretrial diversion program.

(3) The clerk that maintains jurisdiction over the case, shall collect this fee from a party requesting service of a writ, an order, a process, a notice, a tax judgment or any other paper completed by the sheriff. This fee may only be collected one time per case for pre-judgement, however, fee may be collected post-judgement as well.

(4) However, if accused person enters into a pretrial diversion agreement under IC 33-39-1-8 the fee is \$5.

(5) A court that adopts a local rule imposing a late payment fee may collect \$25.

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(JULY 1, 2021)**

CIVIL CASES

| | | | |
|----|---|-----------------|------------------|
| 15 | Court Costs | IC 33-37-4-4 | \$100.00 |
| 21 | Document Storage Fee | IC 33-37-5-20 | 5.00 |
| 7 | Automated Record Keeping Fee | IC 33-37-5-21 | 20.00 |
| 46 | Public Defense Administration Fee | IC 33-37-5-21.2 | 5.00 |
| 31 | Judicial Insurance Adjustment Fee | IC 33-37-5-25 | 1.00 |
| 32 | Judicial Salaries Fee | IC 33-37-5-26 | 20.00 |
| 14 | Court Administration Fee | IC 33-37-5-27 | 5.00 |
| 11 | Civil Service Fee | IC 33-37-5-28 | (1) |
| 12 | Civil Garnishee Service Fee | IC 33-37-5-28 | (2) |
| 6 | Alternative Dispute Resolution Fee | IC 33-23-6-1 | (3) |
| 45 | Pro Bono Legal Services Fee | IC 33-37-5-31 | 1.00 |
| | Total Civil Filing Fee | | <u>\$157.00</u> |
| 54 | Sheriff's Service of Process Fee | IC 33-37-5-15 | 28.00 (4) |
| | Total Civil Filing Fees (with service of process fee) | | <u>\$ 185.00</u> |

- (1) The clerk shall collect from the party filing the civil action, a service fee of \$10 for each additional defendant named other than the first named defendant. The clerk shall collect from any party adding a defendant, a service fee of \$10.
- (2) Add a \$10 fee per garnishee defendant in excess of 3 whether named or added
(The fee noted in (1) and (2) does not apply to an action in which the service is made by publication in accordance with Indiana Trial Rule 4.13 or to an action filed through the Indiana electronic filing system adopted by the Indiana Supreme Court.)
- (3) If the county has an approved plan from the Judicial Conference of Indiana, the clerk shall collect from the party filing a petition for legal separation, paternity, or dissolution of marriage a fee of \$20.
- (4) The clerk that maintains jurisdiction over the case shall collect this fee from a party requesting service of a writ, an order, a process, a notice, a tax judgment or any other paper completed by the sheriff. This fee may only be collected one time per case for pre-judgment, however, fee may be collected post-judgement as well.

**FILING FEES BY CASE TYPE COLLECTED BY THE CLERK
(JULY 1, 2021)**

JUVENILE CASES

| | | | | |
|----|--|-----------------|------------------|-----|
| 15 | Court Costs | IC 33-37-4-3 | \$120.00 | |
| 38 | Marijuana Eradication Program Fee | IC 33-37-5-7 | * | |
| 5 | Alcohol and Drug Services Program Fee | IC 33-37-5-8(b) | * | |
| 4 | Alcohol and Drug Countermeasures Fee | IC 33-37-5-10 | * | |
| 21 | Document Storage Fee | IC 33-37-5-20 | 5.00 | |
| 7 | Automated Record Keeping Fee | IC 33-37-5-21 | 20.00 | |
| 34 | Late Payment Fee | IC 33-37-5-22 | * | (2) |
| 46 | Public Defense Administration Fee | IC 33-37-5-21.2 | 5.00 | |
| 31 | Judicial Insurance Adjustment Fee | IC 33-37-5-25 | 1.00 | |
| 32 | Judicial Salaries Fee | IC 33-37-5-26 | 20.00 | |
| 14 | Court Administration Fee | IC 33-37-5-27 | 5.00 | |
| 6 | Alternative Dispute Resolution Fee | IC 33-23-6-1 | | (1) |
| | Total Juvenile Filing Fees | | <u>\$176.00</u> | |
| 54 | Sheriff's Service of Process Fee | IC 33-37-5-15 | 28.00 | (3) |
| | Total Juvenile Filing Fees (with service of process fee) | | <u>\$ 204.00</u> | |

* Judge determines if this fee is to be collected and the amount of the fee.

