

**JOINT LOCAL RULES
FOR THE
KNOX COUNTY COURTS**

TABLE OF CONTENTS

*** * * Trial Rules * * ***

LR42-TR79-1.0 – **Special Judges (Civil Matters)** 3

*** * * Criminal Rules * * ***

LR42-CR2.2-2.0 – **Assignment of Criminal Cases; Special Judges
(Criminal Matters)** 5

LR42-CR00-2.1 – **Probable Cause Determination and Release
Following Warrantless Arrest** 6

LR42-CR00-2.2 – **Criminal Bond Schedule** 7

LR42-CR00-2.3 – **Bail and Pretrial Services** 8

LR42-CR00-2.4 – **Credit Bonding** 11

LR42-CR00-2.5 – **Secure Detention (Work Release)** 12

*** * * Administrative Rules * * ***

LR42-AR15-3.0 – **Court Reporter Services** 14

LR42-AR00-3.1 – **Prohibiting Weapons** 17

LR42-AR00-3.2 – **Protective Orders** 18

LR42-AR00-3.3 – **Court Alcohol and Drug Program Fees** 19

LR42-AR00-3.4 – **Caseload Allocation Plan** 20

LR42-AR00-3.5 – **Jury System Plan for the Selection of Jurors
in Knox County, Indiana** 22

LR 42-AR00-3.6 - **Knox County Problem Solving Court Fees**..... 25

*** * * Family Law Rules * * ***

LR42-FL00-4.0 – **Pro Se Dissolutions** 26

LR42-FL00-4.1 – **Indiana Child Support Guidelines**
(Worksheet Required) 26

LR42-FL00-4.2 – **Child Support – TANF Benefits** 27

*** * * Trial Rules * * ***

LR42-TR79-1.0 SPECIAL JUDGES (Civil Matters)

- A. KNOX CIRCUIT COURT:** This provision is adopted by the Court due to the large number of recusals that will be necessitated by the filing of an appearance by John R. Gregg, attorney at law, the former spouse of the regular Judge of this Court.
1. In all cases under ES and EU cause numbers, the Honorable Dean Sobecki of the Daviess Superior Court shall automatically qualify and serve as Special Judge therein.
 2. In the event the Special Judge serving under paragraph 1 above disqualifies for any reason, the successor Judge shall be chosen pursuant to the provisions of Trial Rule 79 (D), or as set forth below.
- B. APPOINTMENT OF SPECIAL JUDGE BY CLERK:** In the event a Special Judge selected under Trial Rule 79 (D) does not accept the case, or a Judge disqualifies and recuses under Trial Rule 79(C), then the Clerk of the Court shall appoint on a rotating basis a Special Judge from the following list of presiding Judges:

| | |
|----------------------------|--|
| Knox Circuit Court: | Judge of the Knox Superior Court I Judge of the Knox Superior Court II Judge of the Daviess Circuit Court Judge of the Daviess Superior Court Judge of the Pike Circuit Court Judge of the Martin Circuit Court Judge of the Gibson Circuit Court Judge of the Gibson Superior Court Judge of the Dubois Circuit Court Judge of the Dubois Superior Court |
|----------------------------|--|

| | |
|-------------------------------|---|
| Knox Superior Court 1: | Judge of the Knox Circuit Court Judge of the Knox Superior Court II Judge of the Daviess Circuit Court Judge of the Daviess Superior Court Judge of the Pike Circuit Court Judge of the Martin Circuit Court Judge of the Gibson Circuit Court Judge of the Gibson Superior Court Judge of the Dubois Circuit Court Judge of the Dubois Superior Court |
|-------------------------------|---|

Knox Superior Court II:

Judge of the Knox Circuit Court
Judge of the Knox Superior Court 1
Judge of the Daviess Circuit Court
Judge of the Daviess Superior Court
Judge of the Pike Circuit Court
Judge of the Martin Circuit Court
Judge of the Gibson Circuit Court
Judge of the Gibson Superior Court
Judge of the Dubois Circuit Court
Judge of the Dubois Superior Court

The Clerk shall select a Judge to be assigned by drawing a name from the above-listed Judges, according to the appropriate list, and from time to time thereafter from the remaining Judges until all listed Judges have been assigned an equal number of cases.

If the Judge selected to serve is disqualified or is excused from service, then Clerk of the Court shall appoint the next Judge on the list. If no Judge on the list is eligible to serve as Special Judge or the particular circumstances in the case so warrant, the then presiding Judge in the case shall certify the matter to the Indiana Supreme Court for the appointment of a Special Judge pursuant to Trial Rule 79(H)(3).

