

# Indiana Trial Court Fee Manual

*Current through 2022 Legislative Session*



Indiana Supreme Court  
Indiana Office of Court Services  
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# Contact Information

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## Indiana Supreme Court

## Indiana Office of Court Services

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Indianapolis, IN 46204

Main Phone: 317-232-2542

Fax number: 317-233-6586

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Guardian Ad Litem/Court Appointed Special Advocate: 800-542-0813

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# 1 Filing Fees/Costs for Criminal Cases

Fee Type	Code Citation	Fee Amt.	Other Information
Criminal Costs Fee	IC 33-37-4-1	\$120.00	
Marijuana Eradication Program Fee	IC 33-37-5-7		Collected only if the county has a program and there is a conviction under I.C. 35-48-4; fee may not exceed \$300
Alcohol and Drug Services Program Fee	IC 33-37-5-8(b)		Collected only if the county has a program; fee may not exceed \$400.
Law Enforcement Continuing Education Fee	IC 33-37-5-8(c)	\$4.00	
Drug Abuse, Prosecution, Interdiction, and Correction Fee	IC 33-37-5-9		Collected only if there is a conviction under I.C. 35-48-4; fee range is \$200-\$1,000.
Countermeasures Fee	IC 33-37-5-10		Collected only if conviction under I.C. 9-30-5 and driver's license suspension as a result; fee is \$200.
Child Abuse Prevention Fee	IC 33-37-5-12		Collected only if conviction of specified offenses and victim is under 18; fee is \$100.
Domestic Violence Prevention and Treatment Fee	IC 33-37-5-13		Collected only if conviction of specified offenses and relationship of parties; fee is \$50.
Highway Worksite Zone Fee	IC 33-37-5-14		Collect \$.50 only if traffic offense or could be \$25.50 if exceeding worksite speed limit or failure to merge.
Safe School Fee	IC 33-37-5-18		Collected only if conviction of (1) offense in which use, or possession of a firearm is an element of the offense or (2) for conviction of offense in which a person operates a vehicle and recklessly passes a school bus stopped on a roadway or a private road when the arm signal device is in the device's extended position or does so and causes bodily injury or death. The fee range is \$200 - \$1,000.
Jury Fee	IC 33-37-5-19	\$2.00	
Document Storage Fee	IC 33-37-5-20	\$5.00	Beginning July 1, 2015, the document storage fee increased to \$5 (from \$2).
Automated Record Keeping Fee	IC 33-37-5-21	\$20.00	The automated record keeping fee increased to \$20 on July 1, 2017, for all actions other than pretrial diversion programs and deferral programs. The automated record keeping fee for pretrial diversion programs and deferral programs remains \$5.
Late Payment Fee	IC 33-37-5-22		Applies only if all conditions of the statute are met; fee is \$25.
Sexual Assault Victims Assistance Fee	IC 33-37-5-23		Collected only if conviction of specified offenses; fee range is \$500 - \$5,000.
Public Defense Administration Fee	IC 33-37-5-21.2	\$5.00	Increased from \$3 to \$5 on July 1, 2011.
Judicial Insurance Adjustment Fee	IC 33-37-5-25	\$1.00	

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Judicial Salaries Fee	IC 33-37-5-26	\$20.00	Increased from \$19 to \$20 on July 1, 2012.
DNA Sample Processing Fee	IC 33-37-5-26.2	\$3.00	Increased from \$2 to \$3 on July 1, 2017
Court Administration Fee	IC 33-37-5-27	\$5.00	
<b>Total Criminal Fees</b>		<b>\$185.00</b>	<b>Total is \$213 if office is collecting the sheriff's service of process fee of \$28.</b>

## 2 Filing Fees/Costs for Pre-Trial Diversion Cases for Certain Misdemeanors, Level 6 and Level 5 Felonies (see I.C. 33-39-1-8)

Fee Type	Code Citation	Fee Amount	Other Information
Deferred Prosecution Fee	IC 33-37-5-17	\$120.00	
Initial User Fee	IC 33-37-4-1(c)	\$50.00	The fee increased effective July 1, 2018 to \$75 for a felony. The fee remained \$50 for misdemeanors.
Monthly User Fee	IC 33-37-4-1(c)	\$120.00	Monthly fee is \$20 for each month that the person remains in the pretrial diversion program; this fee increased effective July 1, 2018. This scenario would illustrate a 6-month program. The county may have different time ranges for the program which will cause the total to be different.
Highway Worksite Zone Fee	IC 33-37-5-14		Collect \$0.50 only if traffic offense and could be \$25.50 if exceeding the worksite speed limit or failure to merge.
Document Storage Fee	IC 33-37-5-20	\$5.00	Beginning July 1, 2015, the document storage fee increased to \$5 (from \$2).
Automated Record Keeping Fee	IC 33-37-5-21	\$5.00	The automated record keeping fee increased to \$20 on July 1, 2017 for all actions other than pretrial diversion programs and deferral programs. The automated record keeping fee for pretrial diversion programs and deferral programs remains \$5.
Public Defense Administration Fee	IC 33-37-5-21.2	\$5.00	Increased to \$5 on July 1, 2011.
Judicial Insurance Adjustment Fee	IC 33-37-5-25	\$1.00	
Judicial Salaries Fee	IC 33-37-5-26	\$20.00	Increased to \$20 on July 1, 2011.
DNA Sample Processing Fee	IC 33-37-5-26.2	\$3.00	Increased to \$3 from \$2 on July 1, 2017
Court Administration Fee	IC 33-37-5-27	\$5.00	
<b>Total Pre-Trial Diversion Case Fees</b>		<b>\$334.00</b>	<b>Total is \$334.00 for non-traffic misdemeanor offense, \$334.50 for traffic offense or \$359.50 if offense is exceeding a worksite speed limit or failure to merge. See I.C. 33-37-5-14. The total increases \$25 for a felony.</b>

### 3 Filing Fees/Costs for Infraction and Ordinance Violation Cases

Fee Type	Code Citation	Fee Amount	Other Information
Infraction or Ordinance Violation Costs Fee	IC 33-37-4-2	\$70.00	
Alcohol and Drug Services Program Fee	IC 33-37-5-8(b)		Judge determines if this fee is to be collected. Amount of fee is set by court rule however may not exceed \$400.
Law Enforcement Continuing Education Fee	IC 33-37-5-8(c)	\$4.00	
Countermeasures Fee	IC 33-37-5-10		Judge determines if this \$200 fee is to be collected.
Highway Worksite Zone Fee	IC 33-37-5-14		Collect \$.50 only if traffic offense and could be \$25.50 if exceeding the worksite speed limit or failure to merge.
Jury Fee	IC 33-37-5-19	\$2.00	
Document Storage Fee	IC 33-37-5-20	\$5.00	Beginning July 1, 2015, the document storage fee increased to \$5 (from \$2).
Automated Record Keeping Fee	IC 33-37-5-21	\$20.00	The automated record keeping fee increased to \$20 on July 1, 2017 for all actions other than pretrial diversion programs and deferral programs. The automated record keeping fee for pretrial diversion programs and deferral programs remains \$5.
Late Payment Fee	IC 33-37-5-22		
Public Defense Administration Fee	IC 33-37-5-21.2	\$5.00	Increased to \$5 on July 1, 2011.
Judicial Insurance Adjustment Fee	IC 33-37-5-25	\$1.00	
Judicial Salaries Fee	IC 33-37-5-26	\$20.00	Increased to \$20 on July 1, 2011.
DNA Sample Processing Fee	IC 33-37-5-26.2	\$3.00	Increased to \$3 from \$2 on July 1, 2017
Court Administration Fee	IC 33-37-5-27	\$5.00	
<b>Total Infraction/Ordinance Violations Fees</b>		<b>\$135.00</b>	<b>Total is \$163 if office is collecting the sheriff's service of process fee of \$28.</b>

## 4 Filing Fees/Costs for Deferral Program Cases for Infractions and Ordinance Violations

Fee Type	Code Citation	Fee Amount	Other Information
Moving Traffic Offense Court Cost	IC 34-28-5-1	\$70.00	If the infraction or violation is not a moving traffic offense, this cost will not be assessed.
Initial Users Fee *	IC 33-37-4-2(e)	\$52.00	\$50 goes to the deferral program and \$2 goes to the Jury Pay Fund.
Monthly User Fee *	IC 33-37-4-2(e)	\$60.00	Monthly fee is \$10 for each month that the person remains in the deferral program. This scenario illustrates a 6-month program. The county may have different time ranges for the program which would cause the total to be different.
Highway Worksite Zone Fee	IC 33-37-5-14		Collect \$0.50 only if traffic offense and could be \$25.50 if exceeding the worksite speed limit or failure to merge.
Document Storage Fee	IC 33-37-5-20	\$5.00	Beginning July 1, 2015, the document storage fee increased to \$5 (from \$2).
Automated Record Keeping Fee	IC 33-37-5-21	\$5.00	The automated record keeping fee increased to \$19 (from \$7) on July 1, 2015 for all actions other than pretrial diversion programs and deferral programs. The automated record keeping fee for pretrial diversion programs and deferral programs remains \$5.
<b>Total Deferral Program Fees</b>		<b>\$192.00</b>	<b>Total is \$192.00 for a moving traffic offense; \$217.50 if the offense is exceeding a worksite speed limit or failure to merge. Total is \$122.50 for a non-moving traffic offense and \$122.00 for a non-traffic offense. See I.C. 33-37-5-14 and I.C. 9-13-2-183.</b>

\* Statute states these fees are not to exceed these amounts. The prosecutor may assess a lower amount.