(1) If the county has an approved plan from the Judicial Conference of Indiana, the clerk shall collect from the party filing a petition for legal separation, paternity, or dissolution of marriage a fee of \$20

(2) A court that adopts a local rule imposing a late payment fee may collect \$25.

(3) The clerk that maintain jurisdiction over the case, shall collect this fee from a party requesting service of a writ, an order, a process, a notice, a tax judgment or any other paper completed by the sheriff. This fee may only be collected one time per case for pre-judgement, however, fee may be collected post-judgement as well.

**FILING FEES BY CASE TYPE COLLECTED BY THE CLERK
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SMALL CLAIMS CASES

| | | | |
|----|--|-----------------|-------------------------|
| 15 | Court Costs | IC 33-37-4-6 | \$35.00 |
| 49 | Small Claims Service Fee | IC 33-37-4-6 | (1) |
| 50 | Small Claims Garnishee Service Fee | IC 33-37-4-6 | (2) |
| 49 | Additional Small Claims Service Fee | IC 33-37-4-6 | (3) |
| 21 | Document Storage Fee | IC 33-37-5-20 | 5.00 |
| 7 | Automated Record Keeping Fee | IC 33-37-5-21 | 20.00 |
| 46 | Public Defense Administration Fee | IC 33-37-5-21.2 | 5.00 |
| 31 | Judicial Insurance Adjustment Fee | IC 33-37-5-25 | 1.00 |
| 32 | Judicial Salaries Fee | IC 33-37-5-26 | 15.00 |
| 45 | Pro Bono Legal Services Fee | IC 33-37-5-31 | 1.00 |
| 14 | Court Administration Fee | IC 33-37-5-27 | 5.00 |
| | Total Small Claims Filing Fees | | <u><u>\$87.00</u></u> |
| 54 | Sheriff's Service of Process Fee | IC 33-37-5-15 | 28.00 (4) |
| | Total Small Claims Filing Fees (with service of process fee) | | <u><u>\$ 115.00</u></u> |

* Judge determines if this fee is to be collected and the amount of the fee.

(1) \$10 fee is per defendant named and paid by the party filing the action.

(2) Add a \$10 fee per garnishee defendant in excess of 3 whether named or added

(3) \$10 fee per defendant, garnishee, or garnishee defendant added to the action. However, clerk cannot collect a fee for the first three (3) garnishees.

(The fee noted in (1), (2) and (3) does not apply to an action in which the service is made by publication in accordance with Indiana Trial Rule 4.13 or to an action filed through the Indiana electronic filing system adopted by the Indiana Supreme Court.)

(4) The clerk, who maintains jurisdiction over the case, shall collect this fee from a party requesting service of a writ, an order, a process, a notice a tax judgement or any other paper completed by the sheriff. This fee may may only be collected one time per case for pre-judgement, however, fee may be collected post-judgement as well.