*** * * Criminal Rules * * ***

**LR42-CR2.2-2.0 ASSIGNMENT OF CRIMINAL CASES; SPECIAL JUDGES
(Criminal Matters)**

This rule is adopted pursuant to Indiana Criminal Rules 2.2, 12 and 13 for the assignment of cases and selection of a Special Judge in criminal matters.

A. ASSIGNMENT OF CRIMINAL CASES:

See Knox County Caseload Allocation Plan.

B. TRANSFER OF CRIMINAL CASES:

1. After a criminal charge has been filed according to the rules set forth herein, a judge may refer the defendant to a Problem Solving Court, and if accepted by the Problem Solving Court, the Judge may transfer the defendant's case to the Problem Solving Court for admission and disposition in accordance with I.C. 33-23-16-13, 14 or 15 and the Problem Solving Court policies and procedures.

2. By agreement of the relevant Judges, a Problem-Solving Court may initiate and/or accept transfer of cases from another court.

C. ASSIGNMENT OF SPECIAL JUDGES:

In the event of the recusal of a Judge, a change of Judge, or when it becomes necessary to assign another Judge in any criminal case, the case shall be assigned to one of the following Judges who have agreed to serve as a Special Judge in that Court:

| | |
|----------------------------|---|
| Knox Circuit Court: | Judge of the Knox Superior Court 1 Judge of the Knox Superior Court II Judge of the Daviess Circuit Court Judge of the Daviess Superior Court Judge of the Pike Circuit Court |
|----------------------------|---|

| | |
|-------------------------------|--|
| Knox Superior Court 1: | Judge of the Knox Circuit Court Judge of the Knox Superior Court II Judge of the Daviess Circuit Court Judge of the Daviess Superior Court Judge of the Pike Circuit Court |
|-------------------------------|--|

Knox Superior Court II:

Judge of the Knox Circuit Court
Judge of the Knox Superior Court 1
Judge of the Daviess Circuit Court
Judge of the Daviess Superior Court
Judge of the Pike Circuit Court
Judge of the Greene Superior Court

The Clerk is to select a Judge to be assigned by drawing a name from the above-listed Judges, for the appropriate Court, and from time to time thereafter from the remaining Judges until all the listed Judges have been assigned an equal number of cases.

LR42-CR00-2.1

**PROBABLE CAUSE DETERMINATION AND RELEASE
FOLLOWING WARRANTLESS ARREST**

No person shall be detained in the Knox County Jail following a warrantless arrest for more than forty-eight (48) hours without a determination of probable cause and the establishment of a bond by a Knox County Judge or Judge Pro Tempore. If no such determinations have been made within the time period established above, the Sheriff of Knox County shall release the detained person on his/her own recognizance. Provided, however, no person preliminarily charged with Murder shall be released by the Sheriff under the provisions of this paragraph without the approval of a Knox County Judge or Judge Pro Tempore.

Prior to release of the detained person, said person shall execute and deliver to the Sheriff a form providing the following information:

1. The person's full name.
2. Age.
3. Date of birth.
4. Social Security Number.
5. Correct mailing address.
6. Correct residential address.

The Knox County Sheriff shall provide the above information to the Knox County Prosecutor, and the Knox County Courts. Further, if requested by the Courts, the Knox County Sheriff shall provide, at the time of the detained person's release, information to the detained person concerning the date and time of said person's appearance at Court.

LR42-CR00-2.2 CRIMINAL BOND SCHEDULE

Hereafter, until further Order of Knox County Courts, the amounts to which persons charged by indictment or information in the Knox Circuit Court, the Knox Superior Court I or the Knox Superior Court II with a crime shall be held to bail shall be as follows:

| | |
|---------------------|----------|
| Level 1 Felony | \$75,000 |
| Level 2 Felony | \$50,000 |
| Level 3 Felony | \$25,000 |
| Level 4 Felony | \$15,000 |
| Level 5 Felony | \$10,000 |
| Level 6 Felony | \$5,000 |
| | |
| Class A Misdemeanor | \$4,000 |
| Class B Misdemeanor | \$3,000 |
| Class C Misdemeanor | \$2,000 |
| | |
| Habitual Offender | \$50,000 |
| Extradition | \$25,000 |

Provided, however, that:

- (a) Those persons charged with Murder shall be held without bail; and
- (b) Those persons charged with Battery related to domestic or family violence or with Invasion of Privacy shall be held without bail for 48 hours.

The foregoing schedule shall apply to all persons charged with crimes in these Courts unless otherwise endorsed upon the warrant following a probable cause determination or otherwise Ordered by the Court. Persons charged with multiple crimes on the same indictment or information shall be held to bail only on the crime requiring the highest amount of bail.

