

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

**Notice of Proposed New Rule or Amendment(s) to Local Court Rule(s)
November 29, 2022**

In accordance with Trial Rule 81 of the Indiana Court Rules, the Blackford Circuit and Superior Courts hereby give notice to the bar and the public that the Courts propose to amend the Local Rule(s) for the courts of record of Blackford County, effective February 27, 2023.

Notice has been given to the public by posting on the website of the Blackford County Clerk and at the Indiana Judiciary webpage for Local Rules (<https://www.in.gov/courts/publications/local-rules/>), and by furnishing a copy to the officers of the Blackford County Bar Association. A paper copy of the proposed amended local rule(s) as well as the current rules being modified will be made available for viewing in the office of the Clerk of Blackford County, 110 W. Washington Street, Hartford City, Indiana, 47348 during normal business hours.

The time period for the bar and the public to comment shall begin on November 29, 2022, and shall close on January 30, 2023. The proposed amendments to the rule will be adopted, modified or rejected before February 17, 2023, and, if required, the final version of the rule will be submitted to the Indiana Supreme Court for review and approval not later than that same date.

Comments by the bar and the public should be made in writing to:

Hon. Brian W. Bade, Judge of the Blackford Circuit Court, Attn: Public Comment on Local Rules, Blackford County Courthouse, 110 W. Washington Street, Hartford City, Indiana, 47348.

DATED this 29th day of November, 2022 on behalf of the Judges of Blackford County.

Brian W. Bade /S/ _____
Brian W. Bade, Judge
Blackford Circuit Court

LOCAL RULES OF PRACTICE
(REVISED)
FOR THE COURTS
OF
BLACKFORD COUNTY,
INDIANA

(Rev.)

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LOCAL RULES OF ADMINISTRATIVE PROCEDURES

LR05-AR00-1 SANCTIONS

(A) COSTS. In addition to the foregoing, the court may order the party or counsel for the party failing to comply with these Local Rules to pay reasonable expenses, including attorney's fees, caused by the failure.

LR05-AR00-2 DUTIES OF ATTORNEYS, COURTROOM ETIQUETTE

(A) Attorneys shall be punctual and dressed in appropriate business attire when appearing in court. Except for those carried by law enforcement and other authorized personnel, weapons of any kind are forbidden in the courtroom, and legal counsel shall insure compliance with this rule, as well as insuring appropriate conduct and dress of their clients.

(B) All cell phones and pagers or other noisemaking devices must be silent while court is in session.

LR05-AR00-3 SCHEDULING OF HEARINGS AND TRIALS

(A) Calendar – The Court staff shall develop and maintain a calendar for all hearings and trials.

(B) Priority - Whenever the case load of the Court requires, that trials and other matters be subject to multiple settings on the same date, the order in which said matters proceed will be determined by the Judge based on Rule 4 of the Rules of Criminal Procedure in criminal cases, the age of the civil case and to the extent any priority issues are present.

(C) When cases are scheduled as alternates for jury trials and they have not been continued on the motion of a party or by the Court at or prior to the Final Formal Pretrial, these alternate cases shall proceed to trial if the priority case does not.

(D) When counsel requests the Court set a hearing in a civil case, counsel shall contact the opposing counsel and Court, and arrange for scheduling of any hearing.

(E) When defense counsel requests scheduling of a hearing in a criminal case requiring the presence of the State, the proposed hearing date and time shall be approved by the prosecuting attorney's office prior to requesting the Court set the hearing.

LR05-AR15-4 COURT REPORTERS

The undersigned courts comprise all of the courts of record of Blackford County, Indiana, and hereby adopt the following local rule by which Court Reporter services shall be governed.

Section One: Definitions. The following definitions shall apply under this local rule:

- (1) *A Court Reporter* is a person who is specifically designated by a Court to perform the official Court reporting services for the Court including preparing a transcript of the record.
- (2) *Equipment* means all physical items owned by the Court or other governmental entity and used by a Court reporter in performing Court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording and storing, and transcribing data.
- (3) *Work space* means that portion of the Court's facilities dedicated to each Court reporter, including but not limited to actual space in the courtroom and any designated office space.
- (4) *Page* means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rules of Appellate Procedure 7.2.
- (5) *Recording* means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.
- (6) *Regular hours worked* means those hours which the Court is regularly scheduled to work during any given work week. Depending on the particular Court, these hours may vary from Court to Court within the county but remain the same for each work week.
- (7) *Gap hours worked* means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per work week.
- (8) *Overtime hours worked* means those hours worked in excess of forty (40) hours per work week.
- (9) *Work Week* means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.
- (10) *Court* means the particular Court for which the Court reporter performs services. Court may also mean all of the courts in Blackford County.
- (11) *County indigent transcripts* means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a Court.
- (12) *State indigent transcript* means a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a Court.
- (13) *Private transcript* means a transcript, including but not limited to a deposition transcript, that is paid for by a private party.

SECTION TWO: Salaries, Per Page Fees and Private Practice

- (1) The Court Reporter shall be paid an hourly wage for time spent working under the control, direction and direct supervision of the Court during all regular work hours and gap hours. Overtime hours shall be accrued as compensatory time off at the rate of one and one-half times per hours worked with a maximum number of hours accrued to be forty (40). All overtime hours worked after the Court Reporter has accrued forty (40) hours shall be paid at the rate of one and one-half times the hourly wage.
- (2) The Court Reporter shall charge a per page fee of five dollars (\$5.00) for indigent county transcripts, state indigent transcripts, and private practice transcripts. A claim for all county indigent transcripts (not prepared during regular work hours) shall be submitted to the Blackford County Auditor for payment.
- (3) If the Court Reporter is requested to prepare an “expedited” transcript (preparation within three (3) days) the Court Reporter shall charge a per page fee of six dollars and twenty-five cents (\$6.25). A claim for all county indigent “expedited” transcripts (not prepared during regular work hours) shall be submitted to the Blackford County Auditor for payment.
- (4) If the Court Reporter is requested to prepare a “rush/overnight” transcript (preparation within twenty-four (24) hours or less) the Court Reporter shall charge a per page fee of seven dollars and twenty-five cents (\$7.25). A claim for all county indigent “rush/overnight” transcripts (not prepared during regular work hours) shall be submitted to the Blackford County Auditor for payment.
- (5) A minimum fee of forty-five dollars (\$45.00) will be charged for transcripts less than ten (10) pages in length. The Court Reporter may require advance payment for the estimated cost of a transcript.
- (6) An additional labor charge approximating the hourly rate based upon the Court Reporter’s hourly rate as reflected in the Court budget, may be charged for the time spent binding the transcript and exhibit binders. The labor charge shall not exceed three (3) hours, unless unusual circumstances permit the submission of a recapitulation enumerating the hours spent beyond the three hour base.
- (7) All Court Reporters are required to report on an annual basis to the Indiana Supreme Court Office of Judicial Administration on forms prescribed by the Office of Judicial Administration.
- (8) That each Court Reporter shall have the option of electing to procure the services of a certified Court Reporter or Deputy Court Reporter to prepare a private practice transcript should s/he not have available time to complete the preparation of said transcript. The certified Court Reporter or Deputy Court Reporter shall abide by the rules as set forth herein.

