

**STATE OF INDIANA – COUNTY OF JOHNSON  
IN THE JOHNSON CIRCUIT AND SUPERIOR COURTS**

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**Notice of Proposed Local Rule Amendment and Finding Good Cause to  
Deviate from Established Schedule  
October 17, 2022**

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The judges of the Johnson Circuit and Superior Courts, pursuant to Trial Rule 81(B), hereby give notice to the bar and the public that the Courts propose to amend the Local Rule(s) on January 1, 2023 for the courts of record of Johnson County and find good cause to deviate from the schedule for amending local rules under Trial Rule 81(D).

All new text is shown by underlining and deleted text is shown by ~~strikethrough~~.

Notice has been given to the public by posting on the website of the Johnson County Clerk and at the Indiana Judiciary webpage for Local Rules (<https://www.in.gov/courts/publications/local-rules/>), and by furnishing a copy to the officers of the Johnson County Bar Association. A paper copy of the proposed amended local rule(s) will be made available for viewing in the office of the Clerk of Johnson County, 5 E. Jefferson Street, Franklin, Indiana 46131 during normal business hours.

The time period for the bar and the public to comment shall begin on October 17, 2022, and shall close on November 16, 2022. These rule amendments will be effective on January 1, 2023.

Comments should be made in writing via mail to:

Hon. Andrew S. Roesener, Judge of the Johnson Circuit Court, Attn: Public Comment on Local Rules, Johnson County Courthouse, 5 E. Jefferson St., Franklin, IN 46131, or via email to Shena Johnson, Court Administrator, [sjohnson@co.johnson.in.us](mailto:sjohnson@co.johnson.in.us).

DATED this 17th day of October, 2022 on behalf of the Judges of Johnson County.

  
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Andrew S. Roesener, Judge  
Johnson Circuit Court

## BOND SCHEDULE

**LR41 - CR00 - 020. Scope of the Johnson County Court Bail Bond Schedule.**

- A. ~~A.~~ Unless the bail bond amount has been endorsed in a warrant or ordered by the Circuit, Superior or City Courts of Johnson County, the Johnson County Standard Bail Bond Schedule shall apply to all persons charged with offenses in Johnson County.
- B. ~~B.~~ The Johnson County Standard Bail Bond Schedule does not apply to any person who is charged with Juvenile Delinquent or Juvenile Status offenses.
- C. ~~C.~~ The Johnson County Standard Bail Bond Schedule supersedes any general schedules relating to bail or bonds previously issued by the Johnson County Circuit, Superior, or City Courts.

~~LR41 - CR00 - 021. Effective Date.~~

~~The Johnson County Standard Bail Bond Schedule shall become effective July 1, 2014, and shall remain in full force and effect until modified or amended by subsequent Order of the Johnson County Courts.~~

- D. ~~LR41 - CR00 - 022.~~ When any person is arrested and booked into the Johnson County Jail on a warrantless arrest, the Sheriff shall either release or detain the person in accordance with the schedules found within the bond schedule or the pretrial release supervision provisions stated hereafter.

**LR41 - CR00 - 021. Review.**

All bail bonds fixed pursuant to the Johnson County Standard Bail Bond Schedule shall be subject to review by a judicial officer upon the written request of either party.

**LR41 - CR00 - 023022. Type.**

- ~~A.~~ ~~A.~~ The bail bond amounts listed herein refer to cash ~~or surety~~ bonds only.
- ~~B.A.~~ ~~B.~~ ~~Without prior court order, ten percent (10%) cash bonds shall not be permitted.~~
- ~~B.~~ ~~C.~~ All cash bail bonds shall be considered a personal asset of the Defendant, and shall be held in trust by the Court Clerk to be applied, by agreement, towards payment of the Defendant's fines, court costs, indigent services, restitution, judgments and / or other fees which may be assessed by the Courts during the course of the proceedings.

**LR41 - CR00 - 024023. Johnson County Standard Bail Bond Schedule.**

The standard minimum bail bond in criminal cases shall be set as follows for detainees arrested on or after ~~July 1, 2014~~ July 1, 2023:

Charge:	Bond:
Murder	None
Level 1 Felony	<del>\$404,000</del> Cash <del>or Surety</del>
Level 2 Felony	<del>\$303,000</del> Cash <del>or Surety</del>
Level 3 Felony	<del>\$162,000</del> Cash <del>or Surety</del>
Level 4 Felony	<del>\$600</del> <u>1,500</u> Cash <del>and \$6,000 Surety</del>
Level 5 Felony	<del>\$300</del> <u>1,000</u> Cash <del>and \$3,000 Surety</del>
Level 6 Felony	<del>\$200</del> <u>800</u> Cash <del>and \$1,000 Surety</del>