**FILING FEES BY CASE TYPE COLLECTED BY THE CLERK
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INFRACTION/ORDINANCE VIOLATION CASES

| | | | |
|--|--|-----------------|-------------------------|
| 15 | Court Costs | IC 33-37-4-2 | \$70.00 |
| 5 | Alcohol and Drug Services Program Fee | IC 33-37-5-8(b) | * |
| 37 | Law Enforcement Continuing Education Fee | IC 33-37-5-8(c) | 4.00 |
| 4 | Alcohol and Drug Countermeasures Fee | IC 33-37-5-10 | * |
| 26 | Highway Worksite Zone Fee | IC 33-37-5-14 | (1) |
| 17 | Deferred Prosecution Fee | IC 33-37-5-17 | (2) |
| 33 | Jury Fee | IC 33-37-5-19 | 2.00 |
| 21 | Document Storage Fee | IC 33-37-5-20 | 5.00 |
| 7 | Automated Record Keeping Fee | IC 33-37-5-21 | 20.00 |
| 34 | Late Payment Fee | IC 33-37-5-22 | * (4) |
| 46 | Public Defense Administration Fee | IC 33-37-5-21.2 | 5.00 |
| 31 | Judicial Insurance Adjustment Fee | IC 33-37-5-25 | 1.00 |
| 32 | Judicial Salaries Fee | IC 33-37-5-26 | 20.00 |
| 18 | DNA Sample Processing Fee | IC 33-37-5-26.2 | 3.00 |
| 14 | Court Administration Fee | IC 33-37-5-27 | <u>5.00</u> |
| Total Infraction/Ordinance Violations Filing Fees | | | <u><u>\$135.00</u></u> |
| 54 | Sheriff's Service of Process Fee | IC 33-37-5-15 | 28.00 (3) |
| Total Infraction/Ordinance Violation Filing Fees (with service of process fee) | | | <u><u>\$ 163.00</u></u> |

* Judge determines if this fee is to be collected and the amount of the fee.

(1) Collect \$.50 only if traffic offense and could be \$25.50 if exceeding the worksite speed limit or failure to merge.

(2) \$120 fee for court costs if the criminal action is a misdemeanor and the defendant enters the pretrial diversion program.

(3) The clerk shall collect this fee from a party requesting service of a writ, an order, a process, a notice, a tax warrant, or any other paper completed by the sheriff. This fee may only be collected one time per case for pre-judgement. However, fee may be collected post-judgement as well.

(4) A court that adopts a local rule imposing a late payment fee may collect \$25.

**FILING FEES BY CASE TYPE COLLECTED BY THE CLERK
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PRETRIAL DIVERSION PROGRAM

| | | <u>Felony</u> | <u>Misdemeanor</u> |
|--------------------------|---|--|------------------------|
| 17 | Deferred Prosecution Fee | IC 33-37-5-17 \$120.00 | \$120.00 |
| 44 | Pretrial Diversion Program - Initial User Fee | IC 33-37-4-1(c) 75.00 | 50.00 |
| 44 | Pretrial Diversion Program - Monthly User Fee | IC 33-37-4-1(c) 120.00 (1) | 120.00 |
| Under IC 33-37-5: | | | |
| 26 | Highway Worksite Zone Fee (if driving offense) | \$0.50 (2) | \$0.50 |
| 21 | Document Storage Fee | 5.00 | 5.00 |
| 8 | Automated Record Keeping - Deferral/Diversion Fee | 5.00 | 5.00 |
| 46 | Public Defense Administration Fee | 5.00 | 5.00 |
| 31 | Judicial Insurance Adjustment Fee | 1.00 | 1.00 |
| 32 | Judicial Salaries Fee | 20.00 | 20.00 |
| 14 | Court Administration Fee | 5.00 | 5.00 |
| 18 | DNA Sample Processing Fee | 3.00 | 3.00 |
| Total | | (driving offense) <u>\$359.50</u> | <u>\$334.50</u> |
| | | (non-driving offense) <u>\$359.00</u> | <u>\$334.00</u> |

(1) Monthly fee is \$20 for each month that the person remains in the pretrial diversion program. The maximum time in the program may not exceed maximum length of the possible sentence. This maximum length could include probation as an alternative sentence per *Davidson vs. State*. The above illustration uses a six month sentence, you will need to adjust the calculation of the total fees based on the actual number of months of the program.

(2) If the violation is non moving traffic offense, then this will not be collected.

