
PERRY CIRCUIT COURT LOCAL RULES

Updated April 17, 2017

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LR62-CR00-1 Bond Schedule

The following bond schedule is to be used for persons arrested without a warrant and held in custody concerning a criminal charge in the Perry Circuit Court:

Class A or Level 1 and 2 Felony - \$200,000 surety or \$20,000 (10% cash deposit)

Class B or Level 3 and 4 Felony - \$100,000 surety or \$10,000 (10% cash deposit)

Class C or Level 5 Felony - \$40,000 surety or \$4,000 (10% cash deposit)

Class D or Level 6 Felony - \$15,000 surety or \$1,500 (10% cash deposit)

Class A Misdemeanor - \$6,000 surety or \$600 (10% cash deposit)

Class B Misdemeanor - \$3,000 surety or \$300 (10% cash deposit)

Class C Misdemeanor - \$2,000 surety or \$200 (10% cash deposit)

The ten percent (10%) cash deposit shall be subject to the provisions of I.C. 35-33-8-3.2.

Those persons charged with murder shall be held without bond.

Those persons charged with battery related to domestic or family violence or with invasion of privacy shall be held without bail:

1. Pending a judicial determination of probable cause within 48 hours of arrest,
or
2. Until the initial hearing, whichever occurs first.

In order to ensure individualized determinations of bail and condition of release, the bail and any conditions may be reconsidered by the Court at the time probable cause is found or at the initial hearing.

(Amended effective July 1, 2014)

LR62-CR2.2-2 Appointment of Special Judge in Criminal Cases

The Perry Circuit Court is the only court of record for Perry County, Indiana. In the event a change of judge is granted or it becomes necessary to assign another judge for a felony or misdemeanor proceeding, the case shall be assigned to one of the following individuals on a rotating basis:

A Senior Judge assigned to the Perry Circuit Court
Judge Spencer Circuit Court
A Senior Judge assigned to the Perry Circuit Court
Judge Dubois Circuit Court
A Senior Judge assigned to the Perry Circuit Court
Judge Dubois Superior Court

In the event a judge is not available for assignment from the list or the particular circumstances of the case warrant selection of a Special Judge by the Indiana Supreme Court, the case shall be certified to the Indiana Supreme Court for the appointment of a Special Judge pursuant to Criminal Rule 13(D).

Effective April 4, 2011

LR62-TR79-3 Appointment of Special Judge in Civil Cases

In the event a special judge appointment becomes necessary under Trial Rule 79(H), the case shall be assigned to one of the following individuals on a rotating basis:

A Senior Judge assigned to the Perry Circuit Court
Judge Spencer Circuit Court
A Senior Judge assigned to the Perry Circuit Court
Judge Dubois Circuit Court
A Senior Judge assigned to the Perry Circuit Court
Judge Dubois Superior Court

If no Judge specified under this rule is eligible to serve as Special Judge, or the particular circumstances of a case warrants selection of a Special Judge by the Indiana Supreme Court, the case shall be certified to the Indiana Supreme Court for appointment of a Special Judge [Trial Rule 79(H) (3)].

Effective April 4, 2011

LR62-JR4-4 Jury Rule

Pursuant to Jury Rule 4, the Perry Circuit Court chooses “The Two tier notice and summons” procedure for summoning jurors.

LR62-AR00-5 Court Reporter Services

Pursuant to Administrative Rule 15, the Perry Circuit Court hereby adopts the following local rule by which court reporter services shall be governed:

Section One – Definitions

- (1) A Court Reporter is a person who is specifically designated by a court to perform the official court reporting services for the court, including preparing a transcript of the record.
- (2) Equipment means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephone, computer hardware, software programs, disks, tapes, and any other device used for recording, storing and transcribing electronic data.

- (3) Work space means that portion of the court's facilities dedicated to each court reporter, including but not limited to, actual space in the courtroom and any designated office space.
- (4) Page means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.
- (5) Recording means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.
- (6) Regular hours worked means those hours which the court is regularly scheduled to work during any given work week.
- (7) Gap hours worked means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per work week.
- (8) Overtime hours worked means those hours worked in excess of forty (40) hours per work week.
- (9) Work week means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year; i.e., Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.
- (10) Court means the particular court for which the court reporter performs services.
- (11) County indigent transcript means a transcript that is paid for from county funds and is for the use of or on behalf of a litigant who has been declared indigent by a court.
- (12) State indigent transcript means a transcript that is paid for from state funds and is for the use of or on behalf of a litigant who has been declared indigent by a court.
- (13) Private transcript means a transcript, including but not limited to a deposition transcript that is paid for by a private party.

Section Two – Salaries and Per Page Fees

- (1) Court Reporters shall be paid an annual salary for time spent working under the control, direction and direct supervision of the court during any regular work hours, gap hours or overtime hours. The court shall enter into a written agreement with the court reporter which outlines the manner in which the court reporter is to be compensated for gap and overtime hours; i.e., monetary compensation or compensatory time off regular work hours.

- (2) The maximum per page fee for a court reporter for the preparation of a county indigent transcript shall be \$4.50 per page. A minimum fee of \$40.00 shall be applicable for any transcript. The court reporter shall submit a claim directly to the county for the preparation of any county indigent transcript.
- (3) The maximum per page fee for a court reporter for the preparation of a state indigent transcript shall be \$4.50 per page.
- (4) The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be \$4.50 per page.
- (5) Index and table of contents pages will be charged at the same per page rate as other pages for the transcript.
- (6) Time spent binding the transcript and exhibit binders shall be computed based upon an hourly rate. Such hourly rate shall be the approximate hourly rate for the court reported based upon the court reporter's annual compensation.
- (7) In the event any office supplies are required and utilized for the binding and electronic transmission of the transcript, then the actual cost of these supplies will be charged.
- (8) Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of either county indigent, state indigent, or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.

Section Three – Private Practice

- (1) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, and the court reporter desires to utilize the court's equipment, work space and supplies, and the court agrees to the use of the court equipment for such purpose, the court and the court reporter shall enter into an agreement which must, at the minimum, designate the following:
 - (a) The reasonable market rate for the use of equipment, work space, and supplies;
 - (b) The method by which records are to be kept for the use of equipment, work space and supplies; and
 - (c) The method by which the court reporter is to reimburse the court for the use of the equipment, work space and supplies

- (2) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.

LR62-AR00-6

Substance Abuse Program

- a) Those persons directed to participate in the Perry County Substance Abuse Court program shall pay a fee of \$50.00/month, as well as any additional costs associated with the program, including the cost of drug screens.
- b) Those persons directed to participate in the Perry County Juvenile Drug Court program shall pay a fee of \$240.00, as well as any additional costs associated with the program, including the cost of drug screens.

Effective April 4, 2011

LR62-AR1-7

Acting Judge Election

The judge and magistrate of the Perry Circuit Court, hereby elect to sit as acting judge in the Spencer Circuit Court, as provided in Administrative Rule 1, upon request from the Judge of the Spencer Circuit Court.
