MARSHALL COUNTY LOCAL COURT RULES

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LR50-TR05-MLR-01
Pleadings

(A) FILINGS

All causes – civil, criminal, probate, or small claims – may be commenced by ~~personal~~ filing of original pleadings ~~or filing by mail of original pleadings~~ in the office of the Clerk. All other pleadings will be accepted and filed as of the date of receipt; provided, however, that any filing made by registered or certified mail, shall be complete upon mailing. Electronic facsimile transmission ("FAX") and email are not permitted.

(B) DISTRUBUTION AND SERVICE

No pleadings, order or notices, other than those originated by the Court, will be returned or distributed to attorneys by mail unless the Court is provided with stamped, self-addressed return envelopes. Pursuant to Indiana Rules of Trial Procedure the Courts of Marshall County hereby designate the mailboxes in the Clerk's Office ~~each of the Courts~~ as a suitable place~~s~~ for service upon ~~local~~ attorneys that consent to service by utilizing a Clerk's Office mailbox.

LR50-TR03.1-MLR-02
Appearances

(A) ENTRY OF APPEARANCE

(1) Unrepresented litigants and attorneys for a party shall first file a formal written Appearance.

(2) Every appearance or pleading filed shall clearly identify the name, address, email address, and telephone number of the attorney or unrepresented litigant filing. ~~the pleading~~. ~~Any attorney for a party shall first file his formal written Appearance in accordance with the Trial Rules.~~

(3~~2~~) Any pleading or motion not signed ~~by at least one attorney appearing of record~~ as required by the Indiana Trial Rules of Procedure shall be deemed defective and may be stricken from the record. ~~not be accepted for filing, or, if inadvertently accepted for filing, shall, upon discovery of the omission, be struck from the record.~~

~~(3) Neither typewritten signatures nor facsimile signatures shall be accepted on original documents. Facsimile signatures are permitted on copies.~~

~~(4) The appearance of any attorney in a domestic relations case shall be assumed as automatically withdrawn at the conclusion of the proceeding for which the appearance was entered.~~

~~(5) All pleadings shall be submitted on 8½ x 11 paper.~~

~~(6) All documents or orders requiring a Judge's signature must be submitted with an original and one copy for the Court, plus one copy for each attorney or pro-se party, for distribution.~~

(B) WITHDRAWAL OF APPEARANCE

(1) Counsel desiring to withdraw their Appearance in any cause ~~other than criminal~~ shall file a ~~petition~~ motion requesting leave to do so. A proposed order shall be submitted along with said motion~~petition~~. All withdrawals of Appearance shall comply fully with the Ind. Rules of Professional Conduct and the Ind. Rules of Trial Procedure.

(2) No withdrawal of Appearance shall be granted where the withdrawal would deprive the Court of its jurisdiction over the party.

(3) A withdrawal of Appearance when accompanied by the Appearance of other counsel shall constitute compliance with the requirements of Paragraph (B)(1) of this rule.

LR50-TR07-MLR-03
Motions

(A) The time of hearing motions shall be fixed by the Court. Dates of hearing shall not be specified in the notice hearing of the motion unless prior authorization ~~shall~~ is ~~be~~ obtained from the Judge or employee of the Court~~. Reporter.~~ Any party may request oral argument upon a motion but granting of oral argument is discretionary. ~~with the Court.~~

(B) ~~Dispositive m~~Motions, such as motions to dismiss, for judgment on the pleadings, and for summary judgment shall be accompanied by a brief or memorandum containing both the facts and the law needed to decide the matter.
~~and proof of service upon opposing counsel of record.~~

(C) Failure to file opposing briefs or memorandum or designated evidence, in opposition to summary judgment, within time limits established by T.R. 56 or by the Court shall subject ~~a dispositive~~ the motion to summary ruling. ~~by the Court unless, upon motion of a party or the Court, the matter is set for hearing~~.

(D) For motions other than motions to continue under T.R. 7, summary judgment motions under T.R. 56, and motions to correct error under T.R. 59, the failure to respond or reply in accordance with the time limits allowed by T.R. 6(D)(2) or established by the Court shall subject the motion to summary ruling.

(C) Extensions of time for filing briefs or memorandum shall be granted only by order of the Court. All requests for extensions of time for filing briefs or memoranda, whether written or oral, shall be accompanied by a proposed order.

(D) Deadlines established in Court orders may not be altered by agreement of the parties without first seeking leave of the Court.

(E~~D~~) Motions for more definite statement and to strike shall be accompanied by a brief or memorandum on the facts and law relevant to the cause. ~~The Court, in its discretion, may direct the filing of an answer, brief or memorandum. Such motions shall be decided by the Court without oral argument unless the court otherwise directs.~~

LR50-TR16-MLR-04

Pre-trial Conferences

In all cases, a pre-trial conference will be scheduled upon the request of any party or at the Court's discretion. Counsel for the parties must personally appear for all pre-trial conferences unless specific permission is given by the Court for them to participate telephonically, by Zoom, or by other remote platform.

LR50-TR26-MLR-05
Discovery in Civil Cases

(A) INTERROGATORIES AND REQUESTS FOR ADMISSION: FORM AND LIMITATION OF NUMBER

(1) No party shall engage in excessive use of interrogatories, ~~motions for~~ requests for production, or requests for admissions

(2) Answers or objections to requests for production, ~~to~~ interrogatories, or requests for admissions shall set forth in full the interrogatory or request ~~for admission~~ being answered or objected to immediately preceding the answer or objection. Objections shall be accompanied by citation of legal authority, if any.

(3) Objections to discovery must be specific and not boilerplate.

~~(3) No mimeographed or otherwise duplicated forms shall be filed or served upon a party unless each interrogatory and request for admission on such form is consecutively numbered and applicable to the case in which the same are filed and served. The intent and purpose of this rule is to prohibit the filing of mimeographed or otherwise duplicated forms of "stock" interrogatories and requests for admission except where the nature of the case or the number of parties makes the use of such forms necessary and feasible.~~

(4) No party shall serve on any other party more than twenty-five (25) ~~30~~ interrogatories or requests for admission other than requests relating to the authenticity or genuineness of documents in the aggregate, including subparagraphs, without leave of Court. Subparagraphs shall relate directly to the subject matter of the interrogatory or request for admission. Any party desiring to serve additional interrogatories or requests for admissions shall file a written motion setting forth the proposed additional interrogatories or requests for admissions and the reasons establishing good cause for their use.