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DEFERRAL PROGRAM

| | | | |
|----|---|-----------------------|-------------------------------|
| | Court Costs (if moving traffic offense) | IC 34-28-5-1 | \$70.00 (1) |
| 15 | Deferral Program - Initial User Fee * | IC 33-37-4-2(e) | 52.00 (2) |
| 16 | Deferral Program - Monthly User Fee * | IC 33-37-4-2(e) | 60.00 (3) |
| 16 | Under IC 33-37-5 | | |
| | Highway Worksite Zone Fee (if driving offense) | | \$0.50 |
| 26 | Document Storage Fee | | 5.00 |
| 21 | Automated Record Keeping - Deferral/Diversion Fee | | <u>5.00</u> |
| 8 | Total | | |
| | | (driving offense) | <u>\$192.50</u> |
| | | (non-driving offense) | <u><u>\$192.00</u></u> |

* - Statute states these fees are not to exceed these amounts. Your prosecutor may have lower rates than the maximum allowed.

(1) If the infraction or violation is not a moving traffic offense, then this will not be collected.

(2) \$50 goes to the deferral program and \$2 goes to the jury pay fund.

(3) Monthly fee is \$10 for each month that the person remains in the program.

(These scenarios would illustrate a 6 month program. Your county may have different time ranges for the program which will cause your total to be different.)

**FILING FEES BY CASE TYPE COLLECTED BY THE CLERK
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PROBATE CASES

| | | | | |
|----|---|-----------------|------------------|-----|
| | Court Costs | IC 33-37-4-7 | \$120.00 | |
| 15 | Document Storage Fee | IC 33-37-5-20 | 5.00 | |
| 21 | Automated Record Keeping Fee | IC 33-37-5-21 | 20.00 | |
| 7 | Public Defense Administration Fee | IC 33-37-5-21.2 | 5.00 | |
| 46 | Judicial Insurance Adjustment Fee | IC 33-37-5-25 | 1.00 | |
| 31 | Judicial Salaries Fee | IC 33-37-5-26 | 20.00 | |
| 32 | Pro Bono Legal Services Fee | IC 33-37-5-31 | 1.00 | |
| 45 | Court Administration Fee | IC 33-37-5-27 | 5.00 | |
| 14 | | | | |
| | Total Probate Filing Fees | | <u>\$177.00</u> | |
| | | | | |
| | Sheriff's Service of Process Fee | IC 33-37-5-15 | 28.00 | (3) |
| 54 | | | | |
| | Total Probate Filing Fees (with service of process fee) | | <u>\$ 205.00</u> | |

SEATBELT VIOLATIONS

| | | | | |
|----|-------------------------------|---------------|----------------|-----|
| | Infraction Judgment - Class D | IC 9-19-10-8 | \$25.00 | |
| 29 | | IC 34-28-5-4 | | |
| | Late Payment Fee | IC 33-37-5-22 | * | (2) |
| 34 | | | <u>\$25.00</u> | |

CHILD RESTRAINT SYSTEM VIOLATIONS

| | | | | |
|----|---|---------------|----------------|-----|
| | Child Restraint System Violation Judgment | IC 9-19-11 | \$25.00 | (1) |
| 10 | | IC 34-28-5-4 | | |
| | Late Payment Fee | IC 33-37-5-22 | * | (2) |
| 34 | | | <u>\$25.00</u> | |

* Judge determines if this fee is to be collected and the amount of the fee.

- (1) These judgments go to a separate account in the state general fund in accordance with IC 9-19-11-9. You will need to account for these separate from the seatbelt violations.
- (2) A court that adopts a local rule imposing a late payment fee may collect \$25.
- (3) The clerk shall collect this fee from a party requesting service of a writ, an order, a process, a notice, a tax warrant, or any other paper completed by the sheriff. This fee may only be collected one time per case for pre-judgement. However, fee may be collected post-judgement as well.