

# CIVIL COURT COSTS JULY 1, 2013

## Revised 7/1/13

### SMALL CLAIMS

*Jurisdiction \$6,000*

#### **\$81.00 +**

\$24.50 Court Costs State  
10.50 Court Costs County  
2.00 Document Storage Fee  
7.00 Automated Record Keeping Fee  
1.00 Judicial Insurance Adjustment Fee  
5.00 Public Defense Admin Fee  
15.00 Judicial Salaries Fee  
5.00 Court Administration Fee  
10.00 Small Claims Service Fee – per defendant\*

(\*This fee is charged for every defendant – even the first one or only one)

1.00 Pro Bono Legal Services Fee

Plus \$10.00 for each defendant added to a case.

#### **Small Claims Garnishee Service Fee**

**\$10 per garnishee or garnishee defendant after 3 are named or added.**

Start charging on the 4<sup>th</sup> name and then the 5<sup>th</sup> and 6<sup>th</sup> etc

This is for cases filed July 1, 2006 and for all cases where garnishees or garnishee defendants are added on a case after July 1, 2006.

**IC 33-37-4-6**

### **TRANSFER OF SMALL CLAIM TO PLENARY**

#### **\$70.00**

\$49.00 Court Costs State  
21.00 Court Costs County

### CIVIL PROCEEDINGS

#### **\$141.00 (with one defendant) +**

\$70.00 Court Costs State  
30.00 Court Costs County  
2.00 Document Storage Fee  
7.00 Automated Record Keeping Fee  
1.00 Judicial Insurance Adjustment Fee  
5.00 Public Defense Administration Fee  
20.00 Judicial Salaries Fee  
5.00 Court Administration Fee  
10.00 Civil Service Fee – per additional defendant\* (\*If only one defendant – do not charge this fee.)

1.00 Pro Bono Legal Services Fee

Plus \$10.00 for each defendant added to a case.

#### Plus

\$50.00 Mortgage Foreclosure Counseling and Education Fee

**For Mortgage Foreclosures filed after May 10, 2013 and before December 31, 2014**

### HARDSHIP LICENSE

#### **\$111.00 (with one defendant) +**

\$70.00 Court Costs State  
2.00 Document Storage Fee  
7.00 Automated Record Keeping Fee  
1.00 Judicial Insurance Adjustment Fee  
5.00 Public Defense Administration Fee  
20.00 Judicial Salaries Fee  
5.00 Court Administration Fee  
1.00 Pro Bono Legal Services Fee  
Plus \$10.00 for each defendant added to a case.

#### **Garnishee Service Fee**

**\$10 per garnishee or garnishee**

**defendant after 3 are named or added.**

Start charging on the 4<sup>th</sup> name and then the 5<sup>th</sup> and 6<sup>th</sup> etc

This is for cases filed July 1, 2006 and for all cases where garnishees or garnishes defendants are added on a case after July 1, 2006. **IC 33-37-5-28**

## JUVENILE COSTS

### **\*\$160.00 Paternity and Guardianships**

\$84.00 Court Costs State  
36.00 Court Costs County  
2.00 Document Storage Fee  
7.00 Automated Record Keeping Fee  
1.00 Judicial Insurance Adjustment Fee  
5.00 Public Defense Administration Fee  
20.00 Judicial Salaries Fee  
5.00 Court Administration Fee

## ADOPTIONS

### **\*\$140.00 (with one defendant) +**

\$70.00 Court Costs State  
30.00 Court Costs County  
2.00 Document Storage Fee  
7.00 Automated Record Keeping Fee  
1.00 Judicial Insurance Adjustment Fee  
5.00 Public Defense Administration Fee  
20.00 Judicial Salaries Fee  
5.00 Court Administration Fee  
\*10.00 Civil Service Fee – per additional  
defendant\* (\*If only one defendant  
– do not charge this fee.)  
Plus \$10.00 for each defendant added to  
a case.

## PROBATE

1. Court costs for filings for determination of inheritance tax; probate; trusts and fiduciaries

### **\$161.00**

\$ 84.00 Court Costs State  
36.00 Court Costs County  
2.00 Document Storage Fee  
7.00 Automated Record Keeping Fee  
1.00 Judicial Insurance Adjustment Fee  
5.00 Public Defense Administration Fee  
20.00 Judicial Salaries Fee  
5.00 Court Administration Fee  
1.00 Pro Bono Legal Services Fee

2. Filing of a Will

### **\$25.00**

\$25.00 Document Storage Fee

### **3. No fees will be collected for the following:**

1. Petition to open a safety deposit box
2. Filing an inheritance tax return, unless proceedings other than the court's approval of the return becomes necessary
3. Offering a will for probate under IC 29-1-7, unless proceedings other than admitting the will to probate becomes necessary

later the sheriff has to serve anything, the \$13 fee has to be paid.