## 5 Filing Fees/Costs for Seatbelt Violation Cases

Fee Type	Code Citation	Fee Amount	Other Information
Class D Infraction	IC 9-19-10-8 and 34-28-5-4	\$25.00	These judgments go to a separate account in the State General Fund in accordance with I.C. 9-19-11-9.
<b>Total Seatbelt Violation Fee</b>		<b>\$25.00</b>	

## 6 Filing Fees/Costs for Child Restraint System Violation Cases

Fee Type	Code Citation	Fee Amount	Other Information
Class D Infraction	IC 9-19-11-2; 9-19-11-3.6 and 34-28-5-4	\$25.00	These judgments go to a separate account in the State General Fund in accordance with I.C. 9-19-11-9.
<b>Total Child Restraint System Violation Fee</b>		<b>\$25.00</b>	

**NOTE: Class D infractions generally do not include costs pursuant to IC 34-28-5-5. Seatbelt violation cases and child restraint system violation cases are merely the two most commonly charged Class D infractions.**

## 7 Filing Fees/Costs for Juvenile Cases

Fee Type	Code Citation	Fee Amount	Other Information
Juvenile Costs Fee	IC 33-37-4-3	\$120.00	
Marijuana Eradication Program Fee	IC 33-37-5-7		See notes to Criminal Cases chart in Chapter 1 for these fee types.
Alcohol and Drug Services Program Fee	IC 33-37-5-8(b)		See notes to Criminal Cases chart in Chapter 1 for these fee types.
Countermeasures Fee	IC 33-37-5-10		See notes to Criminal Cases chart in Chapter 1 for these fee types.
Document Storage Fee	IC 33-37-5-20	\$5.00	
Automated Record Keeping Fee	IC 33-37-5-21	\$20.00	The automated record keeping fee increased to \$20 on July 1, 2017 for all actions other than pretrial diversion programs and deferral programs. The automated record keeping fee for pretrial diversion programs and deferral programs remains \$5.
Late Payment Fee	IC 33-37-5-22		See notes to Criminal Cases chart in Chapter 1 for these fee types.
Public Defense Administration Fee	IC 33-37-5-21.2	\$5.00	Increased from \$3 to \$5 on July 1, 2011.
Judicial Insurance Adjustment Fee	IC 33-37-5-25	\$1.00	
Judicial Salaries Fee	IC 33-37-5-26	\$20.00	Increased from \$19 to \$20 on July 1, 2012.
Court Administration Fee	IC 33-37-5-27	\$5.00	
Alternative Dispute Resolution Fee	IC 33-23-6-1		If the county has an approved plan from the Judicial Conference of Indiana, the clerk shall collect from the party filing a petition for legal separation, paternity, or dissolution of marriage a fee of \$20.
<b>Total Juvenile Fees</b>		<b>\$176.00</b>	<b>Total is \$204 if office is collecting the sheriff's service of process fee of \$28.</b>

## 8 Filing Fees/Costs for Civil Cases

Fee Type	Code Citation	Fee Amount	Other Information
Civil Filing Fee	IC 33-37-4-4(a)	\$100.00	
Document Storage Fee	IC 33-37-5-20	\$5.00	Beginning July 1, 2015, the document storage fee increased to \$5 (from \$2).
Automated Record Keeping Fee	IC 33-37-5-21	\$20.00	The automated record keeping fee increased to \$20 on July 1, 2017 for all actions other than pretrial diversion programs and deferral programs. The automated record keeping fee for pretrial diversion programs and deferral programs remains \$5.
Public Defense Administration Fee	IC 33-37-5-21.2	\$5.00	Increased to \$5 on July 1, 2011.
Judicial Insurance Adjustment Fee	IC 33-37-5-25	\$1.00	
Judicial Salaries Fee	IC 33-37-5-26	\$20.00	Increased to \$20 on July 1, 2012.
Court Administration Fee	IC 33-37-5-27	\$5.00	
Civil Action Service Fee	IC 33-37-5-28		The clerk shall collect from the party filing the civil action, a service fee of \$10 for each additional defendant named other than the first named defendant. The clerk shall collect from any party adding a defendant, a service fee of \$10. This does not apply to an action in which the service is made by publication in accordance with Indiana Trial Rule 4.13 or actions filed using the Indiana electronic filing system.
Additional Garnishee Defendants Service Fee	IC 33-37-5-28		Add a \$10 fee per garnishee defendant in excess of 3 whether named or added. This does not apply to an action in which service is made by publication in accordance with Indiana Trial Rule 4.13 or actions filed using the Indiana electronic filing system.
Pro Bono Services Fee	IC 33-37-5-31	\$1.00	
Alternative Dispute Resolution Fee	IC 33-23-6-1		If the county has an approved plan from the Judicial Conference of Indiana, the clerk shall collect from the party filing a petition for legal separation, paternity, or dissolution of marriage a fee of \$20.
<b>Total Civil Fees</b>		<b>\$157.00</b>	<b>Total is \$185 if office is collecting the sheriff's service of process fee of \$28.</b>

## 9 Filing Fees/Costs for Small Claims Cases

### *In Courts Other than Marion County Township Courts*

Fee Type	Code Citation	Fee Amount	Other Information
Small Claims Filing Fee	IC 33-37-4-6	\$35.00	
Small Claims Service Fee	IC 33-37-4-6	\$10.00	\$10 fee assessed for each named defendant, <b>including the first named defendant</b> , who is not a garnishee defendant. The fee is collected from the party adding the named defendant. This fee may not be assessed in an action filed using the Indiana electronic filing system.
Small Claims Garnishee Service Fee	IC 33-37-4-6		Add a \$10 fee per garnishee defendant in excess of 3 whether named or added. This fee may not be assessed in an action filed using the Indiana electronic filing system.
Document Storage Fee	IC 33-37-5-20	\$5.00	
Automated Record Keeping Fee	IC 33-37-5-21	\$20.00	The automated record keeping fee increased to \$20 on July 1, 2017 for all actions other than pretrial diversion programs and deferral programs. The automated record keeping fee for pretrial diversion programs and deferral programs remains \$5.
Public Defense Administration Fee	IC 33-37-5-21.2	\$5.00	Increased to \$5 on July 1, 2011.
Judicial Insurance Adjustment Fee	IC 33-37-5-25	\$1.00	
Judicial Salaries Fee	IC 33-37-5-26	\$15.00	Increased to \$15 on July 1, 2012.
Pro Bono Services Fee	IC 33-37-5-31	\$1.00	
Court Administration Fee	IC 33-37-5-27	\$5.00	
<b>Total Small Claims Fees</b>		<b>\$97.00</b>	<b>Total is \$87.00 if filed using the Indiana electronic filing system. An additional \$28 would be added if service by sheriff is requested.</b>