- (9) The Courts recognize that relatively few transcripts are prepared by a Court Reporter during the course of a year. The Courts also recognize that depositions for private individuals other than Court related transcripts are not frequently prepared by the Court Reporters. Therefore; it is not feasible for the Court Reporters to purchase machines, other equipment, paper, etc. for the preparation of transcripts, depositions and other matters. These transcripts are prepared by the Court Reporter solely in the official capacity as Court Reporter. Therefore, the “per page” charge which is set forth above anticipates that the Court Reporter is entitled to utilize the equipment and materials of the Court and that the compensation is, therefore, solely for the Court Reporter’s labor.
- (10) If the Court Reporter elects to engage in the private practice of recording a deposition and/or preparation of a deposition or private practice transcripts and the Court Reporter desires to utilize the Court’s equipment, work space and supplies, and the Court agrees to the use of Court’s equipment for such purpose, the Court Reporter agrees to the following:
- a. Record and transcribe the deposition on the Court Reporter’s own time and keep a record of such time sheets.
 - b. Reimburse the Court at the rate of fifteen cents (\$0.15) per page for use of equipment, work space, and supplies.
 - (1) The Court Reporter shall submit a claim to the Blackford County Auditor for payment of an indigent deposition (not prepared during the regular work hours); however, said claim shall include the deduction for use of equipment, work space, and supplies.
 - (2) The Court Reporter shall remit payment for private depositions and private transcripts to the Blackford County Auditor annually, by December 15th, for use of equipment, work space, and supplies in conjunction with a non-indigent deposition.
- (11) That each Court Reporter shall have the option of electing to procure the services of a certified Court Reporter or Deputy Court Reporter to prepare a private practice transcript should s/he not have available time to complete the preparation of said transcript. The certified Court Reporter or Deputy Court Reporter shall abide by the rules as set forth herein.

LR05-AR00-5 DISPOSITION OF TRIAL MATERIALS

(A) MATERIALS NOT IN EVIDENCE. Trial materials left in the courtroom following trial and not offered or admitted into evidence, will not be the responsibility of the Court or the Court Reporter. Counsel and parties are responsible for removing all materials related to the trial which were not offered into evidence.

(B) MATERIALS OFFERED AND/OR ADMITTED INTO EVIDENCE IN CIVIL CASES. The Court Reporter will retain all trial materials admitted into evidence or offered into evidence. Such materials will be disposed of pursuant to the Supreme Court Rules regarding retention of exhibits as follows:

(1) During period less than 30 days following Judgment: Materials will be released by the Court Reporter to a party or the parties counsel within the 30-day period following judgment in which a Motion to Correct Errors or appeal might be filed, only by written agreement of all parties or counsel; or upon Order of the Court pursuant to application. When parties are permitted to withdraw exhibits, receipts should be prepared in advance for signature and provided to the Court Reporter in exchange for the exhibits withdrawn.

(2) More than 30 days, but less than 90 days, following Judgment: Exhibits and trial materials will be released to counsel or parties pursuant to a receipt executed by counsel and upon proof that 10 days prior notice has been given to opposing counsel. The Court Reporter may dispose of trial materials at any time after 30 days, but less than 90 days, following judgment, provided 10 days notice is given to all counsel of record.

(3) After 90 days from date of judgment: All unclaimed exhibits retained in any case, not the subject of an appeal, may be destroyed by the county records officer, with due consideration given to confidential matters contained therein.

(C) MATERIALS OFFERED AND/OR ADMITTED INTO EVIDENCE IN CRIMINAL CASES. The Court Reporter will retain all trial matters admitted into evidence or offered into evidence. The evidence will be secured by the Court Reporter in the Evidence Room for 3 years after the case is dismissed, the defendant found not guilty, or the defendant is sentenced, unless an appeal is taken. If an appeal is taken, all such exhibits shall be retained by the Court Reporter for 3 years from termination of the appeal, re-trial, or subsequent appeal and termination, whichever is later, unless an action challenging the conviction or sentence, or post-conviction action, is pending. Thereafter, exhibits may be taken away by the parties offering them into evidence, or subject to destruction by order of the court.

LR05-AR1 (E)-6 WEIGHTED CASELOAD PLAN

Assignment of civil and juvenile cases to comply with caseload plan.

Subject to the discretion of the presiding Judges of the Blackford Circuit and Superior Courts cases shall be assigned by the Clerk to the respective courts in addition to LR05-CR00-201 as follows:

(1) PROBATE MATTERS (ES, EU, AD, GU, TR). Probate matters shall be filed in the

Blackford Circuit Court.

(2) MENTAL COMMITMENTS (MH). Petitions for mental health commitments shall be filed in the Blackford Circuit Court.

(3) JUVENILE PROCEEDINGS (JD, JS, JC, JT, JP, JM). All juvenile proceedings shall be filed in the Blackford Circuit Court.

(4) SMALL CLAIMS (SC including EV), INFRACTIONS (IF) and ORDINANCE VIOLATIONS (OV). All small claims proceedings, infractions and ordinance violations shall be filed in the Blackford Superior Court.

(5) PROTECTIVE ORDERS (PO). Except as provided by statute where the parties have a pending dissolution or paternity case in the Blackford Circuit Court all protective order proceedings shall be filed in the Blackford Superior Court.