LR42-CR00-2.3 BAIL AND PRETRIAL SERVICES

There is hereby created a separate Bail and Pretrial Services Agency for each Knox County Court, of which the Judge of each Court is the Director, the rules of which are as follows:

I. Release Pending Trial

A. At an initial hearing, any person charged with aailable offense shall be ordered released pending trial on the person's personal recognizance unless the Judge determines that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the Judge, either in lieu of or in addition to the above method of release, shall impose any or all of the following conditions of release which will reasonably assure the appearance of the person for trial:

1. Place the person in the custody of a designated person or organization agreeing to supervise him or her.
2. Place restrictions on the travel, association, or place of abode of the person during the period of release.
3. Require the execution of a bail bond in a specified amount.
4. Impose any other condition, including a condition requiring that the person return to custody after specified hours of release for employment or other limited purposes.

B. In determining which condition of release, if any, will reasonably assure the appearance of a person as required, the Judge shall consider all facts relevant to the risk of non-appearance, including those factors set out in Indiana Code 35-33-8-4.

II. Bail Bond: Ten Percent (10%) Cash Deposit Security

A. Unless otherwise ordered by the Court, any person for whom a bail bond has been set may satisfy the bond by executing the bail bond and depositing with the Clerk of the Court before which the proceeding is pending a sum of money equal to ten percent (10%) of the bail.

B. Upon execution of the bail bond and deposit of the required sum of money, the Defendant shall be released from custody subject to the conditions of the bail bond. The Court may designate the Court bail agency to supervise the Defendant. Where the Defendant has failed to comply with the conditions of release or with the rules and regulations of the Court bail agency, the Defendant's release may be revoked, and the Defendant may be brought before the Court which shall determine if additional bail shall be set.

- C.** When the conditions of the bail bond have been performed and the Defendant has been discharged from all obligations in the cause, the Clerk of the Court shall return to the Defendant, unless the Court Orders otherwise, ninety percent (90%) of the sum which has been deposited, and shall retain as bail bond costs ten percent (10%) of the amount deposited or fifty dollars (\$50.00), whichever is the lesser amount, pursuant to I.C. 35-33-8-3.2. However, in no event shall the amount retained by the Clerk as bail bond costs be less than ten dollars (\$10.00).
- D.** After a judgment of a fine, Court costs, or other Court Ordered fees is entered in the prosecution of a cause in which a deposit has been made in accordance with Subsection A, the balance of the deposit, after deduction of the administrative fee, may be applied to the payment of the judgment.
- E.** If expenses for attorney fees and other defense costs have been incurred by Knox County, Indiana, in this cause, the balance of the deposit after deduction of the administrative fee, fine, Court costs, or other Court Ordered fees, may, upon Order of the Court, be applied by the Court Clerk to the payment of such expenses.
- F.** At the request of the Defendant, the Court may Order whatever amount is repayable to Defendant from the bail deposit to be paid to the Defendant's attorney of record.
- G.** If the person does not comply with the conditions of the bail bond, the Court having jurisdiction shall enter an Order declaring the bail to be forfeited. Notice of the Order of Forfeiture shall be mailed to the Defendant at the Defendant's last known address. If the Defendant does not appear and surrender to the Court having jurisdiction within thirty (30) days from the date of the forfeiture or within that period satisfy the Court that appearance and surrender by the Defendant is impossible and without fault, the Court shall enter a judgment against the Defendant for the amount of the bail. The deposit made in accordance with Subsection A shall be applied to the payment of the judgment. The balance of the judgment may be enforced and collected in the same manner as a judgment entered in a civil action.

- H.** The administrative fee so collected by the Clerk shall be separately receipted and separately reported to the County Auditor each month on State Board of Accounts, County Form No. 124 and the Clerk shall remit such funds monthly to the County Treasurer. The County Treasurer shall deposit the funds in a separate fund for each Court. The fund for the Knox Circuit Court shall be called the “Knox Circuit Court Bail Agency and Pretrial Services Fund”, the fund for the Knox Superior Court 1 shall be called the “Knox Superior Court 1 Bail Agency and Pretrial Services Fund”, and the fund for the Knox Superior Court II shall be called the “Knox Superior Court II Bail Agency and Pretrial Services Fund”. The fund may be expended, without appropriation, subject to the approval of the Court having jurisdiction over that fund. Any amounts remaining at the end of any fiscal year shall not revert to the General Fund but shall continue in the particular Knox County Court Bail Agency and Pretrial Services Fund. In the event the fund is closed by operation of law or by Order of Court, all remaining funds shall then and in that event revert to the County General Fund.

