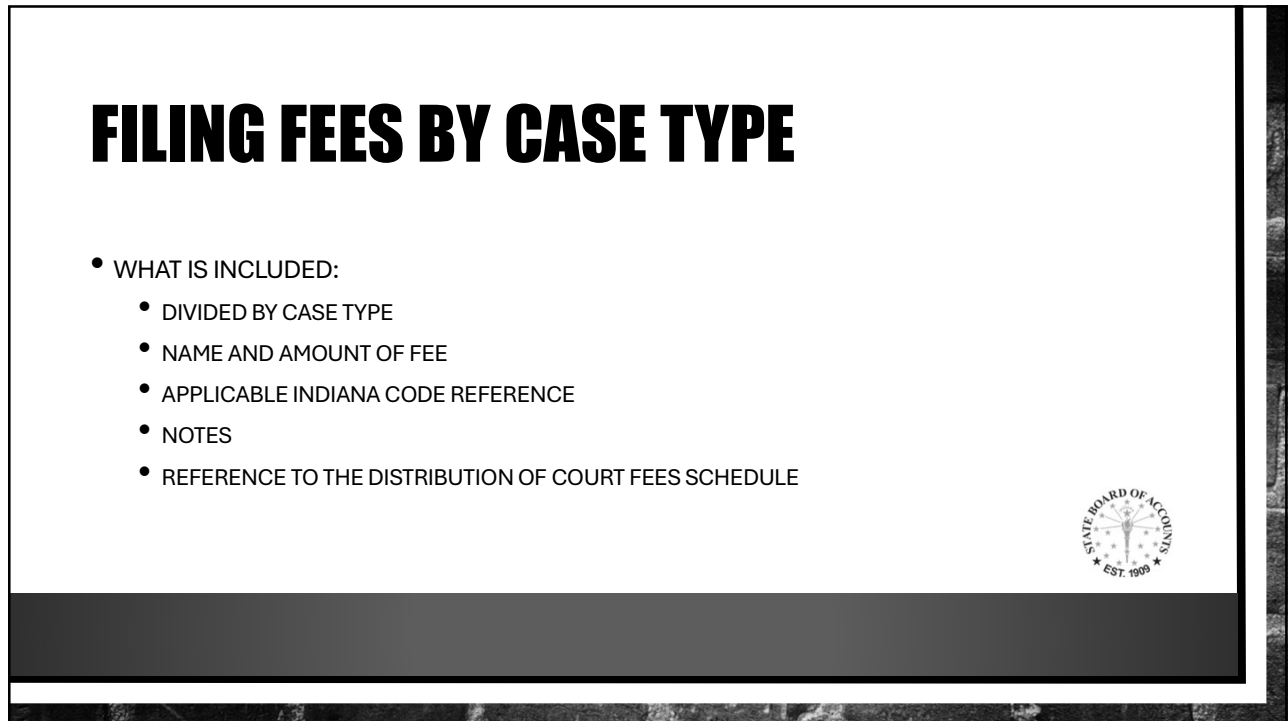


1



# FILING FEES BY CASE TYPE

- WHAT IS INCLUDED:
  - DIVIDED BY CASE TYPE
  - NAME AND AMOUNT OF FEE
  - APPLICABLE INDIANA CODE REFERENCE
  - NOTES
  - REFERENCE TO THE DISTRIBUTION OF COURT FEES SCHEDULE



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## 2024 FILING FEES BY CASE TYPE - UPDATES

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>\$ 213.00</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, and one time for post-judgement. *(effective 1/1/25)*
- (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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## DISTRIBUTION OF COURT COSTS AND FEES

- WHAT IS INCLUDED:
  - NAME OF FEE COLLECTED
  - DISTRIBUTION PERCENTAGES
  - APPLICABLE INDIANA CODE REFERENCE
  - LEGEND – FUNDS COLLECTED ARE RECEIPTED TO



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## 2024 DISTRIBUTION OF COURT COSTS AND FEES - UPDATES

Reference Number	Fee Collected	Percentage to Counties	Percentage to State	Percentage to Cities and Towns	Indiana Code Reference
52	Supplemental Public Defender Services Fee	50% (14)	50% (?)		35-33-7-6



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## FEES CONTINUED...

