

RULES OF CRIMINAL PROCEDURE

LR36-CR00-1: BOND SCHEDULE

The following schedule is established for bail bonds for the indicated classification of offenses that occur after April 1, 2018. All amounts are subject to review and modification by the Court in individual cases. The review and modification may come before or after the information or indictment is filed.

If no information has been filed against a person arrested and held in custody for a period of twenty-one (21) days from the date of arrest, regardless of whether probable cause has been found by a judge, that person shall be released upon their own recognizance.

No bail bond shall be set in any felony matter except as determined by a Judicial Officer at the Initial Hearing. The Court shall consider factors found in I.C. 35-33-8-4 in setting appropriate bond in all cases.

If no Initial Hearing is conducted within ninety-six (96) hours of a person’s arrest for a felony, the following shall be the amounts set for the bail bond, unless otherwise ordered by the Court:

Charge	Felonies	Bond Amount
Murder		NO BOND
Level 1		\$150,000.00 Surety or 10% cash
Level 2		\$100,000.00 Surety or 10% cash
Level 3		\$50,000.00 Surety or 10% cash
Level 4		\$40,000.00 Surety or 10% cash
Level 5		\$20,000.00 Surety or 10% cash
Level 6		\$1,500.00 cash

Misdemeanors

The following Class A misdemeanors and no others: \$ 700.00 Cash only

1. Operating a motor vehicle while intoxicated as defined by I.C. 9-30-5-2;
2. Operating a motor vehicle with a blood alcohol concentration equivalent as defined by I.C. 9-30-5-1;
3. Battery with injury as defined by I.C. 35-42-2-1;
4. Invasion of privacy as defined by I.C. 35-46-1-15.1;
5. Resisting law enforcement as defined by I.C. 35-44.1-3-1; and
6. Criminal trespass as defined by I.C. 35-43-2-2, with the exception of entering upon agricultural property of another as defined by I.C. 35-43-2-2(5)(A).
7. Criminal mischief as defined by I.C. 35-43-1-2.

The following Class B misdemeanors and no others: \$350.00 Cash only

1. Public intoxication as defined by I.C. 7.1-5-1-3.
2. Criminal mischief as defined by I.C. 35-43-1-2.
3. Disorderly conduct as defined by I.C. 35-45-1-3.

The following Class C misdemeanors
and no others:

\$350.00 Cash only

1. Operating a motor vehicle while intoxicated as defined by I.C. 9-30-5-2; and
2. Operating a motor vehicle with a blood alcohol concentration equivalent as defined by I.C. 9-30-5-1.

Stalking and Domestic Battery

The bail bond in stalking and domestic battery cases, whether a Level 6 felony or a misdemeanor, shall be \$1,500.00 cash.

(Amended effective August 14, 2018)

LR36-CR00-2: Reciprocal Pre-Trial Discovery

(a) How Made. In all criminal cases, mandatory reciprocal pre-trial discovery must be furnished by the State within thirty (30) days of the date of the earlier of the omnibus date or the appearance by an attorney on behalf of the defendant and the defendant's pre-trial discovery must be made within 30 days after the State's production.

(b) State's Mandatory Obligations. The State must furnish the following to the defendant or the attorney for the defendant as though a Request For Production was filed:

- (1) The names and last known addresses of persons whom the State may call as witnesses, together with their relevant written or recorded statements;
- (2) Any written or recorded statements and the substance of any oral statements made by the accused or by a co-defendant, and a list of any witnesses to the making or acknowledgment of such statements;
- (3) Any reports or statements of experts, made in connection with the particular case, including the results of physical or mental examinations and of scientific tests, experiments or comparisons;
- (4) Any books, papers, documents, photographs or tangible objects which the prosecuting attorney intends to use in the hearing, or trial, or which were obtained from or belong to the accused;
- (5) Any record of prior criminal convictions which may be used for impeachment of the persons whom the State intends to call as witnesses at the hearing or trial;
- (6) The terms of any agreements made with co-defendants or other State's witnesses to secure their testimony;
- (7) Any material or information within the State's possession that tends to negate the guilt of the accused as to the offense charged or would tend to reduce the defendant's punishment.

(c) Defendant's Mandatory Obligations. The defendant must furnish to the State the following materials as though a Request For Production was filed:

- (1) The names and last known addresses of the persons whom the defendant intends to call as witnesses along with their relevant written or recorded statements, and any record of prior criminal convictions of such witnesses, if known;
- (2) Any books, papers, documents, photographs, or tangible objects the defendant intends to use as evidence or for impeachment at hearing or trial;
- (3) Medical, scientific, or expert witness evaluations, statements, reports, or testimony, which may be used at hearing or trial.