THE COURTS NOW REVOKE ALL PRIOR ORDERS PERTAINING TO BAIL AND PRETRIAL SERVICES.

LR42-CR00-2.4 CREDIT BONDING

By Joint Order comes now the Judges of the Knox Circuit Court, Superior Court 1 and Superior Court II and hereby Order the Sheriff of Knox County to place on notice all Law Enforcement Officers, Jailers and Bail Bond Agents that pursuant to Indiana statute I.C. 27-10-4-5 “**credit bonding**” cannot be allowed or accepted as a method of payment to a bail agent for his bonding services. The bail agent must collect a full premium for the bail being purchased at the rate approved by the Commissioner. Partial payments to the bail bond agent for his services either by cash or check or postdated checks which have been made out for the full premium are not acceptable methods of payment of bond and violate the intentions of the statute. The Sheriff of Knox County is hereby directed to post this Order in a conspicuous place whereby all parties concerned with the procedure in the issuance of bail bond may find this notice.

LR42-CR00-2.5
SECURE DETENTION (WORK RELEASE)

The Knox County Courts, having been advised of certain concerns regarding the safety and security of residents and personnel of the male and female Work Release facilities operated by the Wabash Valley Regional Community Corrections Program, and the Courts, having carefully considered these matters, **ORDER, ADJUDGE AND DECREE:**

- A. In the event the Director of the Wabash Valley Regional Community Corrections Program (or the Assistant Director acting in the Director's absence) determines that a male or female resident of the Wabash Valley Community Corrections Residential Work Release Program:
1. Has committed a criminal act under Federal law or the laws of the State of Indiana while a resident of the Wabash Valley Regional Community Corrections Work Release Program; or
 2. Has acted in a manner that constitutes an immediate threat to the security of the Wabash Valley Regional Community Corrections Work Release facility or the safety of Wabash Valley Regional Community Corrections personnel and/or other Work Release residents; and
 3. The resident in question:
 - a. Is serving a sentence imposed by the Knox County Courts following a judgment of conviction; or
 - b. Is residing in the Work Release facility as a condition of probation imposed by said Court; or
 - c. Is residing in the Work Release facility as a result of a finding of contempt by said Court;

The Director of the Wabash Valley Regional Community Corrections Program (or the Assistant Director acting in the Director's absence) is empowered and authorized to place the Resident in secure detention at the Knox County Law Enforcement Center.

- (1) Until such time as the resident in question can be safely readmitted to the Work Release facility; or
- (2) For a period of up to five (5) working days pending a hearing conducted by the Conduct Adjustment Board of the Wabash Valley Regional Community Corrections Program, whichever occurs earlier.

- B. The Sheriff of Knox County is Ordered and authorized to detain and hold in secure detention at the Knox County Law Enforcement Center a resident of the Wabash Valley Regional Community Corrections Work Release Program pursuant to the above-stated provisions of this Rule.
- C. The Director of the Wabash Valley Regional Community Corrections Program is Ordered to immediately notify the sentencing Court and the resident's Probation Officer of the facts and circumstances that necessitated detention of the resident at the Knox County Law Enforcement Center.

*** * * Administrative Rules * * ***

LR42-AR15-3.0 COURT REPORTER SERVICES

The Courts of Knox County adopt Model Option Three under Administrative Rule Fifteen and elect to procure certain court reporter services by Transcription Service Agreement.

The court reporters shall be responsible for filing the transcript with the Clerk of the Knox Circuit Court and for providing notice of filing as provided in Appellate Rule 11(A). The court reporters shall be responsible for preparing exhibits and the exhibit index as provided in Appellate Rule 29.

As provided in Trial Rule 74(A), the Judges of the Knox Circuit and Superior Courts authorize and direct the person(s) making the transcript to certify the transcript.

Standard appeal transcripts to be filed within 45 days shall cost \$4.25 per page. Non-appeal transcripts shall cost as follows: \$4.25 per page for completion within 30 days, \$5.25 per page for completion with 14 days, \$6.00 per page for completion within 7 days, \$7.50 per page for completion within 3 days, and \$8.50 per page for completion within 1 day. The minimum fee for any transcript is \$30.00.

TRANSCRIPTION SERVICE AGREEMENT

This Transcription Service Agreement (“Agreement”) is between American Platform Services, LLC, dba TheRecordXchange, a limited liability company in Arizona (“TRX,” “We,” “Us,” or “Our”) and Knox County Courts, Indiana (“Court,” “You,” or “Your”), collectively the “Parties.”