## 10 Filing Fees/Costs for Small Claims Cases

### *Filed in Marion County Township Courts*

Fee Type	Code Citation	Fee Amount	Other Information
Filing Fee + Township Docket Fee	IC 33-34-8-1(a)(1) and 33-34-8-1(b)	\$37.00	
Service of Process Fee (certified mail or personal service)	IC 33-34-8-1(a)(2) or 33-34-8-1(a)(3)	\$15.00	The plaintiff may choose service by certified mail or personal service. Fee is assessed per service.
Document Storage Fee	IC 33-37-5-20; 33-34-8-1(a)(6)	\$5.00	
Automated Record Keeping Fee	IC 33-37-5-21; 33-34-8-1(a)(7)	\$20.00	The automated record keeping fee increased to \$20 on July 1, 2017 for all actions other than pretrial diversion programs and deferral programs. The automated record keeping fee for pretrial diversion programs and deferral programs remains \$5.
Public Defense Administration Fee	IC 33-37-5-21.2; 33-34-8-1(a)(9)	\$5.00	Increased to \$5 on July 1, 2011.
Judicial Insurance Adjustment Fee	IC 33-37-5-25; 33-34-8-1(a)(10)	\$1.00	
Judicial Salaries Fee	IC 33-37-5-26; 33-34-8-1(a)(11)	\$15.00	Increased to \$15 on July 1, 2012.
Pro Bono Services Fee	IC 33-37-5-31; 33-34-8-1(a)(13)	\$1.00	
Court Administration Fee	IC 33-37-5-27; 33-34-8-1(a)(12)	\$5.00	
<b>Total Small Claims Fees</b>		<b>\$104.00</b>	

## 11 Filing Fees/Costs for Probate Cases

Fee Type	Code Citation	Fee Amount	Other Information
Probate Costs Fee	IC 33-37-4-7(a)	\$120.00	
Document Storage Fee	IC 33-37-5-20	\$5.00	
Automated Record Keeping Fee	IC 33-37-5-21	\$20.00	The automated record keeping fee increased to \$20 on July 1, 2017 for all actions other than pretrial diversion programs and deferral programs. The automated record keeping fee for pretrial diversion programs and deferral programs remains \$5.
Public Defense Administration Fee	IC 33-37-5-21.2	\$5.00	Increased to \$5 on July 1, 2011.
Judicial Insurance Adjustment Fee	IC 33-37-5-25	\$1.00	
Judicial Salaries Fee	IC 33-37-5-26	\$20.00	Increased to \$20 on July 1, 2012.
Pro Bono Services Fee	IC 33-37-5-31	\$1.00	
Court Administration Fee	IC 33-37-5-27	\$5.00	
<b>Total Probate Fees</b>		<b>\$177.00</b>	<b>Total is \$205 if office is collecting the sheriff's service of process fee of \$28.</b>

## 12 Alphabetical Guide to Fees/Costs Assessed by a Court or Clerk

Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
Adult Probation User and Administration Fees	35-38-2-1; 35-38-2-1.5; 9-30-9-9	<p><b>Misdemeanor</b> - Initial User's Fee \$50 or less; Monthly User's Fee \$10 - \$20; Administrative Fee \$50</p> <p><b>Felony</b> - Initial User's Fee \$25 - \$100; Monthly User's Fee \$15 - \$30; Administrative Fee \$100</p>	Assessed to adults convicted of a felony or misdemeanor and placed on probation. Court has option/discretion to require payment of the misdemeanor probation user and administrative fees but must impose felony probation user and administrative fees. A person placed on probation for more than one crime may be required to pay more than one initial probation user's fee however he/she cannot be required to pay more than one monthly probation user's fee. A court may order a person to pay probation user fees that exceed the statutory maximums if that person was placed on probation in another state and moved or transferred to Indiana; the other state allows a higher probation user's fee than Indiana's maximum, and the probation user's fees the Indiana court orders the person to pay does not exceed the maximum		100%		Distributed to County Supplemental Adult Probation Services Fund however if these fees are collected by the clerk of a city or town court or the probation department of a city or town and the city or town has an adult probation services program, then the fees are transferred to the fiscal officer for deposit to the Local Supplemental Adult Probation Services Fund. The clerk collecting these fees may keep up to 3% of the fee amount to defray the administrative costs of collecting the fee. This 3% is deposited in the Clerk Record Perpetuation Fund. The clerk may also be asked to transfer an additional 3% of this fee to the County or Local General Fund depending upon the requesting fiscal officer.

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Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
			amount allowed in the other state.				
Alcohol Abuse Deterrent Program Fee and Medical Fee	33-37-5-11; 9-30-9	Alcohol abuse deterrent program fee may not exceed \$400; Medical fee may not exceed \$150	The probation department shall collect an alcohol abuse deterrent program fee and a medical fee set by the court under IC 9-30-9-8 in actions in a court in a county that has established a program under IC 9-30-9 (Circuit Court Alcohol Abuse Deterrent Programs).		100%		The probation department shall deposit these fees into the Supplemental Adult Probation Services Fund. Monies in a Supplemental Probation Services Fund may be used only to supplement probation services and to supplement salaries for probation officers and may not be used to replace other funding of probation services. See IC 35-38-2-1(h).
Alcohol and Drug Countermeasures Fee (A K A Countermeasures Fee)	9-30-5; 33-37-5-10; 33-37-4-1(b)(6); 33-37-7-2(b)(2); 33-37-7-2(c)(2); 33-37-4-2(b)(4); 33-37-4-3(b)(5); 5-2-11; 33-37-9-4; 9-27-2-11; 9-21-8-50; 9-21-8-52; 7.1-5-1-3; 7.1-5-1-6	\$200	The clerk shall collect an Alcohol and Drug Countermeasures Fee in each action in which a person is found to have committed an OVWI offense or a person who has been adjudicated a delinquent for an act that would be an OVWI if committed by an adult AND the person's driving privileges are suspended by the court or the BMV as a result of the finding. This fee is also charged as a part of some plea agreements involving OVWI offenses.	25%	75%		25% is deposited in the State User Fee Fund and 75% is deposited in the County Drug Fee Community Fund. The county auditor administers this fund. Each year the county fiscal body appropriates from the fund amounts allocated by the county legislative body for the use of persons, organizations, agencies, and political subdivisions to carry out recommended actions by the local coordinating council and approved by the Commission for a Drug Fee Indiana. See IC 5-2-11-5.



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<b>Fee/Cost/Fine</b>	<b>Citation</b>	<b>Fee Amount</b>	<b>Assessment Notes:</b>	<b>State</b>	<b>County</b>	<b>Local</b>	<b>Distribution Notes:</b>
Alcohol and Drug Services Program Fee	33-37-5-8(b); 12-23-14-16; 33-37-8-5(b)(4); 33-37-8-3(b)(2); 33-37-4-1(b)(3); 33-37-4-2(b)(2)	Set by court rule and may not exceed \$400	This fee is collected in criminal, infraction and ordinance violation cases in a county that has established an alcohol and drug services program. The fee is collected by a schedule adopted by the court (including city and town courts).		100% or	100%	Deposited into the County or Local User Fee Fund depending on court collecting. Upon receipt of monthly claims submitted under oath to the fiscal body by the Alcohol and Drug Services Program the fiscal body shall appropriate the amount collected to the Alcohol and Drug Services Program.
Alternative Dispute Resolution Fee (A K A ADR Fee)	33-23-6-1; 33-26-6-2	\$20	Collected in each legal separation, paternity or dissolution of marriage actions filed under IC 31 in counties participating in the Alternative Dispute Resolution Plan authorized by the Judicial Conference of Indiana.		100%		Distributed to the county Alternative Dispute Resolution Fund.

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Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
Automated Record Keeping Fee	33-37-5-21; 33-34-8-1(a)(7); 33-34-8-3(b)(1)(A); 33-37-7-2(a); 33-37-7-2(b)(7) and (m); 33-37-7-8(d)(5); 33-37-5-2(a)(5); 33-37-7-8(a); 33-37-4-1(b)(12); 33-37-4-2(b)(9); 33-37-4-2(e); 33-37-4-1(c); 33-37-4-3(b)(7); 33-37-4-4(b)(4); 33-37-4-6(b)(3); 33-37-4-7(b)(3); 33-24-6-12; 33-37-9-4	The automated record keeping fee increased to \$20 on July 1, 2017 for all actions other than pretrial diversion programs and deferral programs. The automated record keeping fee for pretrial diversion programs and deferrals remains \$5.	Collected in all case types.	100%	0%		<p><b>Deferral and Pre-trial Diversion Cases:</b> 100% of the automated record keeping fees collected in deferral and pretrial diversion cases should be distributed to the State for deposit in the State Homeowner Protection Unit Account.</p> <p><b>All Other Case types:</b> 100% of the automated record keeping fees collected in all other case types should be distributed to the State for deposit in the State User Fee Fund. As of May 7, 2015, counties using a case management system other than Odyssey are no longer authorized to keep a portion of the automated record keeping fee.</p>
Bail Bond Fee	35-33-8-3.2(d)	\$5	Collected on all admissions to bail on a surety, property, or cash deposit bond.	100%			Distributed to Public Employees Retirement Fund.
Bond Administration Fee	35-33-8-3.2(a)(2)	10% of the value of the cash bond or	This is an administrative fee charged by the clerk when a defendant executes a cash bond.		100% or	100%	Deposited in the County or Local General Fund depending on the court collecting.