(5) No interrogatories, requests for admissions, or production in small claims matters shall be permitted unless by authorization from the Court upon petition requesting same and the reasons therefore filed not later than 10 days after service of the complaint on the Defendant.

(6) Parties are required to supplement discovery responses in a timely manner. In the event a party fails to supplement a discovery response, the additional evidence will be excluded.

LR50-TR52-MLR-06

Special Findings of Fact

Counsel shall submit proposed special findings of facts and conclusions of law in all cases where the Court is required to make special findings. The proposed findings shall contain all the facts which counsel claims to have been proved and the conclusions of law thereon. Such form of special findings shall be submitted to the Court within the time directed by the Court.

LR50-TR53.5-MLR-07

Continuances

~~(A) A motion for continuance, unless made during the hearing of cause, shall be for cause, in writing, with a copy thereof first served upon opposing counsel. No motion for continuance will be granted unless the moving party has ascertained from opposing counsel whether or not the opposition objects to the continuance. If counsel for the opposition does not object and the moving party so notifies the Court, the motion for continuance probably will be granted. If counsel for the opposition objects and the moving party so notifies the Court, the motion for continuance may be granted anyway. If, however, the moving party does not contact counsel for the opposition's position on the motion for continuance will probably be overruled.~~

(A~~B~~) A motion for continuance must be filed as soon after the cause for continuance is discovered by the moving party and not later than 10 days before a bench trial unless the reason thereafter is shown by affidavit to have occurred within said 10-day period.

(B~~C~~) Continuances of small claims will be granted only at the discretion of the Court and, in no event, less than 3 days prior to trial, unless all parties and the Court concur to the continuance or unless shown by affidavit filed with the Court at least 1 day prior to trial that it is physically impossible to attend trial due to illness or injury. A physician's statement must accompany the affidavit.

(C~~D~~) All delays and continuances shall be at the cost of the party causing same, except where it is otherwise provided by law.

(D~~E~~) All motions for continuance must be accompanied by a~~n~~ proposed order~~,~~ stating the amount of time reserved and providing appropriate blanks for the Court to reset the matter. ~~and comply with Local Rules.~~

LR50-TR54-MLR-08

Payment of Costs

No cause shall be dismissed or reopened, nor any dissolution of marriage or adoption granted, nor any estate closed, nor any other matter terminated or transferred, without proof that the costs of the action have been paid, unless specifically otherwise ordered by the Court.

LR50-TR79-MLR-~~0~~09

Selection of a Special Judge Pursuant to Trial Rule 79(H)

In the absence of an agreement as to an eligible special judge under TR 79 (D), the clerk of the court shall select a special judge first from the other judges of Marshall County and then (on a rotating basis) from an alphabetical list of judges or full-time judicial officers eligible under Trial Rule 79(J) serving in the administrative district.

In cases in which no judge or full-time judicial officer is eligible to serve as special judge or the particular circumstance of a case warrants selection of a special judge by the Indiana Supreme Court, the regular sitting judge may certify the case to the Supreme Court for appointment of a special judge.

(Amended effective January 1, 2016)

LR50 – TR81 & AR1(E) – MLR-10
Local Caseload Allocation Plan
Transfer, Refiling, and Reassignment

SECTION ONE, LOCAL CASELOAD ALLOCATION PLAN

In order to meet the statistical requirements mandated by the Indiana Supreme Court, except as noted below in the paragraphs entitled "Exceptions," original case filing shall be made into the following Courts as listed below effective January 1, 2026~~5~~.

MARSHALL CIRCUIT COURT
All CE, CT, EM, JC, JD, JS, JP, JM, JQ, JT, PL, MF, RS, ~~TS, TP~~, RA

MARSHALL SUPERIOR COURT NO. 1
All LP, DP, MR, F1, F2, F3, F4, DN, DC PO*, RF, TS, TP

MARSHALL SUPERIOR COURT NO. 2
All ~~Title 9 F5, Title 9 F6,~~ CM, IF, OV, OE, EV, SC

MARSHALL SUPERIOR COURT NO. 3
All ~~F3, F4, non-Title 9~~ F5, ~~non-Title 9~~ F6, CC, MH

EXCEPTIONS:

(1) If a person is on probation or has a criminal case pending in any Marshall County Court, any new criminal case filing against that person regardless of its classification may be filed in the same court. ~~or any other Marshall County Court at the State's discretion.~~

~~(2) If the charged offense contains a Title 9 F5 or F6 and a non-Title 9 F5 or F6 offense, the State of Indiana has the discretion to file the matter in Superior 2 or Superior 3.~~

~~(3)~~(2) * New PO cases which relate to a previously filed GU, JP, JD, JC, DR, DC, ~~or~~ DN or GV case type shall be filed in the court where the previously filed case already exists.

ADDITIONAL CASE TYPES AND CASE DIVISIONS:

(1) The following shall be divided equally in either Marshall Circuit Court or Marshall Superior Court No. 1: All ~~DN, DC,~~ AD, ES, EU, GU, TR, GV.

(2) The Clerk of Marshall County shall ~~be responsible for~~ monitor~~ing and controlling~~ the division of ~~DN, DC,~~ AD, ES, EU, GU, GV, and TR case types as outlined herein. The Judges assigned these case types will control their division.

(3) CB, PC, MI, MC, and XP filings shall be made in the most appropriate Court for the matter being adjudicated.

~~(3)~~(4) The MI case type cannot be used for matters covered by an existing case type. Any MI filed that covers an existing case type will be corrected to the appropriate case type and transferred to the appropriate court assigned that case type.

~~(4)~~(5) Transfers shall be permitted between Courts provided both participating judges approve.

~~(5)~~(6) Judicial officers shall be authorized to act and conduct trials and hearings of all types in any of the courts of Marshall County in the event the presiding judge is unavailable or requests assistance.

~~(6)~~(7) Any pending Motion to Revoke Probation regardless of case type shall remain with the Court where it is now pending. Forthcoming revocation or modification proceedings shall be filed in the Court acquiring jurisdiction over the case type for the violation resulting from this rule.

SECTION TWO, TRANSFER, REFILING AND SUBSEQUENT FILINGS, AND REASSIGNMENT

(A) TRANSFER

A judge of the Marshall Circuit Court, Marshall Superior Court No. 1, Marshall Superior Court No. 2, or Marshall Superior Court No. 3 may, by appropriate order entered in its record of judgments and orders, transfer and reassign a case or cases to either of the other courts of record in Marshall County with jurisdiction to hear the charged offense, subject to acceptance by the judge of the receiving court.