RECITALS

TRX operates a platform through which qualified transcription service providers (“Providers”) will be made available to courts and court reporters. Providers shall be authorized to type, compile, and certify transcripts for appeal and non-appeal purposes. Providers shall deliver certified transcripts to the person who is specifically designated by a court to perform the official court reporting services for the court (“Court Reporter”), or to deliver certified or non-certified transcripts to a party so requesting. Court wishes to use TRX’s platform as an efficient portal to access Providers for the term of this Agreement. This Agreement shall apply to transcription services provided to the Court and any other party wishing to order transcripts or audio recorded by the Court using Our platform.

AGREEMENT

In consideration of the above recitals and the mutual covenants in this Agreement, the Parties agree as follows:

- 1. Qualified Providers.** TRX shall be responsible for vetting potential Providers under this Agreement. Providers shall meet the following requirements:
 - a. Have a licensed business operating in the United States;
 - b. Agree to perform all transcription services under this Agreement in the United States;
 - c. Have at least 3 years of experience providing transcription services to courts in the United States;
 - d. Have a confidentiality agreement on file with TRX and with any independent contractors employed to work on transcriptions under this Agreement;
 - e. Be certified by at least one of the following accredited industry organizations: American Association of Electronic Reporters and Transcribers (AAERT), National Court Reporters Association (NCRA), or National Verbatim Reporters Association (NVRA);
 - f. All transcripts provided hereunder shall be certified by an individual with a valid certificate from one of the above-listed organizations; and
 - g. Agree to provide transcription services in compliance with the Indiana Rules of Appellate Procedure, including the standards for preparing electronic transcriptions found in Appendix A of the rules.

- 2. Services to be Provided.** Providers shall be responsible for delivering the completed transcription to the appropriate Court Reporter. The Judges of Knox County authorize and direct Providers to certify the transcripts that are required to be certified under Indiana Rules of Court. Providers shall complete their work in accordance with this Agreement and the TRX terms of service. If there is a conflict between the terms of these documents, this Agreement shall prevail.

3. Payment. Standard appeal transcripts to be filed within 45 days shall cost \$4.25 per page. Non-appeal transcripts shall cost as follows: \$4.25 per page for completion within 30 days, \$5.25 per page for completion with 14 days, \$6.00 per page for completion within 7 days, \$7.50 per page for completion within 3 days, and \$8.50 per page for completion within 1 day. The minimum fee for any transcript is \$30.00.

TRX and Provider shall be responsible for invoicing and collecting payment from the requesting party. Provider shall be responsible for paying any fees owed to TRX.

4. Term. The term of the Agreement shall begin on the date designated by the Indiana Supreme Court in its Order of Approval (“Effective Date”). TRX or the Court may terminate this Agreement by providing 30 days’ notice of termination. The Court may terminate this agreement at any time with cause. Termination shall not impact the duties of the Parties to perform for any work requested under this Agreement prior to the termination date.

5. Dispute Resolution. If there is a dispute between the Parties related to this Agreement, the Parties agree to act in good faith and attempt to resolve the problem between themselves. If the problem is not resolved after 30 calendar days, the Parties agree to submit the matter to the Chief Administrative Officer of the Indiana Supreme Court for resolution.

6. Authorization. This Transcription Service Agreement is subject to approval by the Indiana Supreme Court under Administrative Rule 15 and Trial Rule 81.

7. Modification. This Agreement can only be modified in a written document signed by both Parties, and subject to Indiana Supreme Court approval.

8. Notice. Unless otherwise specified, all notices required by this Agreement may be hand delivered, sent via certified mail to the receiving Party’s last known address, or sent via email to their last known email address.

9. Additional Actions. Each Party agrees to do all acts and things and to make, execute, and deliver such written instruments and documents as shall be reasonably required to carry out the terms of this Agreement.

10. Counterparts. This Agreement may be executed in multiple counterparts, each of which will be deemed an original, but all of which, when taken together, will constitute one and the same instrument.

LR42-AR00-3.1 PROHIBITING WEAPONS

This Rule is adopted pursuant to the inherent powers of these Courts, and in the interest of public safety and security.

All persons, except those specifically set forth below, are prohibited from carrying, concealed or otherwise, any inhibiting chemical substances, explosive devices, guns, pellet guns, knives, or any deadly weapons as defined by statute in I.C. 35-41-1-8 on any property upon which is situated any building or structure owned or leased by Knox County government. All law enforcement officers and deputies, uniformed or in plain clothes, Judges and Special Judges, prosecutors, special prosecutors and deputies, and probation and parole officers are exempted from this Order.

