

CHAPTER 2
COURT COSTS

COURT COSTS TO BE CHARGED

<u>Case Type</u>	<u>Case Class Code</u>	<u>Total Cost 100%</u>	<u>Due State Semiannually 55%</u>	<u>Due County Monthly 20%</u>	<u>Due City/Town Monthly 25%</u>
Criminal Actions [IC 33-37-4-1] (Note 1):					
Criminal Felony	CF	\$ 120.00	\$ 66.00	\$ 24.00	\$ 30.00
Criminal Misdemeanor	CM	\$ 120.00	\$ 66.00	\$ 24.00	\$ 30.00
Miscellaneous Criminal	MC	\$ 120.00	\$ 66.00	\$ 24.00	\$ 30.00
Judgments [IC 33-37-4-2] (Note 2):					
Infractions	IF	\$ 70.00	\$ 38.50	\$ 14.00	\$ 17.50
Local Ordinance Violations	OV	\$ 70.00	\$ 38.50	\$ 14.00	\$ 17.50
Civil Actions [IC 33-37-4-4]:					
Civil Collections	CC	\$ 100.00	\$ 55.00	\$ 20.00	\$ 25.00
Plenary	PL	\$ 100.00	\$ 55.00	\$ 20.00	\$ 25.00
Domestic Relations	DR	\$ 100.00	\$ 55.00	\$ 20.00	\$ 25.00

Note 1. Instead of criminal costs fees prescribed by IC 33-37-4-1, the clerk shall collect a **pretrial diversion program fee** if an agreement between the prosecuting attorney and the accused person entered into under IC 33-39-1-8 requires the payment of those fees by the accused person. The pretrial diversion program fee is an initial user's fee of fifty dollars (\$50.00) for a misdemeanor offense or seventy-five dollars (\$75) for a felony offense and a monthly user's fee of twenty dollars (\$20.00) for each month that the person remains in the pretrial diversion program. The defendant must also pay the automated recordkeeping fee (IC 33-37-5-21) and any additional program fee or cost that is reasonably related to the person's rehabilitation and approved by the court. [IC 33-37-4-1(c)]

In addition, IC 33-37-5-17 requires the defendant to pay a **deferred prosecution fee** for court costs of one hundred twenty dollars (\$120.00) where the court defers prosecution under IC 33-39-1-8; the defendant must also pay any applicable user or program fees described under IC 33-39-1-8(f) or IC 33-39-1-8(h), which includes program fees and costs reasonably related to the defendant's rehabilitation, if approved by the court. All money collected by the clerk as user's fees or program fees and costs under IC 33-39-1-8 shall be deposited in the appropriate user fee fund under IC 33-37-8.

The one hundred twenty dollars (\$120.00) would be distributed as follows:

Total Cost	State Semiannually	Due County Monthly	Due City/Town Monthly
100%	55%	20%	25%
\$ 120.00	\$ 66.00	\$ 24.00	\$ 30.00

Persons placed in the pretrial diversion program shall also pay a public defense administration fee of five dollars (\$5), a judicial insurance adjustment fee of one dollar (\$1), a judicial salaries fee of twenty dollars (\$20), a court administration fee of five dollars (\$5), a DNA sample processing fee of two dollars (\$2), a document storage fee of two dollars (\$2), a highway worksite zone fee of fifty cents (\$.50) for a driving offense, and an automated record keeping-deferral/diversion fee of five dollars (\$5).

Note 2. Instead of the infraction or ordinance violation costs prescribed by IC 33-37-4-2, the clerk shall collect a **deferral program fee** if an agreement between a prosecuting attorney or an attorney for a municipal corporation and the person charged with a violation entered into under IC 34-28-5-1 (or IC 34-4-32-1 before its repeal) requires payment of those fees by the person charged with the violation. The deferral program fee is an initial user's fee of not to exceed fifty-two dollars (\$52.00) and a monthly user's fee of not to exceed ten dollars (\$10.00) for each month the person remains in the deferral program. The defendant must also pay the automated recordkeeping fee (IC 33-37-5-21). [IC 33-37-4-2(e)]

In addition, IC 34-28-5-1 requires the defendant in the action to agree to pay a fee of seventy dollars (\$70.00) to the clerk of the court if the action involves a moving traffic offense (as defined in IC 9-13-2-110). Furthermore, IC 33-37-8-5 requires two dollars (\$2) of every deferral program fee collected to be accounted for as a jury fee. The defendant shall also pay a highway worksite zone fee of fifty cents (\$.50) for a driving offense, a document storage fee of two dollars (\$2) and an automated recordkeeping-deferral/diversion fee of five dollars (\$5).

The seventy dollars (\$70.00) would be distributed as follows:

Total Cost	State Semiannually	Due County Monthly	Due City/Town Monthly
100%	55%	20%	25%
\$ 70.00	\$ 38.50	\$ 14.00	\$ 17.50