

10% CASH BOND

Any person charged with a class D Felony or Level 6 felony offense, or any misdemeanor shall be entitled to release upon posting 10% cash bond in the defendant's name with the Clerk or Sheriff, provided the following factors:

- (1) Have close ties to the community;
- (2) Have not been previously convicted of a felony or misdemeanor; within the past five (5) years; and
- (3) Not presently on bond, parole or probation for any other offenses.

NO CONTACT PROVISIONS

Pursuant to I.C. 35-33-8-3.2(a)(4), a person who is arrested for any of the following offenses shall be held for 12 hours before any release from custody, unless released sooner pursuant to a court order. The release of the person on bail shall be conditioned upon the person having no direct or indirect contact with the alleged victim(s) of the offense(s). During regular business hours of the court, the Prosecutor, the alleged victim or the prosecutor's victim's advocate may petition the Court for a non contact order or ex parte protective order. If a no contact order is needed outside of the court's regular business hours, the Prosecutor or the primary investigating law enforcement officer may contact a Judge and request the release of the arrested person on bond or an oral authorization for a no-contact order which shall be reduced to a written non-contact order and submitted to the Judge on the next business day of the Court. The person to be released shall be notified of the no-contact conditions of bail with receipt acknowledged by that person.

12-Hour Hold/No-Contact Offenses

I.C. 35-42-2-1	Battery	I.C. 35-42-2-1.3	Domestic Battery
I.C. 35-42-2-1.5	Aggravated Battery	I.C. 35-42-2-2	Crim. Recklessness
I.C. 35-42-2-3	Provocation	I.C. 35-42-2-6	Battery: Body Waste
I.C. 35-42-3-2	Kidnapping	I.C. 35-42-3-3	Confinement
I.C. 35-42-3-4	Custody Interference	I.C. 35-42-4-1	Rape
I.C. 35-42-4-2	Criminal Deviate conduct	I.C. 35-42-4-5	Vicarious sexual gratification
I.C. 35-42-4-4	Child exploitation	I.C. 35-42-4-3	Child molesting
I.C. 35-42-4-6	Child solicitation	I.C. 35-42-4-7	Child seduction
I.C. 35-42-4-8	Sexual battery	I.C. 35-42-4-9	Sexual misconduct
I.C. 35-43-2-1.5	Residential entry	I.C. 35-43-2-2	Criminal trespass
I.C. 35-45-2-1	Intimidation	I.C. 35-45-2-2	Harassment
I.C. 35-45-10-5	Stalking	I.C. 35-45-4-5	Voyeurism
I.C. 35-46-1-15.1	Invasion of privacy	I.C. 35-46-1-3	Incest

BOND EXCEPTIONS ON CRIMES OF DOMESTIC VIOLENCE AND SEX OFFENSES

This Bond Schedule shall not be used for, nor be applicable for the following offenses:

- (1) Sex offenses where bond and no contact conditions are to be determined at a hearing; and
- (2) Crimes of “domestic violence” with the element of physical force or the threatened use of a deadly weapon where a 12-hour hold shall be applied prior to posting bail.

SHERIFF’S DISCRETION TO REDUCE BAIL

The Sheriff of Clay County has the discretion, under circumstances he deems appropriate, to reduce the amount of bond or release defendant on his own recognizance; but under no circumstances shall a defendant charged with an alcohol-related offense be released before his blood alcohol level is less than .08% pursuant to I.C. 35-33-1-6.

(Amended effective July, 2014)

LR11-JR2-1 JURY SELECTION AND JURY ADMINISTRATOR

Clay Circuit Court and Clay Superior Court adopt the two-tier notice and summons procedure in Indiana’s Jury Rule 4(b), and pursuant to Indiana Jury Rule 2 appoint the Clerk of the Clay Circuit and Superior Court as Clay County Jury Administrator.

LR11-TR5-1 SERVICE OF PROCESS IN THE CLAY CIRCUIT AND SUPERIOR COURTS

The Clerk of the Clay Circuit and Superior Courts shall issue initial summons in pro se small claims, pro se dissolutions of marriage, and pro se proceedings supplemental to execution exclusively by certified mail, return receipt requested. Further the Clerk shall issue alias summons in such cases to an address different from the initial exclusively by certified mail, return receipt requested. The Clerk shall also issue any alias summons to the initial address to be served by the Clay County Sheriff’s Department. Either Judge may direct the Clerk to vary from this order in any particular case.

LR11-TR5-2 PLEADING FILINGS IN THE CLAY CIRCUIT AND SUPERIOR COURTS

The Clerk of the Clay Circuit and Superior Courts shall receive for filing all pleadings on all court matters, enter same onto the Chronological Case Summary, and distribute to the respective Courts all filed pleadings and Orders in a timely fashion, and scan all pleadings. Either Judge may direct the Clerk to vary from this procedure in any particular case.