Any person found in violation of this Order may be detained by a law enforcement officer or Court security officer, thoroughly searched, and any weapons described in this Rule found on or about such person may be confiscated and forfeited to Knox County. Any person violating this Order shall be subject to punishment for contempt of Court which may consist of a fine of up to five hundred dollars (\$500.00) and imprisonment for up to one hundred eighty (180) days. This Order is consistent with Knox County Ordinance No. 2-1995. This Order shall be posted in plain view near the entrances to the Knox County Courthouse, Knox County Courthouse Annex and each of the Knox County Courts.

LR42-AR00-3.2 PROTECTIVE ORDERS

Pursuant to the inherent powers of these Courts, this Rule is hereby promulgated for the administration of Protective Order matters in Knox County, Indiana.

- A. SAME PARTIES/SAME COURT:** If the parties in a Protective Order (PO) petition have a prior dissolution (DR) or paternity (JP) case assigned to a particular Court in Knox County, the subsequent Protective Order matter shall be assigned to the same Court. For example, if the parties have filed a prior paternity (JP) case or Dissolution (DR) case in the Knox Superior Court 1, any subsequent Protective Order filing involving the same parties shall be assigned a Protective Order (PO) number and shall be filed in the Knox Superior Court 1. In the event the parties have filed multiple prior dissolution petitions, the Protective Order case shall be assigned to the Court of the most recent dissolution (DR) filing.
- B. NEW FILINGS IN KNOX CIRCUIT COURT:** Effective January 7, 2003, all new Protective Order filings, except those set forth in paragraph A above, shall be assigned to the Knox Circuit Court.
- C. SUBSEQUENT DISSOLUTION AND PATERNITY FILINGS:** If a Protective Order (PO) petition is filed in the Knox Circuit Court, and a subsequent dissolution (DR) or paternity (JP) action involving the same parties is filed in either the Knox Superior Court 1 or the Knox Superior Court II, the Judge of the Knox Circuit Court shall issue an Order transferring the Protective Order (PO) matter to the Court where the dissolution (DR) or paternity (JP) case is pending. The Clerk shall re-docket the Protective Order with a new Protective Order (PO) file number for the receiving Court.
- D. PROTECTION ORDERS WHEN RESPONDENT IS A JUVENILE:** If a Respondent in a Protective Order (PO) proceeding is a juvenile (under 18 years of age), said Protective Order (PO) proceeding shall be assigned to the Knox Superior Court 1.

LR42-AR00-3.3 COURT ALCOHOL AND DRUG PROGRAM FEES

Fees for the Knox County Court Alcohol and Drug Program shall be:

| | |
|------------------|----------|
| First Offenders | \$200.00 |
| Repeat Offenders | \$300.00 |
| A&D Transfer Out | \$100.00 |
| Education Fee | \$100.00 |
| Evaluation Only | \$100.00 |

Fees include orientation, assessment, case management, monitoring, and drug and alcohol screening. The education program cost is additional to the program fee. Clients referred out for treatment or education are responsible for the payment of fees associated with those services. Transfer fee will be charged when a client is not assessed by our program and requests to transfer A&D supervision to another court alcohol and drug program certified by the Indiana Office of Court Services.

LR42-AR00-3.4

LOCAL RULE CONCERNING CASELOAD ALLOCATION PLAN

(Effective January 1, 2020)

In conformance with the Order of the Indiana Supreme Court, the Judges of the Knox County Courts submit their proposed Knox County Caseload Allocation Plan as follows:

1. On or before April 1 of each year, the Judges of the Knox County Courts shall meet to review the Weighted Caseload Measures statistics as calculated by the Division of State Court Administration from the preceding calendar year. The utilization percentage between the Courts shall be re-evaluated yearly to assess what actual disparities may exist.
2. Should action be required to reduce a disparity in caseload, the Judges may agree to accomplish the reduction in any reasonable manner.
3. All “LP/DP” (capital murder), “MR” (murder), “FA” (A Felony), “FB” (B Felony), “FC” (C Felony), “FD” (D Felony), “F1” (Level 1 Felony), “F2” (Level 2 Felony), “F3” (Level 3 Felony), “F4” (Level 4 Felony), “F5” (Level 5 Felony), and “F6” (Level 6 Felony) cases shall be filed in the Knox Superior Court 1 and the Knox Circuit Court on an equal basis with the exception of drug-related or alcohol-related Level 6 felony cases (all Level 6 felony cases where the single count of an information or even just one felony count of a multi-count information alleges a violation of either Ind. Code 7.1-5 et seq., 9-30-5 et seq., 16-42 et seq., or 35-48 et seq.), and felony habitual traffic offender cases. Those cases shall be assigned to the Knox Superior Court 2.
4. All “JC” (juvenile CHINS), “JD” (juvenile delinquency), “JS” (juvenile status), “JP” (juvenile paternity), “JM” (juvenile miscellaneous), and “JT” (juvenile termination of parental rights) cases shall be filed in the Knox Superior Court 1.
5. All “CM” (criminal misdemeanor), “IF” (infractions), “OV” (ordinance violations), and “SC” (small claims) cases shall be filed in the Knox Superior Court 2. However, if a misdemeanor case is filed regarding the violation of a protective order, the matter shall be filed in the court where the protective order is pending. Further, if a felony case is pending against a particular defendant, all subsequently filed misdemeanor cases against that defendant shall be filed in the Court where the felony case is pending.
6. All “PC” (post-conviction relief), “CC” (civil collections), “CT” (civil torts), “RS” (reciprocal support), “AD” (adoption), “ES” (estate supervised), “EU” (estate