**This is a one time only fee.**

## **PROTECTION ORDERS**

### **1. Protection Orders**

In a situation involving (1) Dating violence (2) domestic violence (3) sexual assault (4) stalking or (5) for filing a Foreign Protection Order

#### **No filing fee is charged**

However, after the case goes to court the Judge may order these to be paid by either party.

*(Marion County Judge said that if ordered to be paid the money should be put in trust to pay to the defendant – I will check with the State to see if this correct)*

### **2. Protection Orders**

#### **\$141.00 or Filing Fee at time of filing**

\$70.00 Court Costs State  
30.00 Court Costs County  
2.00 Document Storage Fee  
7.00 Automated Record Keeping Fee  
1.00 Judicial Insurance Adjustment Fee  
5.00 Public Defense Administration Fee  
20.00 Judicial Salaries Fee  
5.00 Court Administration Fee  
\*10.00 Civil Service Fee – per additional defendant\* (\*If only one defendant – do not charge this fee.)  
1.00 Pro Bono Legal Services Fee  
Plus \$10.00 for each defendant added to a case.

#### **SERVICE OF PROCESS FEE \$13**

The service of any paper to be served by sheriff:

At time of filing a new CIVIL case starting July 1, 2006 where anything has to be served by the sheriff  
and

On a CIVIL case filed July 1, 2006, if no SOP Fee was paid at the time of filing but

## **COPIES OF COURT DOCUMENTS**

\$1.00 per page Document Fees

1.00 for certification Document Fees

## **LIS PENDENS**

\$1.00 Document Fee

## **FOREIGN JUDGMENTS**

\$3.00 Document Fee

## **TAX WARRANTS**

\$3.00 Document Fee

## **MARRIAGE LICENSES**

\$18.00

\$ 8.00 Marriage License

10.00 Family Violence Fee

If neither is a resident of Indiana:

\$60.00

\$50.00 Marriage License

10.00 Family Violence Fee

## **SUPPORT FEES**

2008

\$55.00

## **BAIL BONDS**

\$5.00 Special Death Benefit Fee

(\$ 5.00 Add to all Criminal Bonds –do not collect on Civil Bonds)

## CRIMINAL COURT COSTS

### July 1, 2012

#### **GUILTY – FELONY & MISDEMEANOR** **\$173.00 +**

\$ 84.00	Court Cost State
36.00	Court Cost County
2.00	Document Storage Fee
7.00	Automated Record Keeping Fee
5.00	Alcohol and Drug Fee
4.00	County User Fee
2.00	Jury Fee
	Fines and Forfeitures
1.00	Judicial Insurance Adjustment Fee
5.00	Public Defense Administration Fee
20.00	Judicial Salaries Fee
5.00	Court Administration Fee
2.00	DNA Sample Processing Fee

(County User Fee is Law Enforcement Continuing Education Fee)

#### **SERVICE OF PROCESS FEE \$13**

The service of any paper to be served by sheriff:

If a person is convicted July 1, 2006 and after (No matter when the case started) and the Sheriff had to serve any thing for the case, this fee is to be collected.

**This is a one time only fee.**

#### **GUILTY – INFRACTIONS & ORDINANCE VIOLATIONS** **\$123.00 +**

\$49.00	Court Costs State
21.00	Court Costs County
2.00	Document Storage Fee
7.00	Automated Record Keeping Fee
5.00	Alcohol and Drug Fee
4.00	County User Fee
2.00	Jury Fee
1.00	Judicial Insurance Adjustment Fee
5.00	Public Defense Administration Fee
20.00	Judicial Salaries Fee
5.00	Court Administration Fee
2.00	DNA Sample Processing Fee

#### **JUVENILE COSTS** **\$165.00 Delinquency\***

\$84.00	Court Costs State
36.00	Court Costs County
2.00	Document Storage Fee
7.00	Automated Record Keeping Fee
*5.00	Alcohol and Drug Fee
1.00	Judicial Insurance Adjustment Fee
5.00	Public Defense Administration Fee
20.00	Judicial Salaries Fee
5.00	Court Administration Fee

**CRIMINAL AND INFRACTIONS/ORDINANCE VIOLATIONS  
OTHER FEES  
July 1, 2012**

**ALWAYS ASSESSED ON ALL:**

County Alcohol and Drug Fee  
\$ 5.00

County Jury Fee  
\$ 2.00

County Law Enforcement Fee  
(County User Fee)  
\$ 4.00

Document Storage Fee  
\$ 2.00

IC 33-19-6-19 & IC 33-37-7-2  
Automated Record Keeping Fee  
\$ 7.00 7/1/13 to 7/1/15 except for the  
Deferral Program which stays at \$5.00