(6) ALL OTHER CASES (PL, CT, CC, DR, MF, MJ, RS, EV). All other civil cases shall be assigned by the Clerk of the Courts as requested by the Plaintiff/Petitioner at the time of filing with the exception that EV civil causes shall be assigned to the Blackford Superior Court. If no specific court is requested the Clerk shall assign the case to a court in a manner that takes into account the number of filings assigned to each court in order to balance caseload and availability of judicial resources.

This local rule constitutes the Blackford Circuit and Superior Courts weighted caseload plan to ensure an even distribution of judicial caseloads between the courts. This rule also takes into consideration both personnel and facility considerations of the courts and Clerk's Office.

LR05-AR00-7 TRANSPORT ORDERS FOR INCARCERATED LITIGANTS/WITNESSES

In any civil or criminal case wherein the participation or testimony of an incarcerated litigant or party is necessary, it shall be the responsibility of the counsel or party requesting the attendance of the incarcerated person to prepare an order of transport for consideration by the Court. The order of transport shall be directed to the Sheriff of Blackford County and shall specifically set forth the date, time and purpose of the transport of the incarcerated person, and specifically designate the court wherein the incarcerated person's attendance is required. The court hearing the matter will then approve or disapprove the order of transport, and the court may assess the costs of transport to the counsel and/or party making the request.

LOCAL RULES OF CIVIL PROCEDURE

LR05–TR79–101 SELECTION OF SPECIAL JUDGE IN CIVIL PROCEEDINGS

The following local rule regarding selection of special judges where a special judge does not accept a civil case under TR 79(D), is now adopted by the undersigned judges of the Blackford Circuit and Superior Courts, in conjunction with the other Courts of Administrative District 15.

A. Assignment – Civil

In civil cases where the appointment of a special judge is required under TR 76, or the presiding judge has disqualified or recused under TR 79(C), and parties do not agree to a particular special judge pursuant to TR 79(D), the regular sitting judge shall direct the Clerk of Blackford County to select (on a rotating basis) one of the judges from the following available panel of judges (omitting the judge from whom the change of venue is being taken):

- a. Presiding Judge, Delaware Circuit Court No. 1;
- b. Presiding Judge, Delaware Circuit Court No. 2;
- c. Presiding Judge, Delaware Circuit Court No. 3;
- d. Presiding Judge, Delaware Circuit Court No. 4;
- e. Presiding Judge, Delaware Circuit Court No. 5;
- f. Full-Time Magistrate, Delaware County;
- g. Presiding Judge, Blackford Circuit Court;
- h. Presiding Judge, Blackford Superior Court;
- i. Presiding Judge, Henry Circuit Court No. 1;
- j. Presiding Judge, Henry Circuit Court No. 2;
- k. Presiding Judge, Henry Circuit Court No. 3;
- l. Presiding Judge, Jay Circuit Court;
- m. Presiding Judge, Jay Superior Court;
- n. Presiding Judge, Randolph Circuit Court; and
- o. Presiding Judge, Randolph Superior Court.

If a special judge selected from the rotating list is ineligible for, disqualified from, or excused from appointment, then the regular sitting judge shall direct the Blackford County Clerk to select (on a rotating basis) the next judge on the list.

In the event that no judicial officer within the above list is eligible to serve as special judge, or if the particular circumstances of the case warrant selection of a special judge by the Indiana Supreme Court, the judge of the court in which the case is pending shall certify the matter to the Indiana Supreme Court to appoint a special judge.

B. Assignment – Juvenile (JP, JM, JC), JS, JT

In juvenile cases where the appointment of a special judge is required under TR 76, or the presiding judge has disqualified or recused under TR 79(C), and parties do not agree to a particular special judge pursuant to TR 79(D); the regular sitting judge of Blackford Circuit Court shall request the Clerk of Blackford County to select (on a rotating basis) one of the following available judges (omitting the judge from whom the change of venue is being taken):

- a. Presiding Judge, Delaware Circuit Court No. 2;
- b. Presiding Judge, Henry Circuit Court No. 1;
- c. Presiding Judge, Henry Superior Court No. 2;
- d. Presiding Judge, Jay Circuit Court; and
- e. Presiding Judge, Randolph Circuit Court.

If a special judge selected from the rotating list is ineligible for, disqualified from, or excused from appointment, then the regular sitting judge shall direct the Blackford County Clerk to select (on a rotating basis) the next judge on the list.

In the event that no judicial officer within the above list is eligible to serve as special judge, or if the particular circumstances of the case warrant selection of a special judge by the Indiana Supreme Court, the judge of the court in which the case is pending shall certify the matter to the Indiana Supreme Court to appoint a special judge.

C. Maintaining Separate Lists.

The Blackford County Clerk shall maintain separate civil and juvenile lists, in the rotation order as set forth in this Rule, from which the clerk may determine the appropriate appointment in civil and juvenile cases.

(Amended effective August 15, 2013)

LR05-TR3.1-102 WITHDRAWAL OF APPEARANCE

(A) PETITIONS TO WITHDRAW. Counsel desiring to withdraw an appearance in any pending action shall file a petition requesting leave of Court to do so. Absent good cause shown, permission to withdraw shall be given only if the petitioning attorney has given ten (10) days written notice of the intent to withdraw before any scheduled trial or hearing. The petition shall contain the client's complete mailing address and telephone number and shall list the client on the certificate of service.

(B) TENDERED ORDER. At the time of filing a petition to withdraw, counsel shall tender to the Court an order granting the petition and ordering the relief sought.

LR05-TR4.15-103 ELECTRONIC RETURN RECEIPT

The Blackford County Clerk shall be authorized to utilize a process for return of certified mail through an electronic version in accordance with USPS Postal Bulletin 22137 as an electronic return receipt. The Courts hereby designate this means of service as meeting the requirements of the Trial Rules governing service.

LR05-TR7-104 MOTIONS

(A) NOTICE. When a motion requires notice of hearing, a Notice of Hearing form shall be provided. The time and date of hearing shall be inserted and previously coordinated with Court staff and any counsel of record, and the time anticipated as necessary to present evidence/argument shall be stated.

(B) TRIAL RULE 12 MOTIONS. All motions filed pursuant to T.R. 12 (Motions to Dismiss, Motion to Strike etc.) shall be accompanied by a brief or memorandum. An adverse party shall have 15 days after service of the movant's brief to file an answer brief. Failure to timely file briefs shall subject all motions filed pursuant to T.R. 12 to summary ruling.