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Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
		\$50 whichever is less	This fee may be retained regardless of the disposition of the case.				
Child Abuse Prevention Fee	33-37-5-12; 33-37-4-1(b)(7); 33-37-7-2(b)(3)	\$100	Assessed against a defendant who is found guilty of certain criminal offenses against the person (listed in I.C. 33-37-5-12(1)) and the victim is less than 18 years of age.	100%			As of 7/1/2012, 100% of the fee is deposited to the State User Fee Fund.
Child Restraint System Violation Fine	9-19-11	varies	Judgments collected for violations of IC 9-19-11 Passenger Restraint Systems for Children.	100%			Distributed to the State Child Restraint System Account established within the State General Fund.
Civil Action Service Fee	33-37-5-28(b)(1); 33-37-7-2(j); 33-37-4-4(b)(9)	\$10 for each additional defendant added after the first named defendant in the case	The plaintiff in a civil action pays this fee when other civil costs are paid, if applicable. When defendants file cross complaints and name additional defendants (including third party defendants) beyond the original plaintiff, the defendant/cross claimant is also charged the Civil Action Service Fee. This fee is not collected when service is made by publication in accordance with Indiana Trial Rule 4.13 or in actions filed using the Indiana electronic filing system.		100% or	100%	Distributed to County General Fund or Local General Fund depending on court collecting.

*Indiana Trial Court Fee Manual*

<b>Fee/Cost/Fine</b>	<b>Citation</b>	<b>Fee Amount</b>	<b>Assessment Notes:</b>	<b>State</b>	<b>County</b>	<b>Local</b>	<b>Distribution Notes:</b>
Civil Garnishee Defendant Service Fee	33-37-5-28(b)(3); 33-37-5-28(b)(4); 33-37-4-4(b)(10); 33-37-7-2(k)	\$10 per additional garnishee added in excess of three garnishees	Collected from the party filing the civil action for each garnishee named in excess of three garnishees. When a garnishee is added in excess of three garnishees, this fee is collected from the party adding the additional garnishee(s). This fee is not collected when service is made by publication in accordance with Indiana Trial Rule 4.13 or in actions filed using the Indiana electronic filing system.		100% or	100%	Depending on court collecting, this fee is distributed to County or Local General Fund.
Civil Penalties for Local Ordinance Violations	34-28-5-4(e); 34-28-5-1(i); 36-1-3-8	varies	These are judgments for local ordinance violations.		100% or	100%	Deposited to the County or Local General Fund depending on whether the ordinance is countywide or a city/town ordinance.
Court Administration Fee	33-37-5-27; 33-34-8-1(a)(12); 33-34-8-3(b)(1)(C); 33-34-8-3(c); 33-37-4-1(b)(18); 33-37-4-2(b)(14); 33-37-4-4(b)(8); 33-37-4-6(b)(7); 33-37-4-7(b)(7); 33-	\$5	Collected in each action in which a person is convicted of an offense, required to pay a pretrial diversion fee, found to have committed an infraction or found to have violated an ordinance and in each small claims action.	100% or 60%		0% or 40%	All courts, except Marion County Township Courts, distribute this fee to the State General Fund. Marion County Township Courts distribute 60% to the State General Fund and 40% to the township trustee to fund operations of the township small claims court.

Indiana Trial Court Fee Manual

Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
	37-7-2(h)(4); 33-37-7-8(g)(3)						
Court Costs (except Marion County Township Courts)	33-37-4-1(a); Rule PC 1 section 2; 33-37-4-2(a); 33-37-4-3(a); 33-37-4-6; 33-37-4-7(a); 33-37-7-2(a)(1); 33-37-7-4(a)(1); 33-37-7-6(a)(1); 33-37-7-8	\$120 felony or misdemeanor; \$70 infraction or ordinance violation; \$120 juvenile actions (including CHINs, delinquency and paternity); \$100 civil actions (some civil actions are exempted); \$35 small claims (except for Marion County Township Courts); \$120 probate/trust cases	Court costs are charged upon conviction for felony or misdemeanor, charged upon judgment for infraction or ordinance violation; and upon filing for civil actions, small claims, and probate/trust cases.	70% or 55%	27% or 20%	3% or 25%	Court costs collected in the circuit and superior courts are distributed to the State, County, and Local General Funds in the following percentages: 70%, 27% and 3%. If court costs are collected in city or town courts they are distributed to the State, County, and Local General Funds in the following percentages: 55%, 20% and 25%.

Indiana Trial Court Fee Manual

Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
Court Costs for Marion County Township Courts	33-34-8-1(a)(1); 33-34-8-1(b); 33-34-8-3; 33-37-4-2	\$37	A township docket fee of \$5 plus 45% of the court costs fee from 33-37-4-2 for an infraction/ordinance violation case (currently \$70) rounded up to the nearest whole dollar.			100%	This fee is distributed to the township trustee monthly.
Deferral Program Fee (assessed in deferral programs for infractions and ordinance violations)	34-28-5-1(g); 34-28-5-1(h); 33-37-4-2(c)(3); 33-37-4-2(e); 33-37-7-2(a); 33-37-7-8(a); 33-37-8-3(b)(4); 33-37-8-5(b)(6); 33-37-8-5(c); 4-6-12-9; 33-37-8-4(b); 33-37-8-6(b)	The initial user's fee may not exceed \$52 and the monthly fee may not exceed \$10. The monthly fee is charged each month the defendant remains in the deferral program.	This fee is assessed in lieu of standard court costs and judgments when the county prosecutor or municipal attorney has established a deferral program for infractions and ordinance violations. The defendant may be charged an initial user's fee and a monthly user's fee. The initial and monthly user's fees are collectively referred to as the Deferral Program Fee. In addition, if the action involves a moving traffic violation, the defendant is also assessed a court cost of \$70. The court must assess the \$5 Automated Record Keeping Fee in all deferral program cases. Deferral programs are not available to offenses under IC 9-24-6 involving the operation of a commercial motor vehicle.		100% or	100%	The Deferral Program Fee (initial and monthly user's fees) is deposited in the County or City/Town User Fee Fund depending on the court collecting. The county auditor is directed to deposit \$2 of each Deferral Program Fee to the Jury Pay Fund. Funds derived from a deferral or pretrial diversion program may be disbursed only by the adoption of an ordinance appropriating the finds for the specific purposes defined in IC 33-37-8-4(b) and these funds may only be used in accordance with guidelines adopted by the prosecuting attorney's council under IC 33-39-8-5.

*Indiana Trial Court Fee Manual*

Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
Deferred Prosecution Fee (assessed in pretrial diversion programs for certain misdemeanors, level 6 and level 5 felonies see 33-39-1-8)	33-37-5-17; 33-39-1-8; 33-37-7-2(a)(7); 33-37-7-4(a)(7); 33-37-7-6(a)(7); 33-37-7-8(a)(5), (b)(5), and (c)(5); 33-39-1-8(d); 33-39-1-8(h); 33-37-4-1(b)(10)	\$120	This fee is assessed in lieu of standard court costs when the county prosecutor or municipal attorney has established a pretrial diversion program. The defendant must be charged a mandatory Deferred Prosecution Fee of \$120. The defendant must also be charged the Automated Record Keeping Fee and may be assessed Pretrial Diversion Program Fees.	70% or 55%	27% or 20%	3% or 25%	The Deferred Prosecution fee is distributed to the State/County/Local General Funds in the following percentages 70%/27%/3% if assessed in a circuit or superior court or 55%/20%/25% if assessed in a city/town court.
DNA Sample Processing Fee	33-37-5-26.2; 33-37-7-2(h)(3); 33-37-4-1(b)(19); 33-37-4-2(b)(15); 33-37-7-8(g)(2); 33-37-7-9(b)(9); 10-13-6-9.5	\$3	Collected from anyone convicted of a felony or misdemeanor, found to have committed an infraction or ordinance violation or required to pay a Pretrial Diversion Fee.	100%			Distributed to State General Fund for deposit to the DNA Sample Processing Fund.
Document Fee	33-37-5-1; 33-37-5-3; 33-37-5-4; 33-37-5-5	not more than \$1 per page to prepare a transcript or copy of any record; \$1 per certificate; \$3 to record transcript of judgment	Several different document fees may be assessed. A document fee may be charged for preparing a transcript or a copy of any record; to authenticate (certify under seal) a copy of any record, paper, or transcript; or to		100% or	100%	Any Document Fee collected for preparing a transcript or copy of any record should be deposited in the Clerk's Record Perpetuation Fund IC 33-37-5-2(a)(6). All other Document Fees should be deposited to County or Local General Fund depending on collecting court.

