

Indiana Trial Court Fee Manual

Current through 2016 Legislative Session



Indiana Supreme Court
Indiana Office of Court Services
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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 Work 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 offense in which use or possession of a firearm is an element of the offense; 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 increases to \$5 (from \$2). This fee increase is in effect from July 1, 2015 to June 30, 2017 when the fee will decrease to \$2. |
| Automated Record Keeping Fee | IC 33-37-5-21 | \$19.00 | The automated record keeping fee increases 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. The automated record keeping fee is in effect until July 1, 2017. |
| 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 | |
| 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 | \$2.00 | |

These are only the fees/costs most commonly assessed in this case type. Other fees may be assessed.

A complete list of all fees/costs can be found in Chapter 12 Alphabetical Guide to Fees/Costs Assessed by a Court or Clerk

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| | | | |
|---------------------------------|----------------------|-----------------|---|
| Court Administration Fee | IC 33-37-5-27 | \$5.00 | |
| Total Criminal Fees | | \$183.00 | Total is \$208 if office is collecting the sheriff's service of process fee of \$25. |

*These are only the fees/costs most commonly assessed in this case type. Other fees may be assessed.
A complete list of all fees/costs can be found in Chapter 12 Alphabetical Guide to Fees/Costs Assessed by a Court or Clerk*

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 | |
| Monthly User Fee | IC 33-37-4-1(c) | \$60.00 | Monthly fee is \$10 for each month that the person remains in the pretrial diversion program. 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 Work 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 increases to \$5 (from \$2). This fee increase is in effect from July 1, 2015 to June 30, 2017 when the fee will decrease to \$2. |
| Automated Record Keeping Fee | IC 33-37-5-21 | \$5.00 | The automated record keeping fee increases 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 . The automated record keeping fee is in effect until July 1, 2017. |
| 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 | \$2.00 | |
| Court Administration Fee | IC 33-37-5-27 | \$5.00 | |
| Total Pre-Trial Diversion Case Fees | | \$273.00 | Total is \$273.00 for non-traffic offense, \$273.50 for traffic offense or \$298.50 if offense is exceeding a worksite speed limit or failure to merge. See I.C. 33-37-5-14. |

These are only the fees/costs most commonly assessed in this case type. Other fees may be assessed.

A complete list of all fees/costs can be found in Chapter 12 Alphabetical Guide to Fees/Costs Assessed by a Court or Clerk

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 Work 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 increases to \$5 (from \$2). This fee increase is in effect from July 1, 2015 to June 30, 2017 when the fee will decrease to \$2. |
| Automated Record Keeping Fee | IC 33-37-5-21 | \$19.00 | The automated record keeping fee increases 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. The automated record keeping fee is in effect until July 1, 2017. |
| 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 | \$2.00 | |
| Court Administration Fee | IC 33-37-5-27 | \$5.00 | |
| Total Infraction/Ordinance Violations Fees | | \$133.00 | Total is \$158 if office is collecting the sheriff's service of process fee of \$25. |

These are only the fees/costs most commonly assessed in this case type. Other fees may be assessed. A complete list of all fees/costs can be found in Chapter 12 Alphabetical Guide to Fees/Costs Assessed by a Court or Clerk

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 Work 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 increases to \$5 (from \$2). This fee increase is in effect from July 1, 2015 to June 30, 2017 when the fee will decrease to \$2. |
| Automated Record Keeping Fee | IC 33-37-5-21 | \$5.00 | The automated record keeping fee increases 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. The automated record keeping fee is in effect until July 1, 2017. |
| Total Deferral Program Fees | | \$192.00 | Total is \$192.00 for non traffic offense, \$192.50 for traffic offense or \$217.50 if offense is exceeding a worksite speed limit or failure to merge. See I.C. 33-37-5-14. |

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

*These are only the fees/costs most commonly assessed in this case type. Other fees may be assessed.
A complete list of all fees/costs can be found in Chapter 12 Alphabetical Guide to Fees/Costs Assessed by a Court or Clerk*

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. |
| Total Seatbelt Violation Fee | | \$25.00 | |

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. |
| Total Child Restraint System Violation Fee | | \$25.00 | |

These are only the fees/costs most commonly assessed in this case type. Other fees may be assessed. A complete list of all fees/costs can be found in Chapter 12 Alphabetical Guide to Fees/Costs Assessed by a Court or Clerk

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 | \$19.00 | The automated record keeping fee increases 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. The automated record keeping fee is in effect until July 1, 2017. |
| 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. |
| Total Juvenile Fees | | \$175.00 | Total is \$200 if office is collecting the sheriff's service of process fee of \$25. |

These are only the fees/costs most commonly assessed in this case type. Other fees may be assessed. A complete list of all fees/costs can be found in Chapter 12 Alphabetical Guide to Fees/Costs Assessed by a Court or Clerk

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 increases to \$5 (from \$2). This fee increase is in effect from July 1, 2015 to June 30, 2017 when the fee will decrease to \$2. |
| Automated Record Keeping Fee | IC 33-37-5-21 | \$19.00 | The automated record keeping fee increases 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. The automated record keeping fee is in effect until July 1, 2017. |
| 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. |
| 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. |
| 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. |
| Total Civil Fees | | \$156.00 | Total is \$181 if office is collecting the sheriff's service of process fee of \$25. |

These are only the fees/costs most commonly assessed in this case type. Other fees may be assessed. A complete list of all fees/costs can be found in Chapter 12 Alphabetical Guide to Fees/Costs Assessed by a Court or Clerk

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 | Fee is per defendant named and paid by the party filing the action. |
| Additional Small Claims Service Fee | IC 33-37-4-6 | | \$10 fee per defendant added to the action. |
| 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. |
| Document Storage Fee | IC 33-37-5-20 | \$5.00 | |
| Automated Record Keeping Fee | IC 33-37-5-21 | \$19.00 | The automated record keeping fee increases 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. The automated record keeping fee is in effect until July 1, 2017. |
| 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 | |
| Total Small Claims Fees | | \$96.00 | Total is \$121 if office is collecting the sheriff's service of process fee of \$25. |

These are only the fees/costs most commonly assessed in this case type. Other fees may be assessed.

A complete list of all fees/costs can be found in Chapter 12 Alphabetical Guide to Fees/Costs Assessed by a Court or Clerk

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) | \$13.00 | 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) | \$19.00 | The automated record keeping fee increases 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. The automated record keeping fee is in effect until July 1, 2017. |
| 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 | |
| Total Small Claims Fees | | \$101.00 | |

These are only the fees/costs most commonly assessed in these case types. A complete list of all fees/costs can be found in Chapter 12 Alphabetical Guide to Fees/Costs Assessed by a Court or Clerk

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 | \$19.00 | The automated record keeping fee increases 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. The automated record keeping fee is in effect until July 1, 2017. |
| 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 | |
| Total Probate Fees | | \$176.00 | Total is \$201 if office is collecting the sheriff's service of process fee of \$25. |

These are only the fees/costs most commonly assessed in these case types. A complete list of all fees/costs can be found in Chapter 12 Alphabetical Guide to Fees/Costs Assessed by a Court or Clerk