

LAW OFFICE OF
JEFFREY D. STANTON
A PROFESSIONAL CORPORATION

JEFFREY D. STANTON
jstanton@jeffreystanton.com

216 FOURTH STREET
LOGANSPOUT, INDIANA 46947

TELEPHONE
(574) 722-2535
FACSIMILE
(574) 722-9026

January 30, 2018
Via Facsimile & Email
(317) 233-3091
KrCundiff@opac.IN.gov

Public Access Counselor
Luke H. Britt
Indiana Government Center South
402 W. Washington St., Rm. W470
Indianapolis, IN 46204-2745

RE: Cass County Commissioners Verified Answer to Formal Complaint 18-FC-4

Dear Mr. Britt:

Enclosed please find the Cass County Commissioners Verified Answer to Formal Complaint 18-FC-4 along with several attachments/exhibits. Should you have any questions please do not hesitate to contact me. Thank you.

Very truly yours,



Jeffrey D. Stanton

JDS/jmh
Enclosures

OFFICE OF THE PUBLIC ACCESS COUNSELOR
RESPONSE TO FORMAL COMPLAINT

CASS COUNTY BOARD OF COMMISSIONERS
VERIFIED ANSWER TO FORMAL COMPLAINT 18-FC-4

This document is intended to serve as the Cass County Commissioner's Response to Complaint 18-FC-4 submitted by Elizabeth A. Thomas. Ms. Thomas asserts that she was not permitted to record a public meeting because the County has a policy in place regulating the use of cell phones in the Courthouse/Government Center.

Cass County does not prohibit individuals from recording public meetings and is compliant with I.C. § 5-14-1.5-3(a) which requires that "all meetings of the governing bodies of public agencies must be open at all times for the purpose of permitting members of the public to observe and record them". The County permits the use of audio and visual recording devices if an individual chooses to record a public meeting.

The complainant asserts an "open door" violation due to the County Commissioners "not allowing recordings of meetings". Although it is not clear from her complaint that the complainant even attempted to record a public meeting, the meeting dates on which she asserts a violation occurred were December 4, 2017, and December 18, 2017. The dates of the meetings that the complainant asserts that a violation occurred were recorded by a citizen or citizens who were in attendance at the meeting. The video recordings were down loaded to You Tube for viewing by the general public. In fact, the past several Commissioner Meetings have been recorded by citizens by both audible recording devices and by video/visual recording devices. The citizens recording the meetings have even constructed "tri-pod" stands to place their recording device(s) upon to assist in the recording. There have also been meetings where individuals have placed a tape recording device on a table near the front of the room to enable a

better recording. The County does not impede and has not impeded individuals from bringing recording devices to record public meetings, specifically County Commissioner meetings.

In March of 2017 the County passed an Ordinance regulating the use of cellular telephones in the Cass County Government Building/Courthouse. In fact, several counties in the State of Indiana have similar policies prohibiting cell phones in Courthouses or Government Centers including St. Joseph County, Steuben County, LaGrange County, and LaPorte County to name just a few. (See attached).

The text of the Cass County Ordinance reads as follows:

CASS COUNTY COMMISSIONERS ORDINANCE NO. 2017-01

*ORDINANCE REGULATING THE USE OF
CELLULAR TELEPHONES/TABLETS IN THE
CASS COUNTY GOVERNMENT BUILDING*

WHEREAS, the Cass County Commissioners periodically implement policies and procedures regarding the use of the County Government Center by the citizens of Cass County and others; and

WHEREAS, technology has advanced to the point that nearly everyone possesses and uses a cellular telephone; and

WHEREAS, it is imperative that county employees be able to carry on their responsibilities without unnecessary disruption often caused by the use of cellular telephones; and, finally;

WHEREAS, the Commissioners implement the following Ordinance to facilitate a safe and efficient means of the use of cellular telephones in the County Government Center provide as follows:

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED AS FOLLOWS:

In order to facilitate Court and County office procedures without interruption, reduce noise levels in the corridors and any unnecessary intimidation of County employees, we hereby prohibit cellular telephones/tablets from the Cass County Government Building. All cellular telephones/tablets brought into the building on or after April 1, 2017, will be confiscated at the security desk and held until the owner departs the building. Anyone seeking to use the phone/tablet in court or for another purpose related to county business must obtain written permission from that Court or County Officer. Court officers (including attorneys and law enforcement personnel) and County employees are exempt so long as they are in compliance with their individual department's cell phone regulations, if applicable. The Cass County Commissioners hereby adopt this Ordinance

approving the prohibition of cellular telephones/tablets from the Cass County Government Building. (A copy of the Ordinance is attached).

As stated in the Cass County Ordinance, and in the texts of other counties' cell phone policies, such policy regulating cell phone use in Courthouses was necessary to among others:

1. Protect the privacy and safety of citizens and other persons utilizing the County Courthouse/Government Center;
2. Avoid disruptions in the County's three (3) Courts and various County offices;
3. Reduce noise inside County offices;
4. Promote efficient service of its citizens; and
5. Prevent the intimidation of County employees.

Prior to the Ordinance's passing, it was a common occurrence for Court staff, Judges, County employees and security to intervene when a person's cell phone conversation was interrupting employees work, intimidating county employees or preventing the efficient assistance of citizens because citizens were using cell phones rather than conducting county business.

Cell phone users were also often interfering with efficiency and safety in the court room. Cell phones have been used to take photos of witnesses in criminal proceedings. Cass County has three (3) courts with three (3) separate entrances on two (2) different floors of the Courthouse. The Complainant suggests that the county station security outside each Court room. This begs the question of the effect of the use of cell phones in other offices of the County Government Center and would require the County to hire three (3) times the number of security staff to monitor each Court entrance. Security currently maintains a station at the entrance of the Courthouse Building.