(C) TRIAL RULE 56 MOTIONS. Motions for Summary Judgment shall be accompanied by a brief. An adverse party shall have thirty (30) days after service of the movant's brief to file an Answer brief and any opposing affidavits. Extensions of time for filing briefs shall be granted only by order of the Court.

(D) BRIEFS. Briefs in support of and in opposition to Motions to Dismiss or for Summary Judgment shall make specific reference to materials relied upon to support or oppose the Motion. Wherever feasible, copies of said materials should be attached to the respective briefs of the parties. When reference is made in a brief to a pleading, counsel shall indicate to the Court the filing date of said pleading. When reference is made to interrogatories or deposition, copies of the pertinent questions and answers shall be attached to the brief. Failure to comply with the provisions of this rule shall subject such motions and responses to summary ruling.

LR05-TR10-105 PREPARATION OF PLEADINGS, MOTIONS AND OTHER DOCUMENTS

(A) COPIES TO SENIOR/SPECIAL JUDGE. In the event a Senior/Special Judge is selected, and appointed, the Clerk shall notify such Judge of the appointment, shall furnish such Judge with copies of all pending pleadings and forward the same to the Senior/Special Judge, as well as a copy of the CCS pertaining to the cause. Once a Senior/Special Judge has qualified, parties shall mail or deliver to the Senior/Special Judge, copies of all pleadings, motions, briefs or other papers filed thereafter with a certificate of forwarding same made a part of the original documents.

(B) Counsel filing pleadings by mail, or otherwise, and who request the return of file marked copies, shall furnish the clerk with self-addressed envelopes with sufficient postage attached for such return.

(C) Files of the clerk shall be kept under the system commonly known as “flat filing,” and all papers presented to the court for filing shall be 8 ½ by 11, flat and unfolded. Original, oversized documents may be filed as part of a pleading, but shall be reduced to 8 ½ x 11 where possible. Type written pages shall have no covers or backs and shall be fastened at the top, but at no other place. All pleadings shall be typewritten on unlined paper, with double spacing between lines and paragraphs.

(D) All papers may be filed by fax transmission, and the court may issue orders by fax transmission. Such fax transmissions shall be considered as mailed for purposes of computed time under the Indiana Trial Rules, and file stamped the date of the fax. No copies of faxed filings will be returned to person filing by fax or sent to other parties by the court. It is the responsibility of the person filing by fax transmission to insure the court receives the transmitted paper and records the filing in the case chronological summary.

(E) No person shall withdraw an original paper or the court file from the custody of the clerk except as may be established by rules of the clerk, and only upon leaving a proper receipt therefore.

LR05-TR16-107 CIVIL PRE-TRIAL CONFERENCES

(A) The fundamental purpose of pre-trial procedure as provided in TR 16 is to simplify issues and facilitate the trial of issues to be tried, and it is contemplated that all parties will comply with TR 16.

(B) It is anticipated that pre-trial procedure will consist of a status conference after issues are closed and a reasonable time for preliminary discovery procedures. Such status conferences may be had by telephone conference call, and all counsel shall be prepared to set cut-off dates for discovery, the exchange of preliminary witness and exhibit lists, setting hearing dates for pending motions or motions to be filed, discussing alternative methods to resolve disputes, and setting a trial date. A final pre-trial conference shall be scheduled for the case at the status conference.

(C) A final pre-trial conference shall be attended by all counsel expecting to participate at the trial of the case, and unless appearing, counsel shall not be permitted to participate in the trial, except by order of the Court.

(D) Unless otherwise ordered, final pre-trial conferences will be used in part as settlement conferences, and counsel shall have clients available in person or by telephone for such purpose.

(E) Extensions of cut-off dates shall not be altered except by order of the Court.

(F) All trial briefs or preliminary trial motions shall be filed at least 5 days prior to trial. Trial briefs need not be exchanged between the parties.

(G) All exhibits shall be exchanged, with a copy to the Court, and counsel shall stipulate as to the admissibility of any such exhibits prior to trial and advise the Court as to such stipulated exhibits prior to trial.

(H) Unless otherwise ordered by the Court, in all jury cases, all exhibits to be offered into evidence and to be read by the Jury shall be duplicated by the party offering the same so that each juror shall have a copy to read at the time the same is offered and admitted into evidence. Such copies shall be made prior to trial and counsel shall have the same available for opposing counsel to inspect prior to trial.

(I) All proposed preliminary and final instructions to be tendered by the parties shall be submitted to the Court not later than the time set for the final pre-trial conference.

(J) Copies of the names and addresses of all jury panels called for trial, together with information forms for said panel, and copies of the Court's proposed preliminary instructions shall be available in the Office of the Court Bailiff at least 5 days prior to trial. Counsel wishing the same to be mailed to them should furnish to the Bailiff an envelope, with sufficient postage, for such purpose.

LR05-TR26-108 CIVIL DISCOVERY RULES

(A) All parties are expected to diligently pursue and provide discovery per trial rules. In the event of conflicts, TR 26(F) must be observed and TR 37 sanctions will be imposed in favor of the prevailing party, absent cause shown per rule.

(B) VIDEOTAPES/DVD'S. Subject to the Court's right to impose sanctions pursuant to T.R. 37, all videotapes, DVD's and any expense incurred in placing said tapes or DVD's in evidence at the time of trial shall be paid for by the moving party and not be taxed as Court costs. When videotapes or DVD's are offered into evidence, any party may file with the Court a transcript of the testimony contained therein.

(C) AGREED USE OF DEPOSITIONS IN LIEU OF TESTIMONY AT TRIAL. Attorneys frequently express the opinion or belief that depositions are taken for discovery purposes only. The concept of "discovery deposition" does not exist in the trial rules. The Court, however, desires to encourage the taking of depositions with the anticipation that they may be used in lieu of oral testimony at time of trial. In the event an agreement to use depositions in such manner is reached, pursuant to T.R. 32(A)(3)(f), such agreement shall be noted within the context of the deposition. This rule is not to be construed as a limitation on the use of depositions at trial under those circumstances delineated in T.R. 32(A)(3).

