

(c) Notwithstanding IC 33-37-2-2, a court may suspend a late payment fee if the court finds that the defendant has demonstrated good cause for failure to make a timely payment of court costs, a fine, or a civil penalty.

(d) Notwithstanding IC 33-37-4-2(f), IC 34-28-5-5(a), and IC 34-28-5-5(b) (Ordinance violation matters), the defendant shall pay a late payment fee of twenty-five dollars (\$25) if the defendant:

(1) is found to have committed a violation constituting a Class D infraction or Class C infraction under IC 5-16-9-5 or IC 5-16-9-8 for unlawfully parking in a space reserved for a person with a physical disability;

(2) is required to pay a fine or civil judgment;

(3) is not determined by the court imposing the fine or civil judgment to be indigent; and

(4) fails to pay the fine or civil judgment in full before the later of:

(A) the end of the business day on which the court imposes the fine or civil judgment; or

(B) the end of the period specified in a payment schedule set for the payment of fines and civil judgments under rules adopted for the operation of the court.

However, the court may suspend a late payment fee under this section if the court finds that the defendant has demonstrated good cause for failure to make timely payment of the fee.

(As added effective September 1, 2013)

LOCAL RULE 15
(LR 61-CR00-CR-15)
MINIMUM BAIL SCHEDULE
(Revised January 1, 2018)

A. For crimes charged July 1, 2014 and after, the standard minimum bail set in criminal cases shall be as follows:

<u>FELONY CLASSIFICATION</u>	<u>AMOUNT</u>
Murder	No Bond
Level 1	\$100,000
Level 2	75,000
Level 3	50,000
Level 4	35,000
Level 5	15,000
Level 6	10,000
Level 6 (Operating Vehicle While Intoxicated)	8,000

<u>MISDEMEANOR CLASSIFICATION</u>	<u>AMOUNT</u>
A (OVWI and BAC)	\$ 8,000
A	5,000
B	3,000
C	3,000
C (Operating with .08% or More BAC)	8,000

For crimes charged prior to July 1, 2014, the standard minimum bail set in criminal cases shall be as follows:

<u>FELONY CLASSIFICATION</u>	<u>AMOUNT</u>
A	\$100,000
B	50,000
C	15,000
D	10,000
D (Operating Vehicle While Intoxicated)	7,000

<u>MISDEMEANOR CLASSIFICATION</u>	<u>AMOUNT</u>
A (OVWI and BAC)	\$ 7,000
A	5,000
B	3,000
C	3,000
C (Operating with .08% or More BAC)	7,000

B. Violent Offenses. Any person charged with a violent offense against another person, including all forms of battery and invasion of privacy, or an attempt at such a crime, should not be released till after his/her initial hearing unless otherwise ordered by the Court.

C. Probation. Persons known to be on probation at the time of their arrest should not be released till after his/her initial hearing unless otherwise ordered by the Court.

D. The Court may fix a higher or lower bail upon the showing of appropriate circumstances. All bail fixed pursuant to this schedule shall be reviewed upon motion of any party.

E. Allowance of 10%

1. Any person charged with a Class D/Level 6 Felony or a Misdemeanor who are found:

- a.) To have close ties to the community;
- b.) Not to have been previously convicted of a felony or a misdemeanor; and
- c.) Not presently on bond, parole or probation for any other offense;

may be entitled to release upon posting 10% cash bond **in the defendant's name** with the Clerk of the Court or the Parke County Jail.

F. Special Circumstances. In Misdemeanor and Class D/Level 6 Felony offenses, The Sheriff of Parke County and/or the Parke County Prosecutor or his Deputies have the discretion, under circumstances they deem appropriate [for example, there is good reason to believe an offender has severe medical problems, is at risk regarding his or her own health or that of others at the jail] to release an offender and give him or her an appearance date for Court on his or her own recognizance or by posting 10%, and has the discretion upon the approval by the Judge of the Parke Circuit Court or the Parke County Prosecutor or his Deputies to release **ANY** defendant, 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.

G. The Court presumes any arrested person who is not a citizen of the United States of America is a flight risk, and therefore, the Parke County Sheriff is directed to promptly notify Immigration and Customs Enforcement of the arrest of any such person. Bail for any such individual shall be set in the amount of four (4) times the standard minimum bail as set forth above. If Immigration and Customs Enforcement notifies the Sheriff they will not be placing a hold on said individual, then bail shall be set in the amount of two (2) times the standard minimum bail as set forth above. In either circumstance, 10% shall NOT be allowed, unless otherwise ordered by the Court.

H. The Parke County Clerk's Office and the Parke County Sheriff's Department are directed to follow any decision made by the Parke County Prosecutor or his Deputies with respect to any issue concerning the setting of bond, the posting of bond, and the release of any defendant being held in the Parke County Jail.

I. No property bond shall be accepted or allowed. Surety bonds shall not be accepted or allowed unless prior approval is granted by the Court.

J. Effective Date. This Schedule shall be effective for all charges filed on or after July 1, 2014.