(B) REFILING AND SUBSEQUENT FILINGS

When the State of Indiana dismisses a case and chooses to refile the case, the case shall be assigned to the court from which the dismissal was taken.

In the event charges have been filed against a criminal defendant and subsequent charges of a higher level than previously filed are filed in an alternative court, the existing charges pending in the other court, of a lesser degree, may be reassigned to the court where the higher-level felony charge is filed.

(C) REASSIGNMENT

In the event a change of judge is granted, or it becomes necessary to assign another judge in any felony or misdemeanor proceeding, the case shall be returned to the Clerk of the Court for assignment to one of the other courts in Marshall County on an alternating basis

contingent upon approval by the judge of the court next in line for assignment. In the event the judge next in line for assignment of a case declines assignment due to a conflict of interest the remaining court shall be subject to assignment of the case unless the presiding judge also declines assignment due to a conflict of interest.

In the event a change of judge is granted, or it becomes necessary to assign the case to another judge and the other judges in Marshall County decline assignment of that case due to a conflict of interest, the clerk of the court shall select a special judge (on a rotating basis) from an alphabetical list that includes:

(1) eligible judicial officers from within the administrative district; and,
(2) eligible judicial officers from a contiguous county.

(D) APPOINTMENT OF SPECIAL JUDGE

In the event no judge is available for assignment or reassignment of a felony or misdemeanor case, such case shall be certified to the Indiana Supreme Court for the appointment of a special judge. In the event the judge presiding in the felony or misdemeanor case concludes that the unique circumstances presented in such proceeding require appointment by the Indiana Supreme Court of a special judge, this presiding judge may request the Indiana Supreme Court for such appointment.

(Amended effective January 1, 2025)

LR50-TR81-MLR-011

Notice

Copies of the foregoing rules shall be certified to the Indiana Supreme Court and the Court of Appeals pursuant to Indiana Rules of Trial Procedure, T.R. 81. Copies of these rules shall be posted in the Clerk's Office and on the bulletin board in each of the respective Courts.

LR50-CR00-MLR-012

Bond Schedule

A bond schedule for all criminal cases coming within the jurisdiction of the Courts of Marshall County ~~shall be~~ is established in Appendix Ex. 1 of these Local Rules. ~~by Joint Order of the Marshall Circuit Court, Marshall Superior Court No. 1, Marshall Superior Court No. 2, and Marshall Superior Court No. 3 and recorded in the Order books for each Court. A Joint Order entered shall continue in full force and effect until modified pursuant to a subsequent Joint Order.~~

~~(A) Counsel shall file a written Appearance immediately upon being retained in a criminal matter and serve a copy thereof to the Prosecuting Attorney.~~

~~(B) Counsel desiring to withdraw their Appearance in a criminal matter shall file a Petition requesting leave to do so. The Petition shall set forth satisfactory evidence that written notice of the Petition was served to the client at least ten (10) days prior to the filing of the Petition with the Court.~~

(A) STATE OF INDIANA

(1) *In General.* At the time a criminal proceeding is commenced the clerk enters the appearance of the elected prosecuting attorney for the jurisdiction where the action is pending. The prosecuting attorney is responsible for providing the following information to the clerk:

(a) the name, address, attorney number, telephone number, and electronic mail address of the prosecuting attorney;

(b) the case type of the proceeding [Administrative Rule 8(B)(3)];

(c) the number of any arrest report relating to the factual basis underlying the criminal proceeding; and

~~(a)~~(d) the transaction control number associated with the fingerprints submitted by the arresting agency and the state identification number assigned to the defendant by the Indiana State Police Central Records Repository if the defendant has been arrested and processed at the jail.

(2) *Special Prosecutor.* Any special or senior prosecuting attorney appointed to replace the elected prosecuting attorney must provide the information set out in section (A)(1) to the clerk.

(3) *Deputy Prosecuting Attorneys*. Deputy prosecuting attorneys are not required to file a separate appearance or a temporary appearance in the criminal proceedings to which they are assigned; however, if an appearance is filed, to withdraw, the deputy prosecuting attorney must file a notice of withdrawal of appearance.

(4) *Replacement Prosecutor*. Prosecuting attorneys, including special and senior prosecuting attorneys may substitute their names and attorney numbers in any open case with notice to the clerk. The clerk must update the information in any pending case for any elected prosecuting attorney.

(B) **Defendant.** When an attorney for the defendant first appears in the criminal proceeding, the defense attorney must file an appearance form setting forth the following information:

(1) the name, address, attorney number, telephone number, and electronic mail address of the attorney representing the defendant; and

(2) the case number assigned to the criminal proceeding.

(C) Self-represented Defendant. A self-represented defendant must file an appearance form that includes the defendant's name, address, telephone number, and e-mail address on a form as provided.

(D) **Completion and Correction of Information**. If information required by this rule is not yet available, the information must be submitted to the clerk and supplemented when the absent information is acquired. Attorneys must promptly advise the clerk of any change in the information previously supplied.

(E) Limited Appearance. A defense attorney may appear for a limited purpose, such as a bail hearing as provided in Trial Rule 3.1.

(F) Forms. The supervising court may provide a standard format for compliance with the provisions of this rule.

(G) Withdrawing Appearance. Counsel desiring to withdraw their Appearance shall file a Petition requesting leave to do so. The Petition shall set forth satisfactory evidence that written notice of the Petition was served to the client at least ten (10) days prior to the filing of the Petition with the Court.

~~***LR50-CR2.2-MLR-014***~~
~~*Criminal Case Assignment*~~

~~**(A) TRANSFER**~~

~~A judge of the Marshall Circuit Court, Marshall Superior Court No. 1, Marshall Superior Court No. 2, or Marshall Superior Court No. 3 may, by appropriate order entered in its record of judgments and orders, transfer and reassign a case or cases to any of the other courts of record in Marshall County with jurisdiction to hear the charged offense, subject to acceptance by the judge of the receiving court.~~

~~**(B) REFILING AND SUBSEQUENT FILINGS**~~

When the State of Indiana dismisses a case and chooses to refile the case, the case shall be assigned to the court from which the dismissal was taken.