Indiana Trial Court Fee Manual

Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
			prepare/record a transcript of any judgment to become a lien on real estate.				
Document Storage Fee	33-37-5-20, 33-37-5-2(a)(2); 33-34-8-1(a)(6); 33-34-8-3(b)(2); 33-37-4-1(b)(11); 33-37-4-2(b)(8); 33-37-4-3(b)(6); 33-37-4-4(b)(3); 33-37-4-6(b)(2); 33-37-4-7(b)(2)	\$5	Collected in all civil, criminal, juvenile, probate, infraction, ordinance violation, and small claims actions including small claims actions in a Marion County Township Court.  Beginning July 1, 2015, the document storage fee increased to \$5 (from \$2) in all civil, criminal, infraction, and ordinance violation cases.		100% or	100%	Deposited to County Clerk Record Perpetuation Fund or Local Clerk Record Perpetuation Fund depending on collecting court.
Domestic Violence Prevention and Treatment Fee	33-37-5-13; 33-37-7-2(b)(4); 33-37-4-1(b)(8)	\$50	Collected in criminal actions in which the defendant is found guilty of murder, causing suicide, voluntary manslaughter, reckless homicide, battery/domestic battery, strangulation, or rape and the victim is the defendant's spouse, former spouse, living as if the defendant's spouse, or if the victim has a child in common with the	100%			Distributed to State User Fee Fund.



Indiana Trial Court Fee Manual

Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
			defendant. This fee is sometimes referred to as the "Family Violence Fee".				
Drug Abuse, Prosecution, Interdiction, and Correction Fee	34-48-4; 33-37-4-1(b)(5); 33-37-5-9; 33-37-7-2(b)(1); 33-37-7-2(c)(1); 5-2-11-2; 35-48-4	at least \$200 but not more than \$1,000	All courts, including city/town courts, must assess this fee of at least \$200 but not more than \$1,000 against a person convicted of a controlled substance offense. The court must consider the person's ability to pay when determining the amount of the fee.	25%	75%		25% is deposited in the State User Fee Fund and 75% is deposited in the County Drug Free Community Fund. The county auditor administers this fund. Each year the county fiscal body appropriates from the fund amounts allocated by the county legislative body for the use of persons, organizations, agencies, and political subdivisions to carry out recommended actions by the local coordinating council and approved by the Commission for a Drug Fee Indiana. See IC 5-2-11-5.
Emergency Medical Services Restitution Fee	9-30-5-17; 16-31-8	Not to exceed \$1,000	Assessed in felony/misdemeanor convictions under IC 9-30-5 (OVWI). For emergency medical services necessitated due to the offense.	100%			Distributed to the Emergency Medical Services Restitution Fund.
Fines and Forfeitures	Indiana Constitution Article 8 section 2	varies	Fines and forfeitures are assessed in criminal convictions.	100%			All fines and forfeitures are deposited in the State Common School Fund.
Guardian Ad Litem/Court Appointed Special Advocate (GAL/CASA) User Fee in Dissolution or Legal Separation Actions	31-15-6-10; 31-15-6-11; 31-17-6-9	No amount specified by statute	Court may order either or both parents of a child for whom a GAL/CASA is appointed in a dissolution or legal separation action to pay this user fee. The court may order this fee paid to the clerk or directly to the GAL or CASA program that provided the services or to the individual or		100%		If this fee is paid to the clerk, it is deposited in the county GAL or County CASA fund. The fiscal body of the county appropriates money from these funds to a court having jurisdiction over custody actions for the court's use in providing GAL/CASA services including the costs of representation.

Indiana Trial Court Fee Manual

Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
			attorney GAL that provided the services.				
Guardian Ad Litem/Court Appointed Special Advocate (GAL/CASA) User Fee in Juvenile Actions	31-40-3-1; 31-40-3-2	Not to exceed \$100	The Juvenile division of the trial court may order the parent or estate of a child for whom a guardian ad litem or a special advocate is appointed to pay up to \$100 for the service.		100%		The money is paid to the county probation department which deposits the fee to either the County GAL or County CASA fund, depending upon the appointment. The fiscal body of the county appropriates money from these funds to county juvenile courts allowing them to provide GAL/CASA services.
Highway Worksite Zone Fee	33-37-5-14; 33-37-7-2(b)(5); 33-37-4-1(b)(9); 33-37-4-2(b)(5); 33-37-7-2(b)(5); 33-37-7-8(d)(3); 9-21-5-2; 9-21-5-3; 9-21-8-75	\$0.50 or \$25.50	The clerk must collect a fifty-cent (\$.50) Highway Worksite Zone Fee in each traffic offense, including traffic infractions, misdemeanors, and ordinance violations. If the offense involves exceeding a worksite speed limit or failure to merge properly in the work zone AND the judge orders to the clerk to collect the fee for exceeding a worksite speed limit or failure to merge, the fee is \$25.50.	100%			Distributed to State User Fee Fund.

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Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
Informal Adjustment Program Fee	31-37-9-9; 31-37-9-10; 33-37-8-5(b)(2)	A monthly fee of at least \$5 but no more than \$15	Assessed in lieu of juvenile court costs for each month a child participates in a Program of Informal Adjustment.		100%		Collected by the probation department and transferred to the county auditor for deposit to County User Fee Fund.
Infraction Judgment Collections	34-28-5-5(c); 34-28-5-4(h); 34-28-5-5(e)	varies	Judgments collected for cases in which a defendant is found to have committed an infraction that has statewide applicability.	100%	special statute for Marion County		In most cases these funds are deposited in the State General Fund however there are exceptions such as worksite speed limit judgments, child restraint violations and youth tobacco civil penalties. Marion County must deposit infraction judgment collections for traffic violations in a dedicated non-reverting county fund used to pay county commissioners appointed under 33-33-49 and for Marion County's guardian ad litem program.
Interstate Probation Transfer Fee	11-13-4.5-4	\$125	An Indiana offender or delinquent child on probation or parole who applies to be transferred out of state under the Interstate Compact for Adult Offender Supervision or Interstate Compact for Juveniles must pay a fee of \$125 to the county probation department (if on probation) or the department of correction (if on parole).	50% or 100%	50% or 0%		The fees collected by probation shall be transferred to the county treasurer who will deposit 50% in the County Offender Transportation Fund. The remaining 50% shall be transmitted to the Indiana Supreme Court for deposit in the general fund to be used to cover the cost of administering the Interstate Compact for Adult Offender Supervision and the Interstate Compact for Juveniles. The fees collected by the department of correction shall be deposited in the general fund to be used to cover the cost of administering the Interstate Compact for Adult Offender Supervision and the Interstate Compact for Juveniles.
Intra-state Probation Transfer Fee	Indiana Rules of Criminal Procedure 2.3(D)	\$75	A probationer who applies to have supervision transferred from one county to another within the State of Indiana pays a \$75 transfer fee to the receiving court. The receiving court may waive		100%		This fee is deposited in the receiving county's Supplemental Adult Probation Services Fund.

Indiana Trial Court Fee Manual

Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
			this fee if the offender is indigent.				
Judicial Insurance Adjustment Fee	33-37-5-25; 33-34-8-1(a)(10); 33-34-8-3(b)(1)(D); 33-37-4-1(b)(16); 33-37-4-2(b)(12); 33-37-4-3(b)(10); 33-37-4-4(b)(6); 33-37-4-6(b)(5); 33-37-4-7(b)(5); 33-37-1-1; 33-37-7-2(i); 33-37-7-8(h); 33-38-5-8.2	\$1	Collected in all actions.	100%			Distributed to state auditor for deposit to the state general fund.
Judicial Salaries Fee	33-37-5-26; 33-34-8-1(a)(11); 33-34-8-3(b)(1)(E); 33-37-4-1(b)(17); 33-37-4-2(b)(13); 33-37-4-3(b)(11); 33-37-4-4(b)(7); 33-37-4-	\$15 for small claims action including small claims actions filed in a Marion County Township Court, \$20 for all other actions	This fee is imposed in all cases to support judicial salaries for the court.	100% or 75%		0% or 25%	Circuit and superior courts distribute 100% to the State General Fund however city, town and township courts may retain 25% and distribute the remainder to the State General Fund. The 25% retained by the city and town courts is used to fund court operations. The 25% retained by a township court is deposited in the Township General Fund.