- REMINDERS:
  - FEES COLLECTED SHOULD BE RECEIPTED AND POSTED PROMPTLY (AT THE TIME OF THE TRANSACTION)
  - RECEIPTS SHOULD BE ISSUED FOR ALL COLLECTIONS
  - AN APPROVED OR A PRESCRIBED RECEIPT IS TO BE USED
  - PROPER INTERNAL CONTROLS SHOULD BE IN PLACE FOR HANDLING COLLECTION
  - EMPLOYEES HANDLING COLLECTIONS SHOULD BE PROPERLY BONDED (AT LEAST \$5,000)



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**FILING FEES BY CASE TYPE COLLECTED BY THE CLERK  
(JULY 1, 2024)**

Clerk Fee Distribution Sheet Reference Number	<u>CRIMINAL CASES</u>	Indiana Code	Amount per Indiana Code
15   Court Costs		IC 33-37-4-1	\$120.00




# EXAMPLE: COURT COSTS

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## EXAMPLE: COURT COSTS

IC 33-37-4-1 STATES: “(A) FOR EACH ACTION THAT RESULTS IN A FELONY CONVICTION UNDER IC 35-50-2 OR A MISDEMEANOR CONVICTION UNDER IC 35-50-3, THE CLERK SHALL COLLECT FROM THE DEFENDANT A CRIMINAL COSTS FEE OF ONE HUNDRED TWENTY DOLLARS (\$120).”



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10	Child Restraint System Violation Fine		100% (28)*		9-19-11
11	Civil Service Fee	100% (1)			33-37-7-2
12	Civil Garnishee Service Fee	100% (1)			33-37-7-2
13	Copies Other Than Court Records	100% (1)			33-37-7-12
14	Court Administration Fee		100% (21)		33-37-7-2
15	Court Costs	27% (1)	70% (11)	3% (15)	33-37-7-2,4,6
16	Deferral Program Fee	100% (3)			33-37-8-5
17	Deferred Prosecution Fee	27% (1)	70% (11)	3% (15)	33-37-7-2,4,6



# EXAMPLE: COURT COSTS



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## EXAMPLE: COURT COSTS

**IC 33-37-7-4**

**Fees collected by clerk of circuit court; county share**

Sec. 4. (a) The clerk of a circuit court shall forward the county share of fees collected to the county auditor in accordance with IC 33-37-7-12(a). The auditor shall retain as the county share twenty-seven percent (27%) of the amount of fees collected under the following:

- (1) IC 33-37-4-1(a) (criminal costs fees).

**IC 33-37-7-2**

**Circuit court clerk's distribution of fees**

Sec. 2. (a) The clerk of a circuit court shall distribute semiannually to the auditor of state as the state share for deposit in the homeowner protection unit account established by IC 4-6-12-9 one hundred percent (100%) of the automated record keeping fees collected under IC 33-37-5-21 with respect to actions resulting in the accused person entering into a pretrial diversion program agreement under IC 33-39-1-8 or a deferral program agreement under IC 34-28-5-1 and for deposit in the state general fund seventy percent (70%) of the amount of fees collected under the following:

- (1) IC 33-37-4-1(a) (criminal costs fees).

**IC 33-37-7-6**

**Fees collected by clerk of circuit court; city or town share**

Sec. 6. (a) The qualified municipality share to be distributed to each city and town maintaining a law enforcement agency that prosecutes at least fifty percent (50%) of the city's or town's ordinance violations in a circuit or superior court located in the county is three percent (3%) of the amount of fees collected under the following:

- (1) IC 33-37-4-1(a) (criminal costs fees).

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# QUESTIONS?

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