In the event charges have been filed against a criminal defendant and subsequent charges of a higher level than previously filed are filed in an alternate court, the existing charges pending in the other court, of a lesser degree, may be reassigned to the court where the higher-level felony charge is filed.

(C) REASSIGNMENT

In the event a change of judge is granted, or it becomes necessary to assign another judge in any felony or misdemeanor proceeding, the case shall be returned to the Clerk of the Court for assignment to one of the other courts in Marshall County on an alternating basis contingent upon approval by the judge of the court next in line for assignment. In the event the judge next in line for assignment of a case declines assignment due to a conflict of interest the remaining court shall be subject to assignment of the case unless the presiding judge also declines assignment due to a conflict of interest.

In the event a change of judge is granted, or it becomes necessary to assign the case to another judge and the other judges in Marshall County decline assignment of that case due to a conflict of interest, the clerk of the court shall select a special judge (on a rotating basis) from an alphabetical list that includes:

(1) eligible judicial officers from within the administrative district; and,
(2) eligible judicial officers from a contiguous county.

(D) APPOINTMENT OF SPECIAL JUDGE

In the event no judge is available for assignment or reassignment of a felony or misdemeanor case, such case shall be certified to the Indiana Supreme Court for the appointment of a special judge. In the event the judge presiding in the felony or misdemeanor case concludes that the unique circumstances presented in such proceeding require appointment by the Indiana Supreme Court of a special judge, this presiding judge may request the Indiana Supreme Court for such appointment.

LR50-JR01-MLR-015
Jury Trial Procedures

(A) JURY INSTRUCTIONS

(1) A schedule for the submission of proposed preliminary instructions, proposed final instructions and motions in limine shall be incorporated into the Court's Order scheduling trial.

(2) Proposed jury instructions submitted by a party shall be filed with the Court and electronically mailed to a designated employee of the Court with an attached editable document containing the proposed instruction.

(B) OBJECTIONS/MULTIPLE COUNSEL

During trial where a party is represented by more than one attorney, only one attorney may make objections and examine or cross-examine a witness. This designation may be changed as each witness is called to testify and at each stage of the trial.

(C) CUSTODY AND DISPOSITION OF MODELS AND EXHIBITS

(1) Any material marked as an exhibit, whether or not admitted into evidence, shall be held in the custody of the Court Reporter unless otherwise ordered by the Court.

(2) Any material placed in the custody of the Court Reporter shall be removed by the offering party, except as otherwise ordered by the Court, within four (4) months after the final disposition of the case. At the time of removal, the party shall give a detailed receipt to the Court Reporter which shall be filed in the cause.

(3) If a party fails to comply with paragraph (b), the Court may order the destruction of or other disposition of the material.

LR50-AR15-MLR-16

Court Reporters

(A) DEFINITIONS

The following definitions shall apply under this local rule:

(l) *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 is not limited to, telephones, computer hardware, software programs, disks, tapes and any other device used for recording, storing and transcribing electronic data.

(3) *Workspace* 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, and 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. Depending on the particular court, these hours may vary from court to court within the county but remain the same for each work week.

(7) *G*ap *hours worked* means those hours worked that are in excess of the regular hours worked but which are 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. Court may also mean all of the courts in Marshall County.

(11) County indigent transcript means a transcript that is paid for from county funds and is for the use 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 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, which is paid for by a private party.

(B) SALARIES AND PER PAGE FEES

(l) Court Reporters shall be paid an annual salary for time spent working under the control, direction and direct supervision of their supervising court during any regular work hours, gap hours or overtime hours. The supervision court shall enter into a written agreement with the court reporters 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) All transcripts shall be prepared outside of regular work hours.

(3) The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript is Five Dollars ($5.00) except as follows:

(a) If the transcript is requested to be prepared within twenty-four (24) hours, then the maximum per page fee is Seven Dollars ($7.00).

(b) If the transcript is requested to be prepared within seventy-two (72) hours, then the maximum per page fee is Six Dollars ($6.00).~~.~~

The court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts.

(4) The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript is Five Dollars ($5.00), except as follows:

(a) If the transcript is requested to be prepared within twenty-four (24) hours, then the maximum per page fee is Seven Dollars ($7.00).

(b) If the transcript is requested to be prepared within seventy-two (72) hours, then the maximum per page fee is Six Dollars ($6.00).

(5) The Maximum per page fee a court reporter may charge for the preparation of a private transcript is Five Dollars ($5.00), except as follows:

(a) If the transcript is requested to be prepared within twenty-four (24) hours, then the maximum per page fee is Seven Dollars ($7.00).

(b) If the transcript is requested to be prepared within seventy-two (72) hours, then the maximum per page fee is Six Dollars ($6.00).

(6) 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 Office of Judicial ~~Supreme Court Division of State Court~~ Administration. The reporting shall be made on forms prescribed by the Indiana Office of Judicial ~~Division of State Court~~ Administration.

(7) Minimum transcript fee shall be Fifty Dollars ($50.00).

(C) PRIVATE PRACTICE

(l) If a court reporter elects to engage in private practice through recording of a deposition or preparing of a deposition transcript, and the court reporter desires to utilize the court's equipment, workspace and supplies, and the court agrees to the use of the court equipment for such purposes, the court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:

(a) The reasonable market rate for the use of equipment, workspace and supplies; and

(b) The method by which records are to be kept for the use of equipment, workspace and supplies; and

(c) The method by which the court reporter is to reimburse the court for the use of the equipment, workspace and supplies.

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

(D) REIMBURSEMENT FOR USE OF EQUIPMENT

The court reporter shall reimburse the county for the use of county owned equipment, workspace and supplies for the preparation of all transcripts, regardless of the reason for the transcript, at a rate set by the courts on an annual basis.

(Amended effective January1, 2025)

LR50-AR00-MLR-017
Court Sessions

The Courts shall convene promptly at 8:00 a.m., recess at 12:00 noon, reconvene at 1:00 p.m. and adjourn at 4:00 p.m. Monday through Friday unless it is a legal holiday or as may be otherwise ordered by the Court.

LR50-AR00-MLR-018
Compliance with Rules

All counsel and/or parties having matters before the Marshall Circuit Court, Marshall Superior Court No. 1, ~~and~~ Marshall Superior Court No. 2, and Marshall Superior Court No. 3 are presumed to have knowledge of the Courts' rules and are expected to comply accordingly.

