

**STATE OF INDIANA – COUNTY OF ALLEN  
IN THE ALLEN CIRCUIT AND SUPERIOR COURTS**

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**NOTICE OF PROPOSED AMENDMENTS  
TO LOCAL CRIMINAL RULES**

**April 19, 2021**

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In accordance with Trial Rule 81 (D) of the Indiana Court Rules, and in finding good cause to deviate from the uniform annual schedule for changes to local rules, the Allen Circuit and Superior Courts hereby give notice to the bar and the public that the Courts propose to amend the Local Criminal Rules of the Allen Circuit and Superior Courts effective **June 1, 2021**. All new text is shown by underlining and deleted text is shown by ~~striketrough~~.

Comments by the bar and the public will be accepted through May 21, 2021, and should be made in writing by email to:

John McGauley, Court Executive

*Allen Superior Court*

[john.mcgauley@allensuperiorcourt.us](mailto:john.mcgauley@allensuperiorcourt.us)

A paper copy of the proposed amended local rule will be made available for viewing in the office of the Clerk of Allen County during normal business hours, Allen County Courthouse, 715 S. Calhoun Street, Fort Wayne, IN 46802. Persons with Internet access may view the proposed amended local rules at the following website:

<http://www.in.gov/judiciary/2994.htm>

For the Courts of Record of Allen County

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Frances C. Gull  
Judge, Allen Superior Court

LR02-TR00-49. The Assessment of **Allen Superior Court Criminal Division Services Court-Administered Alcohol & Drug and Alcohol Program Fees and Problem-Solving Court Program Fees**

~~The Criminal Division of this Court, having previously determined that assessment of fees for services provided by the Court's Criminal Division Services (Alcohol Countermeasures program, Drug Court/Problem-Solving Court Program, Pre-Trial Services Program) for clients enrolled in these programs is appropriate; the Court now adopts a SCHEDULE OF FEES pursuant to the authority granted by statute in I.C. 12-23-14, I.C. 33-23-16-20 and I.C. 33-23-16-23.~~

**The Criminal Division of ALLEN SUPERIOR COURT, having determined that assessment of fees for services provided by the Court's Criminal Division Services Court Alcohol and Drug Program (Alcohol Countermeasures Program), and Problem-Solving Court Programs (Drug Court Program / Veterans Court Program) for clients enrolled in these programs is appropriate; the Court now adopts a SCHEDULE OF FEES pursuant to the authority granted by statute in: I.C. 12-23-14-6, I.C. 12-23-14-16, I.C. 12-23-14-18, I.C. 33-23-16-20, I.C. 33-23-16-23, and I.C. 33-23-16-24.**

~~(1) The SCHEDULE OF PROGRAM FEES set forth under Indiana code for Court Drug and Alcohol Programs and Problem-Solving Courts shall be applicable.~~

~~Fees payable to the Clerk of the Courts for deposit with the Auditor of Allen County into the designated County User Fee Fund.~~

**(1) ALCOHOL COUNTERMEASURES PROGRAM:**

- **User Fee (per admission)..... \$400.00**
  - **User Fee is payable to the Clerk of the Courts for deposit with the Auditor of Allen County into the designated Allen County User Fee Fund.**
  - **In addition to the User Fee, chemical testing fees will be reasonably assessed pursuant to the Program's Chemical Testing Fee Schedule and are payable to Criminal Division Services for deposit with the Auditor of Allen County into the designated Allen County User Fee Fund.**

~~(2) Criminal Division Services urine drug screen fees (UDS) shall be reasonably assessed utilizing Problem-Solving Court sanctions/incentives as appropriate and based upon specific lab costs and administrative processing fees.~~

~~Fees payable to Criminal Division Services for deposit with the Auditor of Allen County into the designated County User Fee Fund.~~

**(2) DRUG COURT PROGRAM and VETERANS COURT PROGRAM:**

- **Administration Fee (per admission)..... \$100.00**
- **Monthly Services Fee (beginning w/ second month)..... \$50.00**

- **Administration Fee and Monthly Services Fee is payable to the Clerk of the Courts for deposit with the Auditor of Allen County into the designated Allen County User Fee Fund.**
- **In addition to the Administration and Monthly Services Fee, chemical testing fees will be reasonably assessed pursuant to the Program's Chemical Testing Fee Schedule and are payable to Criminal Division Services for deposit with the Auditor of Allen County into the designated Allen County User Fee Fund.**

*Adopted effective January 1, 2012. Amended effective June 1, 2021.*