(D) INTERROGATORIES. Interrogatories propounded pursuant to T.R. 33 shall be limited in number to a total of forty (40) including subparagraphs. Subparagraphs shall relate directly to the subject matter of the interrogatory. Interrogatories shall be used solely for the purpose of discovery and shall not be

used as a substitute for the taking of a deposition. For good cause shown, and upon leave of Court first obtained, additional interrogatories may be propounded.

LR05-TR52-114 FINDINGS OF FACT AND CONCLUSIONS OF LAW

In all cases where counsel has requested findings of fact and conclusions of law under Trial Rule 52, counsel shall be required to submit proposed findings and conclusions both in written form and on disc or e-mail formatted for the particular Court's system. Counsel should contact the Court to determine the appropriate format.

LR05-TR53.5-115 CONTINUANCES

(A) Motions for continuances shall be in writing and include the following information:

- a. Whether opposing counsel or pro se litigant agrees with, or objects to the continuance and requests a hearing, or objects and waives hearing.
- b. The date and time of the hearing or trial for which a continuance is being sought.
- c. The approximate amount of time needed to elapse before the matter can be heard.
- d. A good-faith estimate of the time needed for such hearing or trial when rescheduled.
- e. Unless Court will hold a hearing on the Motion for Continuance, the motion shall contain a proposed dates and times for rescheduling where all parties are available and the Court has available calendar space.

(B) Hearings on contested Motions for Continuance shall be promptly scheduled by the movant and counsel shall have access to their calendars directly or electronically. Hearing on Motion for Continuance may be by telephonic conference initiated by the party/counsel moving for the continuance.

(C) Unless good cause is shown, no motions for continuance will be considered unless filed at least five (5) days before a court trial or hearing, and at least ten (10) days before a Jury Trial.

The following factors do not necessarily establish good cause for a continuance:

- a. Convenience to or a stipulation between the parties;
- b. Failure to expeditiously prepare for trial;
- c. Failure of client to adhere to financial agreement with an attorney;
- d. Settlement negotiations not yet completed, including the need to communicate an offer to a client appearing through counsel;
- e. Recent substitution of trial counsel;
- f. Subsequent scheduling of cases in other courts.

(D) All motions for continuance shall be accompanied by a separate proposed order.

LR05-TR73-117 TELEPHONE CONFERENCING

In order to expedite the Court's business, the Court encourages in conjunction with Trial Rule 73, the use of telephone conferencing for the hearing of motions, for the conducting of Pre-Trial Conferences and for other matters which may be reasonably conducted by use of telephone and shall be set at the discretion of the Court upon the Court's motion or upon request of a party. The moving party shall arrange scheduling and telephonic hookup.

LOCAL RULES OF CRIMINAL PROCEDURE

LR05–CROO–201 ASSIGNMENT OF CRIMINAL CASES

ASSIGNMENT GENERALLY: All criminal cases where the most serious charge is Murder, a Class A, B, or C Felony, or a Level 1, 2, 3, 4, or 5 Felony, except for cases where the most serious charge of the Information alleges a violation of Title Nine of the Indiana Code, shall be assigned to the Blackford Circuit Court. All other criminal cases shall be filed in the Blackford Superior Court. The judges of the Blackford Circuit Court and Blackford Superior Court shall meet from time to time and may, after considering the workload of each Court and other circumstances, agree to modify the assignment of criminal cases.

ASSIGNMENT EXCEPTION: In the event that a Defendant has a pending criminal case, regardless of Level or Classification, any new criminal charge involving the same defendant will be assigned to the Court which is presiding over the originally pending proceeding if not yet concluded by dismissal, plea, or conviction/acquittal. The goal of the exception is to promote efficiency in both proceedings and attorney assignment to cases as well as convenience for legal counsel by condensing the number of scheduled proceedings. The Blackford Courts shall review this exception in the event it unbalances current caseload distribution.

LR05-CR13-202 CASE REASSIGNMENT AND SPECIAL JUDGE SELECTION IN CRIMINAL CASES

Under Criminal Rule 13(C) when the Court grants a change of judge or the presiding judge recuses or is disqualified, the case shall be reassigned to the other elected presiding judge of the Blackford Circuit or Superior courts and the case shall be transferred to that court. In the event the reassigned judge can not accept jurisdiction, a successor judge shall be assigned from a list of judges including Senior Judges assigned to serve in Blackford County and the judges with criminal jurisdiction from the contiguous counties of Jay, Wells, Grant, and Delaware, or within the judicial district.

LR05-CR00-203 CRIMINAL PRE-TRIAL CONFERENCES

Pursuant to T.R. 81, the following Local Rule is adopted with the intent to expedite criminal cases.

1. At the Initial hearing, the Court will set the Omnibus and Pre-Trial Conference dates, and Felony Jury Trial dates. Defendants will be advised of these dates and the consequences of failing to appear. Misdemeanor trial dates will be set at the pre-trial conference.
2. In felony cases at the first scheduled omnibus/pretrial the Court will file a Final Pretrial Jury/Bench Order (criminal), concluding final matters with respect to pre-trial motions, jury instructions and exhibits. At any rescheduled pre-trial conference in which the Circuit Court will be establishing a felony jury trial date and final formal pre-trial conference, the defendant must appear in person, along with legal counsel.

The defendant will be advised in open Court of the newly established trial and final pre-trial dates, and the consequences of failure to appear.

3. The parties may pretrial any case prior to the scheduled omnibus/pretrial date, providing a written report to the Court is filed on or before the scheduled omnibus/pretrial date. Upon filing the written report, the Court will issue the final pre-trial order.