LR50-AR00-MLR-019

Rules of Civility

(A) CIVILITY

The following standards are designed to encourage lawyers to meet obligations to each other, to litigants and to the system of justice, and thereby achieve the twin goals of civility and professionalism, both of which are hallmarks of a learned profession dedicated to public service. All professionals are to make a firm commitment to these standards. Voluntary adherence is expected as part of a commitment by all participants to improve the administration of justice. These standards shall not be used as a basis for litigation or for sanctions or penalties. Nothing in these standards supersedes or detracts from existing disciplinary codes or alters existing standards of conduct against which lawyer negligence may be determined.

Lawyers will practice with a continuing awareness that their role is to advance the legitimate interests of their clients. In dealings with others, lawyers will not reflect the ill feelings of their clients. They will treat all other counsel, parties, and witnesses in a civil and courteous manner, not only in court, but also in all other written and oral communications.

Lawyers will not, even when called upon by a client to do so, abuse or indulge in offensive conduct directed to other counsel, parties, or witnesses. Lawyers will abstain from disparaging personal remarks or acrimony toward other counsel, parties, or witnesses and treat adverse witnesses and parties with fair consideration.

Lawyers will not encourage or knowingly authorize any person under their control to engage in conduct that would be improper if the lawyer were to engage in such conduct. They will not, absent good cause, attribute bad motives or improper conduct to other counsel or bring the profession into disrepute by unfounded accusations of impropriety and lawyers will not seek court sanctions without first conducting a reasonable investigation and unless fully justified by the circumstances and necessary to protect their client's lawful interests.

Lawyers will not ascribe a position to another counsel that counsel has not taken or otherwise seek to create an unjustified inference based on counsel's statements or conduct.

Lawyers will adhere to all express promises and to agreements with other counsel, whether oral or in writing, and will adhere in good faith to all agreements implied by the circumstances or local customs. When an oral understanding is reached on a proposed agreement or a stipulation and it is to be reduced to writing, the drafter will endeavor in good faith to state the oral understanding accurately and completely. The drafter will provide the opportunity for review of the writing to other counsel. As drafts are exchanged between or among counsel, changes from prior drafts will be identified in the draft or otherwise explicitly brought to the attention of other counsel. Lawyers will not include in a draft, matters to which there has been no agreement without explicitly advising other counsel in writing of the addition.

Lawyers will endeavor to confer early with other counsel to assess settlement possibilities and will not falsely hold out the possibility of settlement as a means to adjourn discovery or to delay trial.

Lawyers are to stipulacivte to relevant matters if they are undisputed or if no good faith advocacy basis exists for not stipulating in civil actions. Lawyers shall not use any form of discovery or discovery scheduling as a means of harassment. And they shall make good faith efforts to resolve by agreement, objections to matters contained in pleadings and discovery requests and objections.

Lawyers will not time the filing or services of motions or pleadings in any way that unfairly limits another party's opportunity to respond, and they will not request an extension of time solely for the purpose of unjustified delay or to obtain a tactical advantage. They will endeavor to accommodate previously scheduled dates for hearings, depositions, meetings, conferences, vacations, seminars, or other functions that produce good faith calendar conflicts on the part of other counsel. If a lawyer has been given an accommodation because of a calendar conflict, the lawyer will notify those who have been accommodating when and if the conflict has been removed.

Lawyers will notify other counsel and, if appropriate, the court or other persons, at the earliest possible time when hearings, depositions, meetings, or conferences are in conflict and need to be rescheduled.

Lawyers shall agree to reasonable requests for extension of time and for waiver of procedural formalities, provided our clients' legitimate rights will not be materially or adversely affected. No default or dismissal shall be requested without first notifying opposing counsel, when we know his or her identity.

Lawyers will take depositions only when actually needed to ascertain facts or information or to perpetuate testimony and shall not take depositions for the purpose of harassment or to increase litigation expenses. In addition, the lawyer will not engage in any conduct during a deposition that would not be appropriate in the presence of a judge. The lawyer shall not obstruct questioning during a deposition or object to deposition questions unless necessary under the applicable rules to preserve an objection or privilege for resolution by the court. During depositions lawyers will ask only those questions we reasonably believe are necessary for the prosecution or defense of an action.

Lawyers will carefully craft document production requests, so they are limited to those documents reasonably necessary for the prosecution or defense of an action and will not design production requests to place an undue burden or expense on a party.

Lawyers will respond to document requests reasonably and not strain to interpret the request in an artificially restrictive manner to avoid disclosure of relevant and non-privileged documents. Lawyers will not produce documents in a manner designed to hide or obscure the existence of particular documents and will carefully craft interrogatories, so they are

limited to those matters reasonably necessary for the prosecution or defense of an action and not to place an undue burden or expense on a party.

Lawyers will respond to interrogatories reasonably and will not strain to interpret them in an artificially restrictive manner to avoid disclosure of relevant and non-privileged information. They will base their discovery objections on a good faith belief in their merit and will not object solely for the purpose of withholding or delaying the disclosure of relevant information.

When requested by a Court to draft an order to reflect a court ruling the lawyer shall draft an order that accurately and completely reflects the court's ruling. It shall be promptly prepared and submitted to other counsel before the draft order is presented to the court.

LR50-FL00-MLR-020

Parenting Time Guidelines

The Courts of Marshall County have adopted and approved the use of the Indiana Parenting Time Guidelines. ~~and have also established the Marshall County Alternate Parenting Time Guidelines either of which may be agreed to by the parties or ordered imposed by the Courts of Marshall County. The Marshall County Alternate Parenting Time Guideline shall be made available to the parties, or their counsel as requested and are subject to change, on review by the Courts of Marshall County, annually or as deemed necessary.~~

LR50-FL00-MLR-021

Contested Family Law Matters ~~Dissolutions and Final Hearings~~

(A) The Contested Family Law Matter rules apply to all DC, DN, JP case types.

(B) When a party is represented by counsel, any motion for a final hearing on a disputed family law matter must contain the following:

(1) A detailed statement of the issues to be tried;

(2) The time required to be reserved for the hearing;

(3) The proposed date and time the hearing is to be scheduled along with a statement that the date and time was approved by Court staff and approved by opposing counsel or approved by the opposing unrepresented party.

(4) An affirmative representation that: (a) all exhibits have been exchanged prior to filing this motion; (b) there are no outstanding discovery disputes; (c) that counsel has diligently conducted all desired discovery or that counsel intentionally did not conduct discovery; (d) all work or reports to be taken into consideration by the Court of any custody evaluator; guardian ad litem, or expert are complete and in each parties' possession; and (e) counsel is prepared to try the case.

