

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317)232-9855

**FISCAL IMPACT STATEMENT**

**LS 6039**  
**BILL NUMBER: HB 1028**

**DATE PREPARED: Oct 26, 1998**  
**BILL AMENDED:**

**SUBJECT:** Payment of court fees by losing party.

**FISCAL ANALYST:** Susan Preble  
**PHONE NUMBER:** 232-9867

**FUNDS AFFECTED:**      **GENERAL**  
                                  **DEDICATED**  
                                  **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** This bill indicates that juror and witness expenses incurred in a criminal proceeding are chargeable to the defendant (unless the defendant is indigent or is acquitted or the information is dismissed) and in a civil proceeding are chargeable to a losing party (unless the losing party is a governmental entity).

**Effective Date:** July 1, 1999.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** This bill would result in a decrease in expenditures paid by local units for juror and witness costs. In 1997, counties paid a total of \$3,416,743 in jury-related costs [\$47,213 for grand jurors per diem, \$2,848,675 for petit jurors per diem, \$86,746 for witness fees, and \$434,109 for lodging and meals for jurors]. The extent of savings to local units is contingent on a variety of factors, including the number of jury trials conducted in each county, and the ability of a defendant to pay juror and witness expenses in addition to other court costs, fees and fines assessed by the court.

In 1997, a total of 1,862 criminal jury trials and 573 civil jury trials were conducted statewide.

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:** County clerks, trial courts.

**Information Sources:** 1997 Indiana Judicial Report, Vol. I, p. 59 & Vol. III, p.71.