LR05-CR00-204 SWORN STATEMENTS IN CRIMINAL CASES

The following procedures may be used for taking sworn statements in pauper criminal cases and in other criminal cases as may be agreed upon between the State and the Defendant:

1. Sworn statements of witnesses will be taken at the Prosecutor's Office or such other place as the parties may agree upon.
2. It shall be the responsibility of the party taking the sworn statement to secure the presence of the witness unless otherwise agreed (preferably in writing) by the parties; however, the other party shall provide reasonable assistance, if necessary, in securing the presence of the witness.
3. At the commencement, the witness shall be sworn under oath by a person authorized by law to administer oaths.
4. The sworn statement shall be recorded by the moving party, and may be recorded by the opposing party.
5. The sworn statement shall be transcribed by the clerical staff for the moving counsel when it reasonably appears that a written transcript will be needed for trial, hearing or other necessary purpose.
6. Defense counsel may submit a claim for any necessary transcription, as part of the pauper fee claim, in an amount not to exceed \$20.00.
7. Within a reasonable time, following transcription, the transcript shall be presented to the non-moving party for review and correction, if needed. Proposed corrections shall be made by opposing counsel. Should dispute arise regarding the transcript, the same may be presented to the Court for resolution.
8. Once agreed upon by the Defendant and the State, the transcription shall be presented to the affiant for review, signature and completion of change page, if desired. The parties shall cooperate in securing this review. If affiant fails to timely review and sign, the transcript may still be used.
9. Copies of all materials shall then be available to the Defendant and the State prior to any hearing or trial.
10. A sworn statement hereunder is not in lieu of a deposition as provided by the Indiana Trial Rules, but may be used for purposes permitted by the Indiana Rules of Evidence, including but not limited to impeachment. Under appropriate circumstances, formal depositions or other statement procedures may be used upon petition to the Court and Court Order for the same.

**LR05–CR00-205 APPOINTED COUNSEL INCOME REPORT AND
TERMINATION**

Defendants receiving court appointed counsel have a duty to report to their attorney and the Court significant changes in income or acquired assets which may affect their status as indigents. Appointed counsel shall provide the Court at sentencing an estimate of pauper counsel fees and expenses.

Appointment of pauper counsel shall terminate at sentencing unless otherwise ordered by the Court. Upon termination of representation the Court shall remove the attorney's appearance as counsel of record.

LOCAL RULES OF JURY PROCEDURE

LR05-JR1-401 JURIES

The procedure in Jury Trials shall be governed by the Indiana Jury Trial Rules numbered 1 through 30 effective January 1, 2003 and any subsequent amendments and modifications thereto. The Courts require proposed Jury Instructions to be submitted on disc, thumb drive or e-mail formatted for the particular Court's system. Counsel should contact the Court to determine the appropriate format.

LR05-JR2-402 SUPERVISION

The Judges of the Blackford Circuit and Superior Courts will supervise the jury system processes.

LR05-JR3-403 JURY ADMINISTRATOR

The Judges of the Blackford Circuit and Superior Courts appoint their respective Bailiffs as jury administrator(s).

LR05-JR4-404 SELECTION

In order to expedite the selection process, in all six (6) person juries, twelve (12) persons will be seated for the first round of voir dire. If after the first strike six (6) or more remain in the box, the first six (6) by number shall constitute the jury. Any 7th member remaining shall constitute the alternate. All others shall be excused.

LR05-JR5-405 PASSING AND ACCEPTANCE OF JURORS

Unless otherwise approved or directed by the court, the one pass rule shall be followed. The failure to strike an individual juror following voir dire examination of a panel of prospective jurors of which that juror was a member shall constitute an acceptance of that juror by the parties so passing. Challenges shall be made at the bench outside the hearing of the prospective jurors and shall be made by use of slips of paper of uniform size or as otherwise directed by the court.

LR05-JR6-406 JURY INSTRUCTIONS

Proposed preliminary and final instructions, special or pattern, in civil cases and in criminal, shall be submitted on 8 ½ x 11 paper, double spaced, with legal authority and indication for the court's disposition placed on the bottom of the instruction. These instructions shall also be presented to the court on computer disk, thumb drive, efiled or by e-mail, and formatted in a manner consistent with the court's equipment.

LOCAL RULES OF FAMILY LAW PROCEDURE

LR05-FL00-501 FAMILY COURT RULES

(A) PRELIMINARY HEARINGS. All preliminary hearings in dissolution cases shall be scheduled at 9:00 a.m. on the first Friday following the filing of the Petition for Dissolution, providing three (3) days notice may be afforded the responding party. Otherwise, the preliminary matter shall be scheduled for the next succeeding Friday morning at 9:00 a.m.

(B) CHILD SUPPORT WORKSHEET. In dissolution and paternity actions, the parties must file a child support worksheet to accompany any Agreed Order involving support, including their Decree of Dissolution of Marriage and Decree of Paternity. The Court may, in its discretion, continue the Final Hearing or withhold entering the Final Decree for failure to provide the worksheet.

(C) CONTESTED HEARINGS. At contested final or provisional hearings, parties or their counsel are directed to prepare and submit a list of assets, list of debts, and proposed distribution of assets and debts indicating those items which are in dispute along with any other supporting documents or exhibits. Also, if applicable, a child support worksheet shall be filed by each party. An approved financial declaration for use by all divorcing parties is attached to these rules and must be exchanged by the parties at least five (5) business days before the final, contested hearing.

(D) DECREE OF PATERNITY AND DECREE OF DISSOLUTION OF MARRIAGE INVOLVING MINOR CHILDREN. The written decree must state the non-custodial parent is responsible for the annual child support docket fee. Sufficient copies of the decree for all counsel and parties if unrepresented must be tendered. The decree must also provide for the payment of medical bills not paid for by insurance, pursuant to the child support rules. A child support worksheet must be attached to all decrees, and a calculation of any child support arrearage pursuant to a provisional order must be included in the divorce decree or further claim shall be waived.

(E) DECREE PREPARED SUBSEQUENT TO HEARING. A decree prepared following a hearing at the direction of the court shall be prepared by the party directed by the Court and submitted to the opposing party or counsel who shall have three (3) business days to approve the form of order or to propose changes. In the absence of such a response, the party preparing the order may forward the order to the court for signature.

(F) PARENTING TIME. In all settlement agreements in which parenting time is established, the parties shall certify in such agreement that they have received a copy of the Indiana Parenting Time Guidelines and have read and understand the same.

LR05-FL00-502 DELETION OF ATTORNEYS FROM DOCKET

In all divorce, custody, support and paternity cases, once a pending matter has been resolved with no other issues pending service of pleadings in subsequent proceedings must be made pursuant to Trial Rule 3.1 and Trial Rule 5 upon the opposing party, not on the party's former legal counsel, until counsel files notice of continued appearance.