(5) A statement whether the parties have assets and debts to divide. If so – the parties must attach a joint asset and debt list or individual asset or debt lists if parties are in disagreement. All assets and debts must have values assigned and must identify which party is to be assigned the debt or asset. Any equalization calculations must be filed at this time.

(6) A statement whether child support is in dispute. When child support is being sought a child support work sheet must be attached to the motion for final hearing

and if the parties dispute the amount to be paid each party must file a child support worksheet with the motion for the hearing.

(7) A statement whether or not the parties have completed mediation.

(8) Contain the signature of all attorneys of record indicating that a final hearing is ready for the docket.

(9) If needed a detailed explanation as to why any part LR50-FL00-MLR-021(B) could not be complied with in its entirety.

(C) When a party is represented by counsel, any motion for a hearing on a disputed family law matter that will take more than one (1) hour must contain the following:

(1) A detailed statement of the issues to be tried;

(2) The time required to be reserved for the hearing;

(3) The proposed date and time the hearing is to be scheduled along with a statement that the date and time was approved by Court staff and approved by opposing counsel or approved by the opposing unrepresented party.

(4) An affirmative representation that all exhibits will be exchanged ten (10) days prior to the hearing;

(5) A statement whether child support is in dispute. When child support is being sought a child support work sheet must be attached to the motion for the hearing and if the parties dispute the amount to be paid each individual party must file a child support worksheet with the motion for the hearing.

(6) If needed a detailed explanation as to why any part LR50-FL00-MLR-021(C) could not be complied with in its entirety.

(D) Hearings will start on time. Scheduled hearing times will not be used for mediation among the parties. Settlement negotiations must occur prior to any hearing. The practice of reserving long blocks of time on the Court's calendar and then using the day or part of the day to mediate, settle, or not settle results in congestion on the Court's calendar.

~~(A) The parties and their counsel shall meet for a final pretrial conference before a contested final hearing shall be held. The Court will schedule the final pretrial conference. Failure to participate in the conference will result in the imposition of appropriate sanctions as determined by the Court.~~

~~(B) The parties shall file one document listing all property and indebtedness to be divided by the Court prior to the commencement of the final hearing. The parties shall also set forth on the document each party's valuation of the item or debt to be divided and~~

~~indicate whether the party wishes to have the item or debt assigned to them or to the other party. The final hearing shall not commence without the appropriate document being provided.~~

LR50-AR00-MLR-22
Court Alcohol and Drug Program Fees

All individuals ordered to enroll in the Marshall County Drug and Alcohol Program may be charged a fee for program services not to exceed the maximum fee set by Indiana Code § 12-23-14-16, as amended.

(Effective January 1, 2012)

LR50-AR00-MLR-23
Recording Devices

To promote security in the courthouse, to facilitate orderly court proceedings without unnecessary interruptions, and to ensure compliance with the Indiana Code of Judicial Conduct, it is necessary to restrict access to certain devices within the courthouse.

Cellular phones, recording devices, cameras, or similar devices that record audio or visual images, shall not be permitted in the courthouse except by the following individuals:

i. Judges

ii. Court and Clerk staff

iii. Attorneys and their staff

iv. Law enforcement personnel

v. Maintenance staff and service/repair provider personnel

vi. Delivery personnel

vii. Media, when authorized by a respective court

viii. Individuals who are equipped with a medical device operated or monitored by one of the above devices

ix. Witnesses or parties in court proceedings that are not sealed or confidential, upon the condition the respective party provides a list to court security and the court staff of the applicable court. The list shall contain the name, type of device, and address of the party or witness seeking to bring in a device named above

x. Others as the Courts may specifically designate

LR50-PR00-MLR-24

Guardianships

Prior to scheduling any hearing on guardianship parties must complete and file the Court's form titled Instruction for Guardian located in Appendix Ex. ~~1~~2, a proposed order, and proposed oath of guardian.

APPENDIX EX. 1
Bond Schedule

MARSHALL COUNTY COURTS
CASH BOND SCHEDULE COVER PAGE

1. GENERAL OFFENSE LISTING

MURDER	NO BOND
LEVEL 1 FELONY/CLASS A FELONY	$50,000.00+
LEVEL 2 FELONY/CLASS B FELONY	$50,000.00+
LEVEL 3 FELONY	$40,000.00+
LEVEL 4 FELONY	$25,000.00+
LEVEL 5 FELONY/CLASS C FELONY	$7,500.00
LEVEL 6 FELONY/CLASS D FELONY	$1,500.00
CLASS A MISDEMEANOR	$750.00
CLASS B MISDEMEANOR	$250.00
CLASS C MISDEMEANOR	$100.00

2. SPECIFIC OFFENSES BOND LISTING

CHILD MOLESTING	NO BOND
CHILD SOLICITATION	NO BOND
SEXUALLY VIOLENT PREDATOR	NO BOND
OPERATING WHILE INTOXICATED	$1,500.00
UNLAWFUL POSS. OF FIREARM	$1,500.00
POSS. OF FIREARM BY DV BATTERER	$1,500.00
RESISTING LAW ENFORCEMENT *AIM*	$1,500.00
RESISTING LAW ENFORCEMENT F6	$2,000.00
BATTERY FD/F6	$2,000.00
CRIMINAL CONFINEMENT	$2,000.00
CRIMINAL GANG ACTIVITY	$2,000.00
CRIMINAL RECKLESSNESS F6/FD	$2,000.00
ESCAPE	$2,000.00
INTIMIDATION F6/FD	$2,000.00
POINTING A FIREARM	$2,000.00
RESIDENTIAL ENTRY	$2,000.00
STALKING	$2,000.00
STRANGULATION	$2,000.00
DOMESTIC BATTERY F6/FD	$2,000.00
DOMESTIC BATTERY AM	$1,500.00

MARSHALL COUNTY COURTS BOND SCHEDULE

1. SCOPE

This Provisional bond Schedule shall apply to all defendants arrested outright in Marshall County. This schedule shall not apply to those cases where a judicial officer previously issued a warrant with a predetermined bond amount.

All bond amounts are subject to review and modification by the trial court in individual cases. The review and modification may come before or after the information or indictment is filed. A judicial officer shall consider factors found in I.C. § 35-33-8-4 in setting appropriate bond in all cases.