Indiana Trial Court Fee Manual

Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
	6(b)(6); 33-37-4-7(b)(6); 33-37-7-2(h)(2); 33-37-7-8(i); 33-37-1-1						
Jury Fee	33-37-5-19; 33-37-4-2(b)(7); 33-37-8-5; 33-37-8-8; 33-37-11-2	\$2	Collected in each action in which a defendant is found to have committed a crime, violated a statute defining an infraction or violated an ordinance of a municipal corporation. City courts can conduct jury trials and should collect the jury fee.		100%		Distributed to the County User Fee Fund. If the clerk certifies to a county fiscal body the amount of jury fees collected, the county fiscal body will direct the auditor to transfer the amount to the Jury Pay Fund.
Juvenile Probation User's Fees	31-40-2-1; 31-40-2-1.5; 31-40-2-1.7	Initial User's Fee \$25 - \$100; Monthly User's Fee \$10 - \$25 per month; Administrative Fee \$100	A court may order a juvenile and/or the parent of a juvenile who is placed on supervision to pay an initial user fee from \$25 to \$100 and a monthly user fee from \$10 to \$25. If a delinquent child is supervised, the administrative fee is \$100, which is collected before the other probation user fees. A delinquent child placed on probation for more than one delinquent act may be required to		100%		These fees are deposited in the County Supplemental Juvenile Probation Services Fund. The clerk may keep up to 3% to defray administrative costs (deposited in the Clerk Record Perpetuation Fund). The clerk may also be asked to transfer an additional 3% of the Probation User Fee to the County, City or Town General Fund depending upon the requesting fiscal officer.

Indiana Trial Court Fee Manual

Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
			<p>pay more than one initial probation user's fee; however, he/she cannot be required to pay more than one monthly probation user's fee. A court may order a person to pay probation user fees that exceed the statutory maximums if that person was placed on probation in another state and moved or transferred to Indiana; the other state allows a higher probation user's fee than Indiana's maximum, and the probation user's fees the Indiana court orders the person to pay does not exceed the maximum amount allowed in the other state. A probation department may petition a court to impose or increase a probation user's fee if the financial ability of the supervised person changes while on probation.</p>				
Late Payment Fee	33-37-5-22; 33-34-8-1; 33-37-4-1(b)(13); 33-37-4-2(b)(10); 33-37-4-3(b)(8); 33-	\$25	<p>This fee is imposed if a defendant, convicted of a criminal action, ordinance violation, infraction (including unlawfully parking in a space reserved for a person with a physical disability; also</p>		100% or	100%	<p>Deposited in the County or Local General Fund depending on the collecting court; however, if the fee is collected by the circuit court, a local ordinance may provide 40% of late fees will be deposited in the Clerk Record Perpetuation Fund and 60% in the County General Fund. If the fee is collected by the city or town court, disbursal is to the local general fund. If fee is collected by Marion County Small Claims Court, disbursal is to the township trustee.</p>

Indiana Trial Court Fee Manual

Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
	37-5-2(a)(3); 33-37-7-2(d); 33-37-7-8(f)(1)		includes default judgment, but may not be assessed if defendant has merely failed to appear), or delinquent act, fails to pay the costs, fines, or civil penalties to the clerk by the deadline set by the court. A court can suspend the late payment fee if the court finds good cause for failure to make timely payment of the fee. This fee of \$25 <b>must be adopted by local rule.</b>				
Late Surrender Fee	27-10-2-12(c) and (i); 36-8-10-12; 35-33-14-5	The fee amount is based on the number of days it takes for bail agent/surety to comply with the court order to surrender defendant to the court	When a bonded defendant fails to appear, a late surrender fee based on a percentage of the value of the bond is assessed against the bail agent/surety.		100%		50% is deposited in the Police Pension Trust Fund and 50% is deposited in the County Extradition Fund.
Law Enforcement Continuing Education Program Fee	33-37-5-8(c); 33-37-4-1(b)(4) and (d)(4); 33-37-4-2(b)(3) and (c)(2); 33-37-8-3(b)(3); 33-37-8-5(b)(5)	\$4	This fee is charged in each action where a defendant is found to have committed a crime or violated a statute defining an infraction or violated an ordinance of a municipal corporation.		100% or	100%	This fee is deposited in the County or Local User Fee Fund depending on the court collecting. The county or local law enforcement agency may submit claims containing verified statement of cause numbers for fees collected attributable to the law enforcement efforts of that agency. These statements are submitted to the county or local fiscal body. Funds are ultimately deposited into the county or local Law Enforcement Continuing Education Fund. This fund may only be used for the purposes stated in IC 5-2-8-1 or IC 5-2-8-2.

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<b>Fee/Cost/Fine</b>	<b>Citation</b>	<b>Fee Amount</b>	<b>Assessment Notes:</b>	<b>State</b>	<b>County</b>	<b>Local</b>	<b>Distribution Notes:</b>
Marijuana Eradication Program Fee	33-37-5-7; 35-48-4; 15-16-7-8; 33-37-8-5(b)(3)	up to \$300	This fee may be assessed by the court in any conviction relating to a controlled substance in a county with a Weed Control Board.		100%		This fee is deposited in the County User Fee Fund. Upon receipt of monthly claims submitted under oath to the fiscal body by the Weed Control Board, the fiscal body shall appropriate the amount collected to the Marijuana Eradication Program.
Pretrial Diversion Program Fee (assessed in pretrial diversion programs for certain misdemeanors, level 6 and level 5 felonies see 33-39-1-8)	33-39-1-8(d); 33-39-1-8(h); 33-37-4-1(c); 33-37-4-1(d); 33-37-8-3(b)(1); 33-37-8-5(b)(1); 33-37-8-6(b); 33-37-8-7; 33-37-8-4(b); 33-37-8-6(b); 33-37-4-1(b)(10); 33-37-7-2(a); 33-37-7-8; 33-37-5-17; 33-37-7-4(a)(7); 33-37-7-6(a)(7); 33-37-4-2(b)(6)	\$50 initial user's fee for a misdemeanor and \$75 initial user's fee for a felony and \$20 monthly user's fee. May also assess any additional program fee or cost that is reasonably related to the person's rehabilitation and approved by the court.	This fee may be assessed as part of a pretrial diversion program established by the county prosecutor or municipal attorney. The Pretrial Diversion Fee consists of a \$50 initial user's fee for a misdemeanor and \$75 initial user's fee for a felony and a \$20 monthly fee. The monthly fee is assessed for each month the accused remains in the pretrial diversion program and may not be collected beyond the maximum length of the possible sentence. The initial user's fee and monthly user's fee are collectively referred to as the Pretrial Diversion Fee (see IC 33-37-4-1(c)). These fees may be waived by the prosecutor/municipal attorney. The court must assess the Deferred Prosecution Fee and the Automated Recordkeeping Fee in pretrial diversion cases.		100% or	100%	Deposited in the County or Local User Fee Fund depending on the court collecting. Pretrial Diversion Fees deposited in the County User Fee Fund may ultimately be deposited in a County Pretrial Diversion Program Fund if one has been established. Funds derived from a deferral or pretrial diversion program may be disbursed only by the adoption of an ordinance appropriating the funds for the specific purposes defined in IC 33-37-8-4(b) and these funds may only be used in accordance with guidelines adopted by the prosecuting attorneys council under IC 33-39-8-5.



*Indiana Trial Court Fee Manual*

Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
Pretrial Services Fees	35-33-8-3.3	initial: \$25 to \$100; monthly: \$15 to \$30; administrative: \$100	Collected if the defendant has a prior unrelated conviction for any offense, is charged with a new offense, and is placed under the supervision of a probation officer or pretrial services agency. Defendant must have the ability to pay and the court finds by clear and convincing evidence that the supervision is necessary to ensure the defendant's appearance in court or the physical safety of the community or another person.		100%		The clerk may retain no more than 3% of this fee to defray the administrative costs of collecting this fee. The clerk's portion is distributed to the county auditor for deposit in the County General Fund. The remainder of the fee is deposited 50% to County Supplemental Adult Probation Services Fund and 50% to County Supplemental Public Defender Services Fund.
Pro Bono Services Fee	33-37-5-31; 33-34-8-1(a)(13); 33-34-8-3(b)(1)(F); 33-37-4-4(b)(12); 33-37-4-6(b)(8); 33-37-4-7(b)(8); 33-37-7-2(n); 33-37-7-8(j)	\$1	Effective July 1, 2012, and ending July 1, 2025, this fee is collected in each civil action, small claims action and probate action that requires payment of filing fees/costs.	100%			Distributed semiannually to the state auditor for further distribution to the Indiana Bar Foundation to be used by the foundation to assist or establish approved pro bono legal services programs.
Problem Solving Court Fee (replaced the Drug Court Fee and Reentry Court Fee in 2010)	33-37-5-24; 33-23-16-23; 33-37-8-5(b)(8)	Administration Fee not to exceed \$100; Monthly Fee not to exceed \$50	This fee consists of the monthly fee, the administration fee and any fees for problem solving court services adopted by local court		100%		Distributed to County User Fee Fund to be used to fund problem solving court services under IC 33-23-16.

