June 16, 2016

TO ALL ATTORNEYS and INTERESTED PARTIES:

REGARDING INCREASE IN FILING FEES EFFECTIVE 07-01-2016

Civil Cases:	$156.00	($10.00 additional charge for each additional defendant) ($10.00 additional charge for garnishee defendant – after 3)
Small Claims:	$ 96.00	($10.00 additional charge for each additional defendant) ($10.00 additional charge for garnishee defendant – after 3)
Estates:	$176.00	
Guardianship:	$176.00	
Adoptions:	$156.00	
Juvenile:	$175.00	(If Juvenile Criminal – total $181.00)
Criminal:	$183.00	(Judge determines the amount of fees to be collected)
Infractions:	$133.00	(.50 additional if traffic offense)
Hardship:	$156.00	Petitions for Restricted License because of Hardship
	$133.00	Petitions for Judicial Review of habitual Violator Suspensions

Pretrial Diversion Program:	$272.00 (Non-driving Offense)	$273.50 (Driving Offense)
Deferral Program:	$192.00 (Non-driving Offense)	$192.50 (Driving Offense)

Special Death Benefit Fees: $5.00 Criminal Case (This fee is over and above the amount of the bail bond)

**** Additional: $25.00 Sheriff's Service of Process Fee made payable to the Wells County Sheriff**

**** Additional: $50.00 fee on Mortgage Foreclosure Filing, to be paid by plaintiff**

**** Additional: $25.00 per case if you are collecting the Sheriff of Process fee for Post Judgement Service Made payable to the Wells County Sheriff**

FILING FEES BY CASE TYPE COLLECTED BY THE CLERK
(JULY 1, 2016)

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 Fee	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 Work 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	(4)
7	Automated Record Keeping Fee	IC 33-37-5-21	19.00	(5)
34	Late Payment Fee	IC 33-37-5-22	*	(6)
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	2.00	
14	Court Administration Fee	IC 33-37-5-27	5.00	
	Total Criminal Filing Fee		$ 183.00	
54	Sheriff's Service of Process Fee	IC 33-37-5-15	25.00	(3)
	Total Criminal Filing Fees (with service of process fee)		$ 208.00	

* 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 sheriff 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.

(4) As of July 1, 2017 the amount will be reduced to $2.

(5) As of July 1, 2017 the amount will be reduced to $5. However, if accused person enters into a pretrial diversion agreement under IC 33-39-1-8 after June 30, 2015 and before July 1, 2017, the fee is $5.

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

FILING FEES BY CASE TYPE COLLECTED BY THE CLERK
(JULY 1, 2016)

CIVIL CASES

15	Court Costs	IC 33-37-4-4	$100.00	
21	Document Storage Fee	IC 33-37-5-20	5.00	(5)
7	Automated Record Keeping Fee	IC 33-37-5-21	19.00	
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	
42	Mortgage Foreclosure Counseling and Education Fee	IC 33-37-5-33		(6)
	Total Civil Filing Fee		$156.00	
54	Sheriff's Service of Process Fee	IC 33-37-5-15	25.00	(4)
	Total Criminal Filing Fees (with service of process fee)		$ 181.00	

(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. This does not apply to an action in which the service is made by publication in accordance with Indiana Trial Rule 4.13.

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

(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 sheriff 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.

(5) As of July 1, 2017 the amount is reduced to $2.

(6) Add $50 mortgage foreclosure counseling and education fee for all mortgage foreclosure actions filed May 6, 2015 through June 30, 2017.

FILING FEES BY CASE TYPE COLLECTED BY THE CLERK
(JULY 1, 2016)

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 (4)
7	Automated Record Keeping Fee	IC 33-37-5-21	19.00
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		$175.00
54	Sheriff's Service of Process Fee	IC 33-37-5-15	25.00 (3)
	Total Criminal Filing Fees (with service of process fee)		$ 200.00

* 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 sheriff 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.