2. LEVEL 1, 2, 3, AND 4 FELONY BOND AMOUNTS

(a) Individuals that are booked in on a level 1, 2, 3, or 4 felony outright arrest are not permitted to post bond until the case has been submitted to the court for a probable cause determination and bond has been set by a judicial officer.

3. GENERAL PROVISIONS APPLICABLE TO ALL ARRESTS

(a) **CRIME OF DOMESTIC VIOLENCE MANDATORY TWENTY-FOUR (24) HOUR HOLD.** Pursuant to I.C. § 35-33-8-6.5, the court may not release a person on bond for at least twenty-four (24) hours from the time of the person's arrest if the person is arrested for one (1) or more of the following offenses *committed against a family or household member:*

i. A crime of domestic violence (as described in I.C. § 35-31.5-2-78).
ii. Battery (I.C. § 35-42-2-1).
iii. Domestic battery (I.C.§ 35-42-2-1.3).
iv. Aggravated battery (I.C. § 35-42-2-1.5).
v. Strangulation (I.C. § 35-42-2-9).
vi. Rape (I.C. § 35-42-4-1).
vii. Sexual battery (I.C. § 35-42-4-8).
viii. Invasion of privacy (I.C.§ 35-46-1-15.1).
ix. Criminal stalking (I.C. § 35-45-10-5).
x. Criminal recklessness (I.C. § 35-42-2-2).
xi. Criminal confinement (I.C. § 35-42-3-3).
xii. Burglary (I.C.§ 35-43-2-1).
xiii. Residential Entry (I.C.§ 35-43-2-1)

(b) **MULTIPLE OFFENSES.** If an individual is charged with more than one offense, bond shall be equal to the charge resulting in the highest bond amount regardless of offense level.

(c) **ELECTRONIC MONITORING DEVICE.** Consistent with I.C. § 35-33-8-11, an individual charged with a crime of domestic violence, as described in I.C. § 35-31.5-2-78, may be required to wear a monitoring device as a condition of bond or release.

(d) **NO BOND HOLDS FOR PENDING ACTIONS AGAINST ARRESTEE.** Notwithstanding any provision stated herein, any individual who has a pending criminal case, who has an active warrant, who is on parole supervision, or who is serving a probationary or executed sentence in any jurisdiction, shall be held without bond until set by the assigned trial court.

(e) **MONITORING AS CONDITION OF BAIL.** Consistent with I.C. § 35-33-8-5, all individuals released on personal recognizance or released on bond may be found in violation of their conditions of release upon the finding of probable cause for a new criminal offense in any jurisdiction.

(f) **NO CONTACT ORDER AS A CONDITION OF BAIL.** Prior to being released, individuals booked in for a violent crime, the arrestee must sign a No Contact Order protecting the alleged victim if one exists, in accordance with I.C. § 35-33-8-3.6. If the person refuses to sign a No Contact Order, the Sheriff shall hold the person until they are brought to court.

(g) **MOTION FOR HIGHER BOND.** The Marshall County Prosecutor's Office may file a request for higher bond. This may be done at any point once an individual is booked into the Marshall County Sheriff Department's custody. The Motion shall list the reasons the Marshall County Prosecutor's Office believes would deem the individual a flight risk or a harm to the community. The filing shall be submitted directly to the assigned court.

(h) **REVOCATIONS OF BOND.** The Marshall County Prosecutor's Office may file a Motion to Revoke Bond for an individual released on personal recognizance or admitted to bond upon the subsequent charge of that individual for a new misdemeanor or felony offense in any jurisdiction.

4. SCHEDULED BOND AMOUNTS

Murder	No Bond
Class A Felony	$50,000 +
Level 1 Felony	$50,000 +
Level 2 Felony	$50,000 +
Class B Felony	$50,000 +
Level 3 Felony	$40,000
Level 4 Felony	$25,000
Class C Felony	$7,500
Level 5 Felony	$7,500

5. BOND ENHANCEMENTS

(a) Enhancements do not pertain to Domestic Battery or Strangulation offenses found in 3(a) above.

(b) For all other offenses, the bond schedule amounts shall double for each of the following circumstances applying to the defendant:

i. The defendant is not a Marshall County resident,
ii. The charge filed alleges a deadly weapon or serious bodily injury as an element of the offense,
iii. The crime for which the arrestee is held has two or more alleged victims,
iv. The defendant has two or more prior felony convictions,
v. The defendant has two or more failures to appear,
vi. The defendant has ten or more prior arrests (not including public intoxication arrests).
vii. The defendant has been arrested for an offense while on probation, parole, bond or released on the person's own recognizance for another offense.

6. FILED CASES

(a) A judicial officer may set bond in an amount higher than recommended by the Bond Schedule if, after finding probable cause, the judicial officer finds the individual poses a risk to the physical safety of another person or the community or poses a risk of flight as found in I.C. § 35-33-8-4.

(b) The bond set and release provisions ordered by the trial court may be altered, including deviation from the applicable bond amount

7. CHILD MOLESTING, CIDLD SOLICITATION, AND SEXUALLY VIOLENT PREDATOR CASES

(a) No bond will be issued until the trial court has conducted a bond hearing for a person who is charged with Child Molesting (I.C. § 35-42-4-3) or Child Solicitation (I.C. § 35-42-4-6);

(b) No bond will be issued until the trial court has conducted a bond hearing for a person who has been determined to be a sexually violent predator defendant as defined in I.C.§ 35-33-8-3.5.

(c) The trial court shall set such cases for a bond hearing within 48 hours after the person has been arrested or at the earliest possible setting if exigent circumstances prevent holding the hearing within 48 hours.

8. MISDEMEANOR & CLASS D/LEVEL 6 FELONY BOND AMOUNTS

(a) GENERAL PROVISIONS

i. Subject to other provisions of this schedule, individuals that are booked in on a misdemeanor, class D, or level 6 outright arrest are permitted to post bond as soon as they are booked in by the Marshall County Sheriff's Department and bond is set.

ii. All individuals released either on their own recognizance or on bond are required to abide by conditions of release ordered by the court.

(b) OPERATING A VEHICLE WHILE INTOXICATED

i. Bond shall be set at $1,500.00 Cash for any individual arrested for an Operating a Vehicle While Intoxicated offense contained in I.C. § 9-30-5.

ii. Bond shall be doubled for individuals who also have a pending Operating a Vehicle While Intoxicated offense or prior conviction within seven (7) years under I.C. § 9-30- 5 or for a crime of a similar nature to I.C. § 9-30-5 from another jurisdiction.

iii. Alcohol monitoring may also be ordered as a condition of BOND or release.