Judicial Insurance Adjustment Fee  
\$ 1.00

Public Defense Administration Fee  
\$ 5.00

Judicial Salaries Fee  
\$ 20.00  
(The fee will increase \$1.00 each time the  
Judges' salaries are increased)

Court Administration Fee  
\$ 5.00

DNA Sample Processing Fee  
\$ 2.00

**MAY BE ASSESSED ON ALL:**

Supplemental Public Defender Fee As  
Ordered By Court

Safe School Fee  
\$200.00 - \$1000.00 As Ordered By Court

Highway Work Zone  
\$ .50 - \$ 25.50

Alcohol Countermeasures Fee  
\$200.00

Drug Abuse Prosecution Interdiction, and  
Correction Fee  
\$200.00 - \$1000.00

Child Abuse Prevention Fee  
\$ 50.00 Gal/Casa

Domestic Violence Prevention and  
Treatment Fee  
\$ 50.00 Gal/Casa

Sexual Assault Victims Assistance Fee  
\$250.00 to \$1000.00 – Judges Orders

Service Of Process Fee  
\$13.00

**BAIL BONDS**

Special Death Benefit Fee  
\$5.00

(Add to all Criminal Bonds – never Civil  
Bonds)

## **RECEIVING CRIMINAL COSTS**

**July 1, 2013**

**If monies are collected separately, payments must be applied in the following order unless otherwise directed by the Court July 1, 2004.**

- FIRST:        General Court Costs
- SECOND:     County User Fee Fund  
              \$ 2.00 Document Storage Fee  
              \$ 5.00 Alcohol and Drug Fee  
              \$ 4.00 Law Enforcement Continuing Education Fee  
              \$ 2.00 Jury Fee
- THIRD:       State User Fee Fund  
              \$ 7.00 Automated Record Keeping Fee (except deferral program is \$5.00)  
                      Alcohol and Drug Countermeasures Fee  
                      Drug Abuse, Prosecution, Interdiction Fee  
                      Safe School Fee  
                      Gal/Case Fee  
                      Highway Work Zone Fee
- FOURTH:     Any Other Applicable User Fee Fund  
              Sexual Assault Victims Assistance Fees
- FIFTH:       Fines and Forfeitures (Criminal and Misdemeanor)  
              Judgments (Criminal and Misdemeanor)
- 7/1/04        The State has not said in what order it wants the following collected:  
              \$ 1.00 Judicial Insurance Adjustment Fee  
              \$ 5.00 Public Defense Administration Fee  
              \$20.00 Judicial Salaries Fee  
              \$ 5.00 Court Administration Fee  
              \$ 2.00 DNA Sample Processing Fee  
              \$13.00 Service Of Process Fee

Fees Bills prior to July 1, 2008 will not go up no matter when they are paid.

The fees apply to cases filed on or after July 1, 2008 and Criminal and Infraction/Ordinance Cases where a defendant is found guilty on or after July 1, 2008.

Fees beginning July 1, 2009:

1. \$50.00 Mortgage Foreclosure Counseling and Education Fee IC 33-37-5-30 for a party filing an action to foreclose a mortgage after June 30, 2009 and before January 1, 2013.

**Fees beginning July 1, 2008:**

1. \$5.00 Public Defense Administration Fee - Applies to all actions filed (including Small Claims) and all Criminal and Infraction/Ordinance Cases where defendant is found guilty on or after July 1, 2006. Started July 1, 2005; raised in 2011.
2. **\$19.00** (was \$15.00) Judicial Salaries Fee – Applies to all actions filed and all Criminal and Infraction/Ordinance Cases where defendant is found guilty on or after July 1, 2006. Started July 1, 2005 and raised \$1.00 in 2006, 2007, 2008, 2011.

**\$14.00** (was \$10.00) Judicial Salaries Fee – Applies to all Small Claims filed. Started July 1, 2005 and raised \$1.00 in 2006, 2007, 2008, 2011.

The Judicial Salaries Fee will increase \$1.00 each time the Judges' salaries are increased.

3. **\$5.00** Court Administration Fee - Applies to all actions filed (including Small Claims) and all Criminal and Infraction/Ordinance Cases where defendant is found guilty on or after July 1, 2006. Started July 1, 2005 and raised \$1.00 in 2006, \$2.00 in 2008, \$5.00 in 2011.
4. **July 1, 2007 \$2.00** (was \$1.00) DNA Sample Processing Fee - Applies to all (including Juvenile actions) Criminal and Infraction/Ordinance Cases where defendant is found guilty on or after July 1, 2006. Started July 1, 2005 and raised \$1.00 in 2006.
5. \$10.00 Civil Service Fee – Applies to civil actions filed. The first (or one) defendant is free - \$10.00 is charged for each additional defendant named after the first one. \$10.00 is also charged for each defendant added after the initial filing. Started July 1, 2005 and did not raise in 2006.