unsupervised), “EM” (estate miscellaneous), “TR” (trusts), “TS” (tax sale), and “TP” (tax deed) cases shall be filed in the Knox Circuit Court.

7. All “MI” (civil miscellaneous), “XP” (expungement), “MC” (miscellaneous criminal), “MH” (mental health), “DC” (domestic relations w/children), filed with counsel, and “DN” (domestic relations no children), filed with counsel, cases may be filed in any court as allowed by law.
8. All “GU” (guardianship) cases shall be filed in Knox Circuit Court, unless an existing “JC” (juvenile CHINS) case is pending then the “GU” (guardianship) shall be filed in the Knox Superior Court 1.
9. All “PO” (protective orders) cases shall be filed in Knox Circuit Court, unless an existing “JP” (juvenile paternity), “DR” (domestic relations), “DC” (domestic relations w/children), or “DN” (domestic relations no children) case is pending then the “PO” (protective orders) shall be filed in the court where the other matter pends.
10. All “DC” (domestic relations w/children), filed pro se, and “DN” (domestic relations no children), filed pro se, cases shall be filed in the Knox Superior Court 1 and the Knox Circuit Court as determined by those courts.
11. All “MF” (mortgage foreclosure) cases and “PL” (civil plenary) shall be filed in Knox Circuit Court or Knox Superior Court 1.

LR42-AR00-3.5 JURY SYSTEM PLAN FOR THE SELECTION OF JURORS IN KNOX COUNTY, INDIANA

It is the intent of the Knox County Courts of Record to establish a jury system that will be less of a burden on the citizenry, economically feasible and efficient and allow more citizens to participate in the justice system. The Courts endeavor to make jury duty educational and meaningful for citizens while minimizing disruptions to their lives. If selected and sworn for a trial, the juror serves for the duration of the trial. If not selected that day, the individual is excused. In either case, the juror will not be eligible to be summoned again for a period of no less than 24 months from the date of the juror's summons.

Definitions:

Jury Administrator – Jury Administrator means the Knox County Clerk and any Deputy Clerk designated to administer the jury selection process in Knox County.

Jury Pool – Annual pool of names selected from Knox County lists approved by the Supreme Court (Supreme Court Rule No. 2).

Jury Panel – Names randomly selected from the Jury Pool as needed to establish names for jury qualification and selection.

Sub-Panel – Prospective names randomly selected from the Jury Panel who qualify to serve as jurors and are summoned to appear for a specific date.

Supervision:

All Knox County Judges will supervise the jury system processes.

Term of Service:

A person who appears for service as a petit juror serves until the conclusion of the first trial in which the juror is sworn, regardless of length of the trial or the manner in which the trial is disposed.

A person who:

- (1) serves as a juror, or
- (2) serves until jury selection is completed but is not chosen to serve as a juror, may not be selected for another jury panel until all non-exempt persons on the Jury Panel have been called for jury duty unless said juror requests, in writing, to remain eligible.

Random Draw:

The Courts have authorized a “computerized random jury selection system” pursuant to I.C. 33-28-5-10.

Annually (and at such other times as the Judges deem necessary), the Judges will prepare a written Order to draw Circuit and Superior Courts’ grand and petit jurors for the upcoming year. The Order or Orders shall be filed with the Clerk of the Courts with a copy to the Jury Administrators.

Petit Jurors:

The Jury Administrator for each Court shall draw qualified jurors from the Jury Panel. The number of petit jurors contained in a Sub-Panel for civil and/or criminal cases shall be as directed by the Judges.