(c) GENERAL MISDEMEANOR BOND AMOUNTS

All individuals booked on a misdemeanor offense, not otherwise specified herein, shall have a bond established in accordance with this schedule, unless a judicial officer has established probable cause and set bond in a specific amount:

i.	Class A Misdemeanor	$750.00 Cash
ii.	Class B Misdemeanor	$250.00 Cash
iii.	Class C Misdemeanor	$100.00 Cash

(d) SPECIFIC MISDEMEANOR OFFENSE BOND AMOUNTS

i.	Unlawful Possession of a Firearm	$1,500.00 Cash
ii.	Possession of a Firearm by a Domestic Batterer	$1,500.00 Cash
iii.	Operating a Vehicle While Intoxicated offenses above	per schedule
iv.	Resisting Law Enforcement	$1,500.00 Cash

(e) GENERAL FD/F6 BOND AMOUNTS

i. BOND shall be set in the amount of $2,000.00 Cash for individuals booked in the following class "D" felony or level 6 felony:

(A) Battery (I.C. § 35-42-2-1)
(B) Sexual Battery (I.C. § 35-42-4-8)
(C) Criminal Confinement (I.C. § 35-42-3-3)
(D) Criminal Gang Activity (I.C. § 35-45-9-3)
(E) Criminal Recklessness (I.C. § 35-42-2-2 - all sections)
(F) Escape (I.C. § 35-44-3-5/ I.C. §35-44.1-3-4)
(G) Intimidation (I.C. § 35-45-2-1)
(H) Killing a Domestic Animal (I.C. § 35-46-3-12)
(I) Pointing a Firearm (I.C. § 35-47-4-3)
(J) Residential Entry (I.C. § 35-43-2-1.5)
(K) Resisting Law Enforcement (I.C. § 35-44-3-3/ I.C. §35-44.1-3-1)
(L) Stalking (I.C. § 35-45-10-5)
(M) Strangulation (I.C. § 35-42-2-8/ I.C. §35-42-2-9)

ii. Bond shall be set in the amount of $1,500.00 for all other individuals arrested on an outright arrest for a general D-felony or level 6 felony offense.

(f) MISDEMEANOR, LEVEL 6/CLASS D FELONY DOMESTIC VIOLENCE CASES

i. Bond for crimes of domestic violence as a misdemeanor, Level 6 Felony, and Class D Felony, shall be established as follows:

(A) Class D Felony $2,000.00 Cash
(B) Level 6 Felony $2,000.00 Cash
(C) Class A Misdemeanor $1,500.00 Cash

ii. If a domestic violence charge is not the lead charge and this schedule would require a higher bond for the domestic violence charge standing alone, the bond shall be set as if the domestic violence charge were the lead charge.

(g) INVASION OF PRIVACY CASES

i. Bond for crimes of Invasion of Privacy as a misdemeanor, Level 6 Felony, and Class D Felony, shall be established as follows:

(A) Class D Felony $2,000.00 Cash
(B) Level 6 Felony $2,000.00 Cash

(C) Class A Misdemeanor $1,500.00 Cash

ii. If an invasion of privacy charge is not the lead charge and this schedule would require a higher bond for the invasion of privacy charge standing alone, the bond should be set as if the invasion of privacy charge were the lead charge.

REVISED 1/24/25

APPENDIX EX. 2
Instructions to Guardian

INSTRUCTIONS TO GUARDIAN

Read carefully. Date, sign, and keep a copy for your reference.

You may be appointed the Guardian of an individual, "Protected Person", who, because of some incapacity, is unable to care for his/her own financial and/or personal affairs. It is important that you understand the significance of this appointment and your responsibility as Guardian.

In order to qualify and have your Letters issued to you, you may be required to post a bond in the amount set by the Court and to take an oath to faithfully discharge your duties as Guardian. The Bond assures the Court that you will properly protect the assets of the Protected Person.

Listed below are some of your duties, but not necessarily all of them. You are directed to ask the Attorney for the Guardianship to fully explain to you each of the items below and to tell you about the other duties you have in your particular circumstances. Though the Attorney will file all papers with the Court, the ultimate responsibility to see that all reports, etc., are accurately and timely prepared and filed, rests with you.

As GUARDIAN of the financial affairs of the Protected Person, you are required to:

- File with the Court, within ninety (90) days after your appointment, a verified Inventory and appraisement of all of the property belonging to the Protected Person, unless waived by the Court;

- File with the Court a verified account of all the income and expenditures of the Guardianship every two (2) years after your appointment, unless waived by the Court;

- Pay bond premiums, if required, as they become due;

- File a final accounting with the Court upon the termination of the Guardianship, whether due to the death of the Protected Person, or for any other reason, unless waived by the Court;

- Keep all of the assets of the Protected Person separate from your own;

- Open an account, in your name as Guardian, in which all of the cash assets of the Protected Person are deposited. This account must be used for all payments or disbursements on behalf of the Guardianship and the Protected Person;

- Obtain approval from the Court to use Guardianship assets;

- It is your duty to protect and preserve the Protected Person's property, to account for the use of the property faithfully and to perform all the duties required by law of a Guardian;

- You may NOT make expenditures or investments from the Guardianship funds without Court authorization. Guardianship funds must never be co-mingled with personal funds. A separate account for all Guardianship assets must be kept in your name as Guardian. Accurate accounts must be kept and accurate reports made. Unauthorized use of Guardianship funds can result in you being personally or criminally liable for the misuse of those sums.

As GUARDIAN of the personal affairs of the Protected Person, you are required to:

- Make certain that the physical and mental needs of the Protected Person (food, clothing, shelter, medical attention, education, etc.) are properly and adequately provided for;

- File with the Court a status report as to the physical condition and general welfare of the Protected Person every two (2) years after your appointment.

It is important to understand that you have the same duties and responsibilities concerning the Protected Person whether or not the Protected Person is your relative. If any questions arise during the Guardianship, you should consult with your Attorney immediately.

I affirm under penalties of perjury I have read and understand the above instructions and agree to follow them carefully, and further that I have kept a copy for my continued use and review.

Dated: _____

Cause Number: _____

The Guardianship of: _____

Signature: _____

Printed Name: _____

Signature: _____

Printed Name: _____