(4) As of July 1, 2017 the amount is reduced to $2.

FILING FEES BY CASE TYPE COLLECTED BY THE CLERK
(JULY 1, 2016)

SMALL CLAIMS CASES

15	Court Costs	IC 33-37-4-6	$35.00	
49	Small Claims Service Fee	IC 33-37-4-6	10.00	(2)
49	Additional Small Claims Service Fee	IC 33-37-4-6		(1)
50	Small Claims Garnishee Service Fee	IC 33-37-4-6		(5)
21	Document Storage Fee	IC 33-37-5-20	5.00	(4)
7	Automated Record Keeping Fee	IC 33-37-5-21	19.00	
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		$96.00	
54	Sheriff's Service of Process Fee	IC 33-37-5-15	25.00	(3)
	Total Criminal Filing Fees (with service of process fee)		$ 121.00	

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

(1) $10 fee per defendant added to the action.

(2) Fee is per defendant named and paid by the party filing the action.

(3) The sheriff 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.

(4) As of July 1, 2017 the amount is reduced to $2.

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

FILING FEES BY CASE TYPE COLLECTED BY THE CLERK
(JULY 1, 2016)

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 Work 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	(4)
7	Automated Record Keeping Fee	IC 33-37-5-21	19.00	
34	Late Payment Fee	IC 33-37-5-22	*	(5)
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	2.00	
14	Court Administration Fee	IC 33-37-5-27	5.00	
	Total Infraction/Ordinance Violations Filing Fees		$133.00	
54	Sheriff's Service of Process Fee	IC 33-37-5-15	25.00	(3)
	Total Criminal Filing Fees (with service of process fee)		$ 158.00	

* 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 sheriff 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.

(4) As of July 1, 2017 the amount is reduced to $2.

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

FILING FEES BY CASE TYPE COLLECTED BY THE CLERK
(JULY 1, 2016)

PRETRIAL DIVERSION PROGRAM

17	Deferred Prosecution Fee	IC 33-37-5-17	$120.00
44	Pretrial Diversion Program - Initial User Fee	IC 33-37-4-1(c)	50.00
44	Pretrial Diversion Program - Monthly User Fee	IC 33-37-4-1(c)	60.00 (3)

Under IC 33-37-5:

26	Highway Work Zone Fee (if driving offense)	$0.50
21	Document Storage Fee	5.00
8	Automated Record Keeping - Deferral/Diversion Fee	5.00
46	Public Defense Administration Fee	5.00
31	Judicial Insurance Adjustment Fee	1.00
32	Judicial Salaries Fee	20.00
14	Court Administration Fee	5.00
18	DNA Sample Processing Fee	2.00
	Total	**$273.50** **(driving offense)**
		$273.00 **(non-driving offense)**

DEFERRAL PROGRAM

15	Court Costs (if moving traffic offense)	IC 34-28-5-1	$70.00 (1)
16	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)

Under IC 33-37-5

26	Highway Work Zone Fee (if driving offense)	$0.50
21	Document Storage Fee	5.00
8	Automated Record Keeping - Deferral/Diversion Fee	5.00
	Total	**$192.50** **(driving offense)**
		$192.00 **(non-driving offense)**

* - 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. (This scenario 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
(JULY 1, 2016)

PROBATE CASES

15	Court Costs	IC 33-37-4-7	$120.00
21	Document Storage Fee	IC 33-37-5-20	5.00 (4)
7	Automated Record Keeping Fee	IC 33-37-5-21	19.00
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
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 Probate Filing Fees		$176.00
54	Sheriff's Service of Process Fee	IC 33-37-5-15	25.00 (3)
	Total Criminal Filing Fees (with service of process fee)		$ 201.00

SEATBELT VIOLATIONS

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

CHILD RESTRAINT SYSTEM VIOLATIONS

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

* 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 sheriff 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.

(4) As of July 1, 2017 the amount is reduced to $2.