

Greenwood City Court Local Rules

Revision 1: 1/2013

These Local Rules are promulgated pursuant to authority conferred by IC 33-35-2-1, IC 33-23-16-23, IC 12-23-14-16, and Indiana Trial Rule 81.

LR4102-01: Revocation of Prior Rules.

All rules of the Greenwood City Court promulgated prior to the effective date of these rules are hereby revoked with revocation effective on the date that these rules take effect. This revocation has no effect of any kind on any Standing Orders, Administrative Procedures or other matters based in whole or part upon legal authority other than promulgated rules of the Greenwood City Court.

LR4102-02: Effective Date.

These rules become effective on March 1, 2013.

ALCOHOL AND DRUG SERVICES PROGRAM

LR4102-03: Program Implementation.

Pursuant to IC 12-7-2-12, the Greenwood City Court has established a program entitled the Greenwood City Court Alcohol and Drug Services Program, which program has been and remains certified by the Indiana Judicial Center.

LR4102-04: Payment of Fee Required.

For the continued operation of said program, and pursuant to Title 12 of the Indiana Code, it is mandatory that each person referred to the program pay a fee for said services.

LR4102-05: Fee Schedule.

Each participant ordered into the Greenwood Alcohol and Drug Services Program shall pay a fee of \$400, which sum shall cover the cost of the Substance Abuse Assessment conducted by the Greenwood Post-Conviction Services Department (hereinafter "GPCSD"). However, if a defendant has received a substantially similar assessment within the six months preceding the defendant's Greenwood assessment and the defendant makes a copy of that assessment and any other related documents available to the GPCSD, then the Director of the GPCSD may reduce the fee consistent with the reduction of time and work attributable to the prior assessment.

**GREENWOOD RECOVERY COURT AND
VETERANS TREATMENT COURT**

LR4102-06: Program Implementation.

The Greenwood City Court established a drug treatment court effective November 1, 1999 named "The Greenwood Recovery Court" (hereinafter "GRC"), and which has been in continuous operation since that date. The 2010 General Assembly adopted legislation that redesignated drug treatment courts as problem-solving courts. GRC is a specialized docket for certain adults with criminal cases in GCC or other courts in Johnson County who have serious and long-term substance abuse problems that have materially contributed to their legal issues. GRC has been and is certified as a problem-solving court by the Indiana Judicial Center. The Greenwood Recovery Court implemented a separate track for military veterans on September 1, 2012. Unless otherwise stated, local rules pertaining to GRC apply to the Veterans Treatment Court.

LR4102-07: Greenwood Recovery Court/Veterans Court Program Fee

Each defendant ordered into GRC shall pay an initial one-time problem-solving court fee of \$100.00 upon admission into the program and, beginning with the second month of participation, a monthly fee of \$50.00. These fees are pursuant to IC 33-23-16-23 and rules promulgated by the Indiana Judicial Center. This fee shall be based upon a calendar month, regardless of the number of days in the month or the number of days of month that the defendant actually was engaged in GRC activities.

GREENWOOD POST-CONVICTION SERVICES DEPARTMENT

LR4102-08: Drug Testing Fees

Each person under the supervision of the Greenwood Post-Conviction Services Department (GPCSD) shall pay a fee to cover the direct and indirect costs for each drug test conducted or authorized for that individual by the GPCSD. The amount of the fee shall be reasonably related to the costs of the test performed, including all direct and indirect costs which indirect costs shall include, but not be limited to, personnel and facilities. The amount of the fee for each type of test shall be approved by the presiding judge, although the approval of the presiding judge shall not be required for individual tests.

LATE FEE

LR4102-09: Defendant's Admission of Offense

For purposes of IC 33-37-5-22 (late fees) only, a written admission of a defendant to the commission of a violation of an infraction or ordinance in a deferral agreement filed with

the court shall constitute a provisional finding that the defendant violated the statute or ordinance in the manner alleged. In the event that the deferral agreement is set aside or otherwise cancelled or vacated, this Local Rule shall not authorize the use of such admission to prove a violation.

LR4102-10: Late Fees

Each defendant who meets the criteria specified in IC 33-37-5-22 shall pay a late fee of \$25.00, unless the Court suspends the late fee due to indigency or good cause.

OTHER

LR4102-11: Other Fees

These local rules shall not be construed or interpreted as limiting or prohibiting the charging of any other fee authorized or required by state or federal law or local ordinance.

LR4102-12: Infraction Violations Bureau

Pursuant to IC 34-28-5-7, there is established a Greenwood Infractions Violations Bureau (GIVB). The judge of the Greenwood City Court shall appoint a clerk and deputy clerks as necessary to operate and administer the GIVB. The judge shall specify in a written order the infractions which may be resolved through the GIVB, subject to and in compliance with IC 34-28-5-1 *et seq.* The clerk of the GIVB shall deliver the clerk of the court all payments received through GIVB in compliance with IC 34-28-5-1 *et seq.*

So ordered this 7 Day of January, 2013.



Judge, Greenwood City Court