If a defendant has 2 or more different names – don't charge extra.

Service by publication – no extra charge

If we serve a defendant 2 or more different way – no extra charge

If there are more defendants and only one defendant is ordered to pay the petitioner, does judge order that one defendant to pay all service fees? Do whatever the judge wants to do.

6. \$10.00 Small Claim Service Fee – Applies to small claims filed. \$10.00 is charged for each defendant named. \$10.00 is also charged for each defendant added after the initial filing.

If a small claim only has one defendant – the \$10.00 fee is charged. Started July 1, 2005 and did not raise in 2006.

7. Government entities are not charged the service fees even if they are out of county government entities.
8. New June 10, 2008 State Board of Accounts says that this is the correct interpretation:  
\$5.00 Special Death Benefit Fee on Bail Bonds:  
(\$ 5.00 Add to all Bonds – Cash Bonds, Surety Bonds, and Property Bonds)

#### Old Procedure

\$5.00 Special Death Benefit Fee on Bail Bonds:  
(\$ 5.00 Deduct from Cash Bonds)  
(\$ 5.00 Add to Surety Bonds and Property Bonds)  
Started July 1, 2005 and did not raise in 2006.

9. \$25.00 Document Storage Fee – Applies to the Deposit of a Will, Codicil, or Will and Codicil
  - a. If someone wants the Clerk of the county to store a Will we:  
Charge \$25.00  
Issue a receipt – uses a PA Number, there is no cause number  
Put the Will in an envelope and seal the envelope securely in the presence of the depositor  
Write on the envelope:  
Date of deposit  
Name of the testator  
Name and address of the depositor  
Index the will alphabetically by the name of the testator  
Deliver the envelope to:  
The testator  
A person authorized, in a writing signed by the testator, to receive the envelope
  - b. If the Clerk has custody of the will after the death of the testator, the clerk may deliver the will to the court that has jurisdiction of the administration of the decedent's estate
  - c. The Clerk may destroy a will deposited under this section if:
    1. The clerk has not received notice of the death of the testator: and
    2. At least one hundred (100) years have passed since the date the will was deposited.

Started July 1, 2005 and did not raise in 2006.

**These wills are never for the public to see.**

#### **New Fees beginning July 1, 2006:**

1. Small Claims Garnishee Service Fee - Applies to Small Claims filed July 1, 2006 and for all cases where garnishees or garnishee defendants are added on a case after July 1, 2006 . **\$10 per garnishee or garnishee defendant after 3 are named or added.** Start charging on the 4<sup>th</sup> name and then the 5<sup>th</sup> and 6<sup>th</sup> etc

**IC 33-37-4-6**

2. Garnishee Service Fee - Applies to Civil cases filed July 1, 2006 and for all cases where garnishees or garnishee defendants are added on a case after July 1, 2006 . **\$10 per garnishee or**



**garnishee defendant after 3 are named or added.** Start charging on the 4<sup>th</sup> name and then the 5<sup>th</sup> and 6<sup>th</sup> etc  
**IC 33-37-5-28**

3. IC 33-37-5-15

The sheriff shall collect a \$13 fee for Service of Process for service of a writ, an order, a process, a notice, a tax warrant, or any other paper served by the sheriff in cases filed July 1, 2006. The Clerk's Office still charges the Small Claim and Civil Service Fees.

**CIVIL CASES**

Service of Process Fee \$13

The service of any paper to be served by sheriff:

At time of filing a new CIVIL case starting July 1, 2006 where anything has to be served by the sheriff

And

On a CIVIL case filed July 1, 2006, if no SOP Fee was paid at the time of filing but later the sheriff has to serve anything, the \$13 fee has to be paid.

**CRIMINAL CASES**

Service of Process Fee \$13

The service of any paper to be served by sheriff:

If a person is convicted July 1, 2006 and after (no matter when the case started) and the sheriff had to serve any thing for the case, this fee is to be collected.

**CIVIL CASES**

House Enrolled Act 1084 re-activates the Mortgage Foreclosure Counseling and Education Fee, effective May 10, 2013 with an end date of December 31, 2014.

**Mortgage Foreclosure Fee (on case type MF only) IC 38-37-5-32**

\$50.00 effective 5/10/13 to 12/31/14

**Automated Record Keeping Fee IC 33-37-5-21**

\$7.00 effective 7/1/13 to 7/1/15 except for the Deferral Program stays at \$5.00

Fee returns to \$5.00 7/1/15