Qualifications:

In Order to be eligible for Jury service, a person shall state under oath that he or she is:

1. A citizen of the United States;
2. At least 18 years of age;
3. A resident of Knox County;
4. Able to read, speak and understand the English language;
5. Not suffering from a physical or mental disability that prevents him or her from rendering satisfactory jury service;
6. Not under guardianship appointment because of mental incapacity;
7. Not a person who has had rights to vote revoked by reason of a felony conviction and whose rights to vote have not been restored; and
8. Not a law enforcement officer, if the trial is a criminal case.

Deferral:

Deferral is a request to be relieved from any instance of jury service. Upon showing undue hardship, extreme inconvenience or public necessity, a qualified juror may request a deferral of jury service to a time not to exceed twelve (12) months from original selection. Every summons sent to prospective jurors will include instructions to follow when requesting to be deferred. The facts support a request for deferral must be recorded under oath or affirmation pursuant to Indiana Jury Rule 8. The preferred practice is for the juror to mail a written request under oath; however, in emergency situations the Court may make a recording of oral testimony from the juror by telephonic means, if such means are available.

The request for deferral must be received by the Court and acted upon prior to the commencement of voir dire in the trial from which the juror seeks deferral. The written request for deferral or oral record of evidence shall be retained for a period of two years in the manner provided by this plan under the record keeping section. Deferral requests received after the commencement of voir dire in the trial for which a juror was called shall not be approved.

Juror Safety and Privacy:

Personal information not disclosed in open Court is confidential, other than for the use of the parties and counsel during the trial.

Record Keeping:

The record of names drawn, jurors qualified, and juror deferrals shall be maintained by the Jury Administrators. The method of maintaining juror records will follow protocol established to comply with all applicable Indiana Code sections either in hard copy or digital format. All jury related data will be archived for a period of not less than two (2) years.

Sanctions for Non-compliance:

The Judges may at such times as they deem necessary, impose penalties pursuant to I.C. 33-28-5-17, I.C. 33-28-5-21 and I.C. 33-28-5-24 for non-compliance.

LR 42-AR00-3.6 KNOX COUNTY PROBLEM SOLVING COURT FEES

Fees for a participant in the Knox County Problem Solving Court are set according to the authority of Ind. Code § 33-23-16-23:

- (1) A one-time administration fee of \$100, plus a monthly fee of \$50 beginning the second month of participation.
- (2) A one-time administration fee of \$100 and a one-time \$25 transfer fee for participants accepted into the Knox County Problem Solving Court and transferred to another Indiana county. Participants are also liable for the monthly fee of \$50 beginning the second month of participation if such fee accrues prior to transfer.
- (3) A one-time transfer fee of \$25 for participants accepted into the Knox County Problem Solving Court as transfers from another Indiana county, plus the monthly fee of \$50 for each month that the participant remains under monitoring by the Knox County Problem Solving Court.

Additionally, participants are also responsible for the costs of chemical drug testing, as well as rehabilitation and treatment services performed by referral agencies of the Knox County Problem Solving Court. The costs and fees of the chemical drug testing, treatment costs by referral agencies, and rehabilitation services by referral agencies are not included in the administration, monthly, or transfer fees listed above.

*** * * Family Law Rules * * ***

LR42-CR00-4.0 PRO SE DISSOLUTIONS

A pro se Petition for Dissolution may be filed in either the Knox Circuit Court or the Knox Superior Court 1 at the discretion of the Petitioner. If a dissolution (DR) petitioner has no preference concerning the choice of Court, the case shall be assigned on a rotating basis to the Knox Circuit Court or the Knox Superior Court 1. Effective July 1, 2008, the Knox Superior Court II will not accept pro se dissolution petitions.

LR42-CR00-4.1 INDIANA CHILD SUPPORT GUIDELINES (Worksheet Required)

In all proceedings involving child support, each party shall file with any settlement, or enter into evidence during a trial, Indiana Child Support Guideline Worksheets. Such worksheets shall, when reasonably possible, be delivered to the other party prior to any final resolution. The parties are under a continuing obligation to promptly supplement the Indiana Child Support Guidelines Worksheet if any changes occur prior to final resolution. If an agreement of the parties concerning support provides any deviation from the Indiana Child Support Guideline amount, the parties shall present to the Court a written explanation or a document justifying the deviation.

LR42-CR00-4.2 CHILD SUPPORT – TANF BENEFITS

In any proceeding under I.C. 31-15-1-1 et. seq., I.C. 31-16-1-1 et. seq., I.C. 31-17-1-1 et. seq., or I.C. 31-34-4-6 in which a custodial parent is receiving TANF (Temporary Assistance for Needy Families) benefits, the Child Support Attorney in the Prosecuting Attorney's Office shall receive advance notice of any pleadings or other action taken which may have an effect upon child support.