EXHIBIT A

FINANCIAL DISCLOSURE FORM

NOTICE

YOU ARE HEREBY NOTIFIED THAT YOU MUST FILE YOUR **VERIFIED FINANCIAL DISCLOSURE STATEMENT** WITH THE OPPOSING PARTY AT LEAST FIVE (5) BUSINESS DAYS BEFORE THE FINAL HEARING. FAILURE TO COMPLY WILL RESULT IN YOUR ADMITTING ALL INFORMATION CONTAINED IN THE OPPOSING PARTY'S VERIFIED FINANCIAL DISCLOSURE STATEMENT.

THE **VERIFIED FINANCIAL DISCLOSURE STATEMENTS** CAN BE OBTAINED FROM THE COURT WHERE THIS ACTION IS FILED.

FINANCIAL DISCLOSURE STATEMENT COMMENTARY

The form included herein is intended to expedite and facilitate the preparation for trial and disposition of contested marriage dissolution cases.

It is for use in all dissolution cases in which distribution of property is an issue. It is intended also to facilitate a full disclosure of all assets of the parties and should be supplemented where necessary to accomplish that purpose. If needed, use additional sheets and attach with appropriate references.

The parties shall stipulate in writing those assets and liabilities and other matters as to which there is no disagreement.

When supplying the information called for, give the actual or, where the nature of the assets requires, the appraised or estimated value (including which) of each asset at the date of the final separation of the parties.

If any asset is located outside the jurisdiction of this Court, state where it is located and, if necessary, give details on a separate sheet. Indicate how much of a value of each asset held in joint ownership was contributed by the husband (h) and how much by the wife (w).

The parties shall state under oath that they have made full disclosure of assets and liabilities.

The Court recognizes that this form calls for information that may not be appropriate in every case. In those cases in which it is not appropriate, merely supply information appropriate to the case at hand and indicate those inquiries that are not applicable.

STATE OF INDIANA) IN THE BLACKFORD _____ COURT
) SS:
COUNTY OF BLACKFORD)

IN RE THE MARRIAGE OF:

Petitioner

vs

Respondent

VERIFIED FINANCIAL DISCLOSURE STATEMENT

In accordance with Local Rules and Indiana Trial Rules 33 and 34, the undersigned, Petitioner or Respondent, herewith submits the following VERIFIED FINANCIAL DISCLOSURE STATEMENT:

I. PRELIMINARY INFORMATION

Full Name _____

Address _____

Date of Birth _____

Social Security No. _____

Date of Marriage _____

Spouse's Name _____

Spouse's Social Security No. _____

Spouse's Date of Birth _____

Children:

Name _____

Age _____ DOB _____

Name _____

Age _____ DOB _____

Name _____

Age _____ DOB _____

Name _____

Age _____ DOB _____

Name of Health Care Provider(s): _____ Weekly Cost: _____

Name of Health Insurance Company: _____; Family Plan: _____

Weekly Cost: Single Plan _____; Family Plan: _____

Extraordinary Medical Expenses: _____

Extraordinary Educational Expenses: _____

II. INCOME INFORMATION

A. EMPLOYMENT

Current
 Employer _____
 Address _____
 Telephone No _____ Length of Employment _____
 Job Description _____

Gross Income _____
 Per Week Bi-Weekly Per Month Yearly

Net Income _____
 Per Week Bi-Weekly Per Month Yearly

B. EMPLOYMENT HISTORY FOR LAST 5 YEARS

| Employer | Dates of Employment | Compensation |
|----------|---------------------|----------------|
| | | (Per/Wk/Mo/Yr) |

| | | |
|--|--|--|
| | | |
| | | |
| | | |

C. OTHER INCOME

List other sources of income; including but not limited to Dividends, Earned Interest, Rents, Public Assistance (AFDC), Social Security, Worker's Compensation, Child Support from prior marriage, Military or Other Retirement, Unemployment Compensation, etc.

| Source | Amounts Received | Reason for Entitlement |
|--------|------------------|------------------------|
|--------|------------------|------------------------|

| | | |
|--|--|--|
| | | |
| | | |
| | | |

Fringe Benefits; including but not limited to Company Automobile, Health Insurance, Club Memberships, Cafeteria Plan, etc.

| Type of Benefit | Annual Value |
|-----------------|--------------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

III. REQUIRED INCOME VERIFICATION

You are required by the Trial Court to attach the following:

1. Your three most recent paycheck stubs.
2. A full and complete copy including schedules of your last Federal Income Tax Return.
3. The first page of your last State Income Tax Return.

IV. PROPERTY

A. MARITAL RESIDENCE

Description _____
Location _____
Date _____
Acquired _____
Purchase Price _____ Down Payment _____
Source of Down Payment _____
Current _____
Indebtedness _____
Monthly Payment _____
Current Fair Market Value _____

B. OTHER REAL PROPERTY

Description _____
 Location _____
 Date _____
 Acquired _____
 Purchase Price _____
 Down Payment _____
 Source of Down Payment _____
 Current Indebtedness _____
 Monthly Payment _____
 Current Fair Market Value _____

C. PERSONAL PROPERTY (Automobiles, Boats, Furnishings, Household Goods, Jewelry, Motorcycles, Tractors, Trucks, etc. [Attach additional pages if necessary])

| Description | Date Acquired | Purchase Price | Indebtedness | Payment Current | Value |
|-------------|---------------|----------------|--------------|-----------------|-------|
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |

V. BANK ACCOUNTS TO WHICH THE PETITIONER/RESPONDENT HAS HAD A DIRECT OR INDIRECT INTEREST WITHIN THE LAST 3 YEARS (This includes any bank account to which the Petitioner or Respondent has deposited money)

Balance Current

| Name | Description | Account No | Date Opened | Date Separated | Balance |
|-------|-------------|------------|-------------|----------------|---------|
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |

VI. STOCKS, BONDS AND CD'S

| Name of Depository | Description & No | Date Acquired | Balance Date Separated | Current Balance |
|--------------------|------------------|---------------|---------------------------|--------------------|
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |

VII. INSURANCE POLICIES

| Company | Owner | Policy No | Beneficiary | Cash Value | Face Value |
|---------|-------|-----------|-------------|------------|------------|
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |

VIII. RETIREMENT BENEFITS, IRA, EOGH, PENSION, ETC.

| Company | Type of Plan | Account No | Value |
|---------|--------------|------------|-------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