Indiana Trial Court Fee Manual

Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
			rule. The monthly fee can vary by court provided the fee does not exceed the \$50 monthly maximum set by the Indiana Problem Solving Courts Committee. The administration fee may not exceed \$100 for initial problem-solving court services. Problem solving courts may also adopt fees for other problem-solving court services such as chemical testing fees or transfer fees, by local rule provided these local fees are consistent with the range of fees established by the Board of Directors of the Judicial Conference of Indiana.				
Public Defense Administration Fee	33-37-5-21.2; 33-37-1-1; 33-34-8-1(a)(9); 33-34-8-3(b)(1)(B); 33-37-4-1(b)(15); 33-37-4-2(b)(11); 33-37-4-3(b)(9); 33-37-4-4(b)(5); 33-37-4-6(b)(4); 33-37-4-	\$5	Collected in all case types.	100%			Distributed to the State General Fund.

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Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
	7(b)(4); 33-37-7-2(h)(1); 33-37-7-8(g)(1)						
Redocketing Fee (Marion County Township Courts only)	33-34-8-1(a)(5); 33-34-8-3(a)	\$5	This fee is assessed if a claimant seeks to have a previously closed or dismissed case reopened for a resolution.			100%	Distributed to township trustee monthly.
Reimbursement of Incarceration Costs	35-50-5-4; 36-2-13-15; 36-2-13-16	the lesser of \$30 per day or the per diem calculated by the auditor	If a county has enacted an ordinance under 36-2-13-15 this fee may be ordered if a person is sentenced for a felony or misdemeanor and detained in a county jail for more than 72 hours. This fee may not be assessed if the defendant is a member of a family that makes less than 150% of the federal income poverty level or if the defendant has been detained as a child subject to the jurisdiction of the juvenile court.		100%		Distributed to the Nonreverting County Prisoner Reimbursement Fund.

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Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
Reimbursements to County or Municipality for Public Defense Expenditures	33-40-3-1, 35-33-7-6; 33-40-3-10; 33-40-3-6; 33-37-2-3; 35-33-8-3.2	reimbursement cannot exceed the amount expended for public defense for that defendant	At the initial hearing, after the defendant is declared indigent but able to pay costs of representation, the court shall order the defendant to pay a fee of \$100 for a felony or \$50 for a misdemeanor. A court is not prohibited from imposing the fee at other stages in the proceeding. See I.C. 35-33-7-6. If the court finds a convicted person is not indigent, it shall order the person to pay the entire amount of costs at the time sentence is pronounced, at some later date, or the person may be ordered to pay specified parts of the costs at designated intervals. The court may suspend payment of costs until the convicted person has completed all or part of the sentence. If the court suspends payment of costs, it must conduct an indigency hearing at the time costs are due. See I.C. 33-37-2-3. The court can also reduce costs for defendants who complete community service. See I.C. 33-37-2-3(i). The court can deduct fines, costs, fees and		100% or	100%	All statutes that require a defendant to reimburse a county for public defense expenditures require the clerk to deposit the monies received to the Supplemental Public Defender Services Fund. All courts, other than city courts in Lake County, must deposit these funds to the County Supplemental Public Defender Services Fund. See I.C. 33-40-3-1. Although a city court may have provided for an indigent defendant's representation out of its own budget, all city courts, other than those in Lake County, must collect and deposit the fee assessed under I.C. 35-33-7-6 and all other reimbursements for public defense expenses to the County Supplemental Public Defender Services Fund. Only Lake County city courts are authorized by statute to have Local Supplemental Public Defender Services Funds. See IC. 33-40-3-10.

Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
			restitution upon conviction, and the publicly paid costs of representation regardless of conviction from cash bonds or the cash deposit on a surety bond (but not bail bonds or real estate bonds), provided the defendant or each person who makes a deposit on behalf of the defendant, executes an agreement to the attachment of the bond upon disposition of the case. Any amount remaining after payment of these costs is remitted to the defendant or person who made the deposit on behalf of the defendant. I.C. 35-33-8-3.2.				
Reimbursements to Department of Natural Resources	14-8-2-318; 14-22-40-7; 14-22-40-8; 33-37-5-16(3); 14-22-3-3(1); 14-22-3-4	Amounts are set by statute and range from \$20 to \$1,000	Three statutes (14-22-38-4 Unlawful taking or unlawful sale of deer or wild turkey; 14-22-38-5 Unlawful taking of other wild animals; 14-22-40-6 Unlawful shooting at law enforcement decoys) require a court to collect reimbursement for the DNR.	100%			Distributed to the DNR funds established under 14-22.

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Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
Safe Schools Fee	33-37-5-18; 33-37-7-2(b)(6); 33-37-7-8(d)(4); 33-37-7-8(f)(4)	\$200 to \$1,000 based on the defendant's ability to pay	In each criminal action in which a person is convicted of an offense in which the possession or use of a firearm was an element of the offense or a person recklessly passes a school bus stopped with signal device extended, the court must assess a Safe School Fee.	75%	25%	25%*	Distributed to State User Fee Fund & County General Fund.  *Fees collected by a city or town court shall be distributed to the city or town general fund.
Service of Process Fee	33-37-5-15(a); 36-8-10-12; 33-37-5-15(d)	\$28	Collected from the person requesting service of a writ, an order, a process, a notice, a tax warrant, or any other paper by sheriff May only be collected one time per case for the duration of the case, however, the Sheriff is allowed to collect <u>one</u> additional service of process fee of \$28 per case for any post judgment service. Must be collected by the clerk.		100%		The clerk distributes this fee to the county auditor who will deposit \$1 from each fee collected into the clerk's record perpetuation fund and the remaining \$27 in the County Pension Trust or County General Fund if there is no County Pension Trust.
Service of Process Fee (civil actions filed outside of Indiana)	33-37-5-15(b); 36-8-10-12; 33-37-5-15(d)	\$60	Collected from the person requesting service by sheriff in Indiana of a writ, order, process, notice, tax warrant, or any other paper for a civil action filed outside of Indiana. This fee may only be collected one time per case for the duration of the case and is collected by the clerk.		100%		The clerk distributes this fee to the county auditor for deposit in the County Pension Trust or County General Fund if there is no County Pension Trust.

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Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
Service of Process Fee (Marion County Township Courts)	33-34-8-1(a)(2); or 33-34-8-1(a)(3); 33-34-6-4(b)(5); 33-34-6-4(b)(6); 33-34-6-4(b)(7)	\$15 for service by certified mail or \$15 for personal service	The plaintiff in a small claims action in a Marion County Township Court may choose service by certified mail or personal service and will only be charged one \$15 service fee.				This fee is distributed to the constable or bailiff who executed service.
Sexual Assault Victims Assistance Fee	33-37-5-23; 5-2-6-23(h); 33-37-4-1(b)(14); 33-37-7-2(e)	Effective July 1, 2014, the fee is \$500 to \$5,000. The prior range was \$250 to \$1,000	Collected on convictions of rape, criminal deviate conduct, child molesting, child exploitation, vicarious sexual gratification, child solicitation, child seduction, sexual battery, sexual misconduct with a minor as a Class A or Class B felony, incest, promotion of human labor trafficking, promotion of human sexual trafficking, promotion of human child sexual trafficking of a minor, promotion of sexual trafficking of a younger child, child sexual trafficking, or human trafficking	100%			Distributed to the Sexual Assault Victims Assistance Account within the State General Fund

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<b>Fee/Cost/Fine</b>	<b>Citation</b>	<b>Fee Amount</b>	<b>Assessment Notes:</b>	<b>State</b>	<b>County</b>	<b>Local</b>	<b>Distribution Notes:</b>
Small Claims Garnishee Defendant Service Fee	33-37-4-6(a)(1)(C); 33-37-4-6(a)(3); 33-37-7-2(g)(2); 33-37-7-8(f)(3); 33-35-3-9(c)	\$10 per additional garnishee added in excess of three garnishees	Collected from the party filing the small claims action for each garnishee named in excess of three garnishees. When a garnishee is added in excess of three garnishees, this fee is collected from the party adding the additional garnishee(s). This fee may not be assessed in an action filed using the Indiana electronic filing system.		100% or	100%	Depending on court collecting, this fee is distributed to County or Local General Fund.
Small Claims Service Fee	33-37-4-6(a)(1)(B); 33-37-4-6(a)(2); 33-37-7-2(g)(1); 33-37-7-8(f)(2); 33-35-3-9(c)	\$10 for each additional party added after the first named defendant in the case	The plaintiff in a small claims action pays this fee when other civil costs are paid. This fee may not be assessed in an action filed using the Indiana electronic filing system.		100% or	100%	Depending on court collecting, this fee is distributed to County or Local General Fund.
Special Death Benefit Fee	35-33-8-3.2(a) and (d); 5-10-10-5(a)	\$5	Collected by the clerk or sheriff at the time bail is collected.	100%			This fee is forwarded to the county auditor for further remittance to the Special Death Benefit Fund managed by the trustees of the Public Employees' Retirement Fund.



