

IC 33-24-4

Chapter 4. Supreme Court Clerk

IC 33-24-4-1

Appointment by chief justice; bond; salary; powers and duties

Sec. 1. (a) The chief justice of the supreme court shall appoint a clerk of the supreme court. The individual appointed serves at the pleasure of the chief justice of the supreme court.

(b) The clerk shall execute a bond in an amount directed by the supreme court.

(c) The clerk shall be paid a salary determined by the supreme court.

(d) In addition to the powers and duties prescribed by law, the clerk has the powers and duties determined by the supreme court.

As added by P.L.98-2004, SEC.3. Amended by P.L.14-2004, SEC.190.

IC 33-24-4-2

Duties

Sec. 2. The clerk of the supreme court shall do the following:

(1) Reside, and keep the clerk's office open, in a building provided for that purpose by the state, at the seat of government, from 9 a.m. until 4 p.m. of every day in the year except Sundays and Independence Day.

(2) Procure and preserve in the office all records and other books and stationery required by the court.

(3) Attend, in person or by deputy, the terms of the court.

(4) Administer all oaths authorized by law.

(5) Sign and seal, with the seal, and issue all process required to be issued from the court, under the clerk's hand.

(6) Endorse the time of filing books, records, or writings required to be filed or deposited in the clerk's office.

(7) Make a complete record of all causes finally determined in the court, except the transcript of the court below.

As added by P.L.98-2004, SEC.3.

IC 33-24-4-3

Allowance for record books and stationery furnished

Sec. 3. The supreme court shall allow the clerk of the supreme court a reasonable compensation for the record books and stationery furnished by the clerk for the use of the court if the clerk presents to the court an account specifying each item to be furnished to the court. The account presented by the clerk must be verified by an oath taken and subscribed by the clerk, to be administered by a justice of the court.

As added by P.L.98-2004, SEC.3.

IC 33-24-4-4

Entry of allowance on order book; warrant for payment

Sec. 4. An allowance made under section 3 of this chapter shall be

entered on the order book of the supreme court. Upon receipt of a certified transcript of the allowance that is signed by a justice of the supreme court and attested by the seal of the court, the auditor of state shall issue a warrant for the allowance to the treasurer of state.
As added by P.L.98-2004, SEC.3.

IC 33-24-4-5

Certifying supreme court or appellate court opinion, decision, and judgment

Sec. 5. (a) The clerk of the supreme court shall certify any opinion, decision, and judgment of the supreme court and of the court of appeals to the lower court from which the cause was appealed, in the manner provided by statute and by the rules of the supreme court.

(b) The clerk of the court from which the cause was appealed, upon receipt of the certification, shall file the certification with the papers in the cause, and that court shall order the opinion, decision, and judgment, including its certification, spread of record in the order book of the court.

As added by P.L.98-2004, SEC.3.

IC 33-24-4-6

Inspection of clerk's office

Sec. 6. The supreme court shall annually appoint one (1) of its justices to inspect the office of the clerk of the supreme court and to report, at the next term, the condition of the records and books of that office. The report shall be entered on the order book of the court.

As added by P.L.98-2004, SEC.3.

IC 33-24-4-7

Delivery of books and papers to successor

Sec. 7. The clerk of the supreme court shall deliver to the clerk's successor all the books and papers of the clerk's office.

As added by P.L.98-2004, SEC.3. Amended by P.L.14-2004, SEC.191.

IC 33-24-4-8

Posting of table of fees

Sec. 8. The clerk of the supreme court shall post a table of fees in a conspicuous place in the clerk's office. If the clerk fails to post a table of fees, the clerk may not demand or receive fees for services that the clerk renders.

As added by P.L.98-2004, SEC.3.

IC 33-24-4-9

Personal liability of clerk

Sec. 9. (a) The clerk of the supreme court is not personally liable for any act or omission occurring in connection with the performance of the clerk's official duties, unless the act or omission constitutes gross negligence or an intentional disregard of the responsibilities of

the office of clerk.

(b) The fact that the clerk is not personally liable under subsection (a) does not preclude an action against the clerk's bond based on an error or omission committed by the clerk.

As added by P.L.60-2010, SEC.1.