IX. INTEREST IN BUSINESS

Name of Business Type: (Corp, Par, Sole Owner) % Owned Estimated Value

| | | | |
|-------|-------|-------|-------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

X. DEBTS (Including but not limited to Mortgages, Charge Cards, Loans, Credit Union, Etc.; attach separate list if necessary)

| Creditor Filing | Account No | Monthly Payment | Balance |
|-----------------|------------|-----------------|---------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

Total Monthly Payment----\$ _____
 Total Debts Owed-----\$ _____

XI. MONTHLY EXPENSES

| | | | |
|----------------------------|-------|----------------|-------|
| Housing (Rent or Mortgage) | _____ | Transportation | _____ |
| 2 nd Mortgage | _____ | (a) Gas/Oil | _____ |

| | | | |
|-------------------------------|-------|-----------------|-------|
| Gas/Electric | _____ | (b) Car Repairs | _____ |
| Water/Sewer | _____ | Car Payment | _____ |
| Telephone | _____ | Home Ins. | _____ |
| Garbage Pickup | _____ | Property Tax | _____ |
| Food | _____ | Charge Accounts | |
| Medical (self) | _____ | (a) Name | _____ |
| Medical (Children) | _____ | Balance | _____ |
| Dental (Self) | _____ | Monthly Pmt | _____ |
| Dental (Children) | _____ | (b) Name | _____ |
| | | Balance | _____ |
| | | Monthly Pmt | _____ |
| | | (c) Name | _____ |
| | | Balance | _____ |
| | | Monthly Pmt | _____ |
| Med/Dental Insurance | _____ | | |
| Cleaning/Laundry | _____ | (d) Name | _____ |
| Hair Care | _____ | Balance | _____ |
| Toiletries | _____ | Monthly Pmt | _____ |
| School Lunch | _____ | (e) Name | _____ |
| School Tuition | _____ | Balance | _____ |
| School Supplies | _____ | Monthly Pmt | _____ |
| Newspaper | _____ | | |
| Cablevision | _____ | Other | _____ |
| | | Other | _____ |
| | | Other | _____ |
| Total Monthly Expenses | | \$ | _____ |

XII. ASSETS ACQUIRED PRIOR TO OR DURING THE MARRIAGE OR THROUGH INHERITANCE OR GIFT (Whether now owned or not)
(Show significant assets only)

A. ASSETS OWNED BY YOU PRIOR TO THE MARRIAGE

| Asset | Gross Value | Less: Lien/Mortgage | Net Value | Valuation Date |
|-------|-------------|---------------------|-----------|----------------|
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |

**B. ASSETS ACQUIRED BY YOU DURING THE MARRIAGE
(Value as of the date of acquisition)**

| Asset | Gross Value | Less: Lien/Mortgage | Net Value | Valuation Date |
|---------------------|-------------|---------------------|-----------|----------------|
| _____ | _____ | _____ | _____ | _____ |
| Acquired from _____ | | | | |
| _____ | _____ | _____ | _____ | _____ |
| Acquired from _____ | | | | |
| _____ | _____ | _____ | _____ | _____ |

XIII. SUMMARY OF ASSETS AND LIABILITIES AS OF DATE OF FINAL SEPARATION

| Asset | Husband's Name | Wife's Name | Jointly Held | Total |
|---------------------------------|-----------------|-----------------|-----------------|-----------------|
| Family Dwelling | _____ | _____ | _____ | _____ |
| Other Real Property | _____ | _____ | _____ | _____ |
| Bank or Savings Accts | _____ | _____ | _____ | _____ |
| Stocks/Bonds/Securities | _____ | _____ | _____ | _____ |
| Notes & Accts Receivable | _____ | _____ | _____ | _____ |
| Furniture/Motor Vehicles | _____ | _____ | _____ | _____ |
| Life Ins Cash Surrender Value | _____ | _____ | _____ | _____ |
| Retirement Funds-Vested | _____ | _____ | _____ | _____ |
| Business Interests | _____ | _____ | _____ | _____ |
| Other Assets | _____ | _____ | _____ | _____ |
| Total Assets | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| Liabilities | | | | |
| General Creditors | _____ | _____ | _____ | _____ |
| Mortgage on Family Dwelling | _____ | _____ | _____ | _____ |
| Mortgages on Other Real Estate | _____ | _____ | _____ | _____ |
| Notes to Banks and Others | _____ | _____ | _____ | _____ |
| Loans on Insurance Policies | _____ | _____ | _____ | _____ |
| Other Liabilities | _____ | _____ | _____ | _____ |
| Total Liabilities | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| ASSETS MINUS LIABILITIES | \$ _____ | \$ _____ | \$ _____ | \$ _____ |

XIV. PERSONAL STATEMENT REGARDING DIVISION OF PROPERTY

Indiana law presumes that the marital property be split on a 50/50 basis. However, the Judge may order a division which may differ from an exact 50/50 division of your property. Please provide a brief statement as to your reasons, if there be any, why the Court should divide your property on anything other than a 50/50 basis.

XV. VERIFICATION & DUTY TO SUPPLEMENT OR AMEND

I affirm, under penalties for perjury, that the foregoing representations are true to the best of my knowledge and belief. Further, I understand that I am under a duty to supplement or amend this VERIFIED FINANCIAL DISCLOSURE STATEMENT prior to trial if I learn that the information which has been provided is either incorrect or that the information provided is no longer true.

SO DECLARED this _____ day of _____, _____.

Signature

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Verified Financial Disclosure Statement was this _____ day of _____, _____, delivered to the opposing party or their attorney of record [list names and address] either in person, or by U.S. Mail-postage prepaid.

Petitioner/Respondent by Counsel or Pro se

NOTICE: THIS VERIFIED FINANCIAL DISCLOSURE STATEMENT IS TO BE TREATED AS A REQUEST FOR ADMISSIONS TO THE RECIPIENT. SHOULD THE RECIPIENT FAIL TO PREPARE AND SEND HIS STATEMENT, THEN THE STATEMENTS CONTAINED HEREIN WILL BE DEEMED ADMITTED BY THE COURT.

YOU ARE FURTHER NOTIFIED THAT YOU HAVE 45 DAYS FROM THE DATE OF FILING OF THIS DISSOLUTION ACTION TO DELIVER YOUR VERIFIED FINANCIAL DISCLOSURE STATEMENT.