Misdemeanor

\$250 Cash ~~or \$1,000 Surety~~

**LR41 - CR00 - ~~025024~~. Other Pending or Prior Charges.**

- ~~A.~~ ~~A.~~ ~~Probation / Parole:~~ ~~If the Defendant is presently out on bail or bond~~ ~~This bond schedule shall not be applicable in the case of a person who has been arrested for a pending criminal charge, is crime while on adult probation, or is on parole, community supervision, bond, or released on own recognizance for another offense in any jurisdiction. In such a case, the person may be detained for a maximum period of fifteen (15) calendar days, during which period the prosecuting attorney shall notify the appropriate probation, parole, or community corrections authority, and the Court shall determine the proper bond, if any.~~
- ~~A.B.~~ ~~Resisting Arrest.~~ ~~If the person has been arrested for a crime and the allegation contains a charge for resisting law enforcement,~~ the bail amount to be posted on the ~~new~~ charge shall be double the amount stated in the standard bail bond schedule.
- ~~B.C.~~ ~~B.~~ ~~Domestic Violence:~~ In situations where ~~the Defendant~~ ~~a person~~ has been arrested for a Second Offense involving allegations of Domestic Violence, the Defendant shall be held without bond, until the appropriate bond amount is determined by a judicial officer at the Defendant's first court appearance. (This section applies only if the Defendant has been previously arrested for, or convicted of, an offense involving domestic violence.)

**LR41 - CR00 - ~~026025~~. Multiple Charges.**

If the Defendant is being arrested or detained for more than one (1) offense, then bail under this standard schedule shall be established ~~as follows~~ ~~by calculating the aggregate amount of all of the offenses charged.~~

- ~~A.~~ ~~All Felony and Class A Misdemeanor offenses shall be the aggregate amount of the offenses charged.~~
- ~~Example:~~ ~~If the Defendant is charged with a Level 4 Felony, a Level 5 Felony, and a Class A Misdemeanor, the bail would be the total of: (\$600 Cash and \$6,000 Surety) + (\$300 Cash and \$3,000 Surety) + (\$250 Cash or \$1,000 Surety) = leading to two (2) possible results: \$1,150 Cash + \$9,000 Surety OR \$900 Cash + \$10,000 Surety.~~
- ~~B.~~ ~~All Class B and C Misdemeanors shall be concurrent and grouped into one bond amount.~~
- ~~Example:~~ ~~If the Defendant is charged with a Class A Misdemeanor, a Class B Misdemeanor, and a Class C Misdemeanor, the bail would be the total of: (\$250 Cash or \$1,000 Surety on the A Misdemeanor) + (\$250 Cash or \$1,000 Surety on the B and C Misdemeanors) = leading to three (3) possible results: \$500 Cash OR \$2,000 Surety OR \$250 Cash + \$1,000 Surety.~~

**LR41 - CR00 - ~~027026~~. Intoxicated Defendants.**

The Sheriff of Johnson County or his / her designee, shall ~~have~~ ~~have~~ the express authority to detain a person under the influence of intoxicating beverages or drugs until such time as that person may be safely released without being a danger to himself / herself or others.

**LR41 – CR00 – 027. Johnson County Pretrial Release Supervision.**

This schedule applies only to certain levels of offenses in which the Defendant may be released on own recognizance. The Sheriff of Johnson County is hereby ordered to follow this schedule for determining the pretrial release of certain categories of persons arrested without warrants for criminal offenses to be filed in the foregoing courts, to be released onto Pretrial Release Supervision through the Johnson County Adult Probation Pretrial Release Division, subject to the following eligibility:

- A. All persons detained in the Johnson County shall be eligible for a pretrial release risk assessment, and release schedule in accordance with the matrix established by Court policy.:
- B. Regardless of the charged offense, any person eligible to post bond pursuant to the bond schedule in

- said matrix may post bond and shall be released without receiving a pretrial release risk assessment.
- C. The pretrial release risk assessment shall include the administration of at least one (1) State approved pretrial release risk assessment and such other risk assessment instrument(s) that may be approved and required by the judges of the Johnson County Courts.
- D. All decisions regarding release and/or release conditions under this pretrial release schedule are conditional and may be reviewed sua sponte by the Court at the first appearance based upon information obtained through the pretrial screening process. After a Defendant's first appearance (or waiver thereof), the Court, sua sponte, or the prosecuting attorney or the Defendant may by written motion request a hearing on the Defendant's pretrial release/detention status and/or conditions of release.
- E. Pretrial conditions of release under this schedule may include that the person released shall:
1. respond promptly to e-mail, telephone calls, or text messages from the pretrial release program;
  2. verify employment, residence, and contact information;
  3. meet in person as directed with a case monitor from the pretrial release program;
  4. obey all rules and regulations of the pretrial release program; and
  5. obey all other conditions imposed by the Court

**LR 41 – CR00 – 028. Conditions of Release.**

- A. All releases on bond or on personal recognizance are subject to the following conditions:
1. the Defendant shall appear in court at all times required by the Court;
  2. the Defendant shall not leave the State of Indiana without the prior written approval of the Court;
  3. the Defendant shall not commit or be arrested for another criminal offense;
  4. for the purposes of receiving court notices and reminders of hearing dates, the Defendant shall provide a valid e-mail address and telephone number for a cellular telephone that can receive text messages, if available;
  5. the Defendant shall keep his or her attorney and the Court advised in writing of any change of address, telephone number, or e-mail address within twenty-four (24) hours of such change; and
  6. any other condition of release ordered by the Court.
- B. Pursuant to IC 35-33-8-3.2(a)(4), a Defendant's release may also be conditioned upon refraining from any direct or indirect contact with the alleged victim of an offense or other individual so ordered by the Court.
- ~~A.C.~~ Violation of any condition of release may result in the Court revoking the Defendant's release and the issuance of a warrant for re-arrest.