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<b>Fee/Cost/Fine</b>	<b>Citation</b>	<b>Fee Amount</b>	<b>Assessment Notes:</b>	<b>State</b>	<b>County</b>	<b>Local</b>	<b>Distribution Notes:</b>
Support and Maintenance Fee	33-37-5-6; 31-16-21-1; 33-37-4-4(b)(2); 33-37-7-2(f)	\$55 for the calendar year	Applies to any action in which a final court order requires a person to pay support or maintenance payments through the clerk or the State Central Collection Unit. The clerk may not deduct this fee from a support or maintenance payment.	100% or	100%		Fees collected in non Title IV-D child support cases are distributed to the county auditor. Fees from Title IV-D cases: are distributed as follows: the designated percentage share that is reimbursable to the county at the federal financial participation rate is delivered to the county auditor and money not reimbursable to the county shall be delivered to the Office of the Secretary of Family and Social Services. The fee goes to the County General Fund if collected by the county clerk, or the State General Fund if collected by the State Central Collection Unit.
Vehicle License Judgments (Overweight vehicle cases)	9-20-18-12(f); 33-37-5-16(2)	varies	Infraction judgments in overweight vehicle cases.	100%			Distributed to the State Highway Fund.
Worksite Speed Limit Judgments	9-21-5-11; 8-23-2-15(b)	Judgments range from \$300 to \$1,000 depending on whether the person charged with the infraction violation has committed prior infractions of violating a speed limit within the previous three years.	The Indiana Department of Transportation, the Indiana Finance Authority, or a local authority may establish temporary maximum speed limits in their respective jurisdictions and in the vicinity of a worksite. These temporary speed limits must be at least 10 mph below the maximum established speed limit, cannot exceed 45 mph and may only be enforced if workers are present in the immediate vicinity of the worksite or if the establishing authority determines the safety of the traveling public requires enforcement. The establishing authority shall post signs notifying	100%			The funds collected as judgments for the infraction of violating a worksite speed limit are transferred to the Indiana Department of Transportation to hire off duty police officers to patrol highway work zones.

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Fee/Cost/Fine	Citation	Fee Amount	Assessment Notes:	State	County	Local	Distribution Notes:
			the traveling public of the temporary maximum speed limits.				
Youth Tobacco Civil Penalty	7.1-3-18.5-6(d); 7.1-3-18.5-7; 7.1-6-2-6; 7.1-6-2-8; 24-3-5-5; 24-3-5-8; 35-46-1-10; 35-46-1-10.2; 35-46-1-11.5; 35-46-1-11.7; 35-46-1-11.8	varies	Civil penalty assessed most often for sale of tobacco to minors but there are other situations in which this penalty is assessed.	100%			The clerk distributes these funds to the state auditor for deposit to the Richard D. Doyle Youth Tobacco Education and Enforcement Fund.



## APPENDIX A

### Payment of Court Costs, Community Restitution, or Service

#### **IC 35-31.5-2-50 "Community restitution or service"**

Sec. 50. "Community restitution or service" means performance of services directly for a:

- (1) victim;
- (2) nonprofit entity; or
- (3) governmental entity;

without compensation, including graffiti abatement, park maintenance, and other community service activities. The term does not include the reimbursement under [IC 35-50-5-3](#) or another law of damages or expenses incurred by a victim or another person as the result of a violation of law.

*As added by P.L.114-2012, SEC.67.*

#### **IC 33-37-1-3 Costs for all proceedings in action**

Sec. 3. (a) The costs imposed by this article are for all proceedings in the action.

(b) The costs imposed by this article include fees.

[Pre-2004 Recodification Citation: 33-19-1-9.]

*As added by P.L.98-2004, SEC.16. Amended by P.L.106-2010, SEC.5.*

#### **IC 33-37-2-3 Imposition, suspension, and reduction of costs; indigency hearing; time for payment; default**

Sec. 3. (a) Except as provided in subsection (b), when the court imposes costs, it shall conduct a hearing to determine whether the convicted person is indigent. If the person is not indigent, the court shall order the person to pay:

- (1) the entire amount of the costs at the time sentence is pronounced;
- (2) the entire amount of the costs at some later date;
- (3) specified parts of the costs at designated intervals; or
- (4) the entire amount of the costs at some later date, less any amount credited under subsections (g) through (i) for the performance of:

(A) allowable community service work ordered by the court as part of the person's sentence or as part of the person's probation; or

(B) uncompensated volunteer work approved by the court at a nonprofit or municipal corporation that benefits the community, even if the volunteer work is not ordered by the court.

(b) A court may impose costs and suspend payment of all or part of the costs until the convicted person has completed all or part of the sentence. If the court suspends payment of the costs, the court shall conduct a hearing at the time the costs are due to determine whether the convicted person is indigent. If the convicted person is not indigent, the court shall order the convicted person to pay the costs:

(1) at the time the costs are due; or

(2) in a manner set forth in subsection (a)(2) through (a)(4).

(c) If a court suspends payment of costs under subsection (b), the court retains jurisdiction over the convicted person until the convicted person has paid the entire amount of the costs.

(d) Upon any default in the payment of the costs:

(1) an attorney representing the county may bring an action on a debt for the unpaid amount;

(2) the court may direct that the person, if the person is not indigent, be committed to the county jail and credited toward payment at the rate of twenty dollars (\$20) for each twenty-four (24) hour period the person is confined, until the amount paid plus the amount credited equals the entire amount due; or

(3) the court may institute contempt proceedings to enforce the court's order for payment of the costs.

(e) If, after a hearing under subsection (a) or (b), the court determines that a convicted person is able to pay part of the costs of representation, the court shall order the person to pay an amount of not more than the cost of the defense services rendered on behalf of the person. The clerk shall deposit the amount paid by a convicted person under this subsection in the county's supplemental public defender services fund established under [IC 33-40-3-1](#).

(f) A person ordered to pay part of the cost of representation under subsection (e) has the same rights and protections as those of other judgment debtors under the Constitution of the State of Indiana and Indiana law.

**(g) Subject to subsection (h), a court may reduce some or all of the costs owed by a person who:**

**(1) has satisfactorily performed court ordered community service work ordered as part of the person's:**

**(A) sentence; or**

**(B) probation; or**

**(2) regularly performed uncompensated volunteer work approved by the court at a nonprofit or municipal corporation that benefits the community, even if the volunteer work is not ordered by the court.**

**(h) If the person is sentenced pursuant to a plea agreement that requires the person to perform:**

**(1) a specific number of hours of community service work; or**

**(2) at least a specific number of hours of community service work;**

**for purposes of subsections (g) and (i), the court may consider only those hours of community service work that exceed the minimum requirements of the plea agreement, if any.**

**(i) The maximum reduction under subsection (g) shall be determined as follows:**

**STEP ONE: Determine the number of hours of community service work satisfactorily performed by the person that exceeds the minimum requirements under subsection (h), if applicable, and the number of hours of court approved uncompensated volunteer work regularly performed by the person.**

**STEP TWO: Multiply the number determined in STEP ONE by the amount of the Indiana minimum wage established under [IC 22-2-2](#).**

**STEP THREE: Subtract the product determined under STEP TWO from the costs owed by the person.**

**A person's costs may not be reduced below zero (0).**

**(j) For purposes of subsections (g) and (i), work is "regularly performed" if all of the following requirements are met:**

**(1) The person works for at least twenty (20) hours in a sixty (60) day period.**

**(2) The person works at least two (2) hours per week.**

[Pre-2004 Recodification Citation: 33-19-2-3.]

*As added by P.L.98-2004, SEC.16. Amended by P.L.156-2007, SEC.2; P.L.77-2019, SEC.1.*