It is significant that all County Offices and Courts, but Probation and the Health Department, are maintained in the Courthouse/Government Center. The Commissioners' Hearing Room is on the 2nd floor of the Cass County Courthouse.

The Cass County Ordinance does allow its patrons to utilize cell phones in the Government Center if it is necessary for County business by simply obtaining written permission from the Court or County office when the use of the cell phone is necessary. None of the three (3) Commissioners, the Secretary to the Commissioners or the County Attorney have been approached by the complainant requesting that she be permitted to use her cell phone as a recording device. Likewise, our County Government Security Superintendent, Phillip E. Loose, confirms that no one requested to use their cell phone to record the Commissioner's meetings on December 4, 2017, or December 18, 2017, or for that matter any meeting of the Commissioners in December of 2017 or January of 2018. (See attached Affidavit).


The policy requires written permission from the Court and/or County offices because security personnel have been deceived or outright lied to by persons when they relay that their cell phone is necessary for county business when it is in fact not the case.

Regardless, the County when implementing its policy made efforts to follow the Indiana Open Door Law and the Public Access Counselor opinions. The County Attorney reviewed the Open Door Statutes and handbook provision(s) specifically set forth on page eleven (11) which provides: "a person has the right under the ODL to be present at a public meeting, other than an executive session, and to record the meeting by videotape, shorthand, or any other method of recording, subject to reasonable restrictions as to equipment and use that may be imposed by the governing body. Rules and regulations prohibiting the use of cameras, tape recorders or other recognized means of recording a meeting are void".

The County allows recordings of meetings by tape recorder, video recorder and other recording devices. The County's Cell Phone Ordinance is a reasonable restriction as to equipment and use that may be imposed by a governing body. A person may utilize a cell phone as a recording device (if in fact the device allows it) by simply complying with the reasonable request set forth in the Ordinance of obtaining written permission prior to the meeting from a County Officer, such as a Commissioner or the Auditor.

It is essential that safety, efficiency and productivity is balanced with our State's Public Access Laws. Cass County Ordinance 2017-01 accomplishes this. County meetings may be recorded by those in attendance and in fact, many meetings have been recorded. Nothing precludes those in attendance from recording meetings by audio and visual recording devices. Cass County's cell phone policy also does not preclude those in attendance from recording a meeting, so long as reasonable protocol is followed.

I swear and affirm under the penalties for perjury that the foregoing representations are true and correct.


JEFFREY D. STANTON, I.D. #16204-55
216 Fourth Street
Logansport, IN 46947
574-722-2535
Attorney for Cass County Board of Commissioners

see
pg. 3-4

LOCAL RULES FOR ST. JOSEPH COUNTY COURTS

Effective January 1, 2018

Table of Contents

PREAMBLE..... 1

LOCAL GENERAL AND ADMINISTRATIVE RULES FOR ST. JOSEPH COUNTY (100 SERIES).... 2

Rule LR71-TR1-101. Intent and Scope of Local Rules. 2

Rule LR71-AR00-102. Conduct, Dress, and Courthouse Policies. 2

 102.1 Professional Conduct 2

 102.2 Behavior in the Courthouse. 2

 102.3 Appearance and Dress. 3

 102.4 Prohibited Items..... 3

 102.4.1 Weapons. 3

 102.4.2 Cameras, Telephones, and Other Items. 3

 102.4.3 Photographs. 4

 102.4.4 Limitations on the Use of Personal Digital Assistants (PDAs) and other electronic devices. 4

 102.4.5 Enforcement..... 5

 102.4.6 Consent to Search. 6

Rule LR71-TR72-103. Court Clerk. 6

 103.1 Clerk of the Court. 6

 103.2 Staffing, 6

 103.3 Clerk’s Hours of Operation..... 6

Rule LR71-AR00-104. Court Hours and Scheduling. 6

 104.1 Court’s Hours of Operation. 6

 104.1.1 Judicial Days. 6

 104.1.2 Legal Holidays..... 7

 104.1.3 Emergency Closure..... 7

 104.2 Daily Calendar. 7

 104.3 Hearing on Matters Other Than Trials. 7

 104.3.1 Scheduling Uncontested or Routine Matters..... 7

 104.3.2 Scheduling Contested or Complicated Matters. 7

 104.4 Trials. 7

 104.5 Prompt Appearance at Hearings and Trials..... 7

3. Lawyers, litigants, or spectators shall not enter the courtroom with food or beverages. Fresh water is supplied daily and is available to lawyers and litigants at counsel tables.
4. Lawyers, litigants, or any other person in the courtroom shall not talk to the court reporter during the hearings in which they are not participating.
5. Lawyers, litigants, or any other person shall not chew gum or tobacco in the courthouse.

102.3 Appearance and Dress. Every person who enters a courthouse in St. Joseph County should be appropriately dressed. Lawyers should appear for court proceedings in professional attire; litigants, witnesses and spectators should appear in appropriate attire. Examples of clothing that is inappropriate and is prohibited from being worn during court proceedings includes, but is not limited to:

1. Hats or caps;
2. Outer garments such as topcoats, overcoats, jackets, or overshoes;
3. Clothing that exposes the midriff;
4. Shorts of any kind;
5. Sleeveless shirts (i.e. "muscle shirts" and "tank tops");
6. Shower shoes (i.e. rubber "flip-flops");
7. Suggestive or otherwise inappropriate clothing (i.e. poorly fitting, slovenly, or uncleanly).

102.4 Prohibited Items. To insure compliance with state law and to promote public safety, the following rules apply to the presence or use of specific items in and around the courthouse complexes within St. Joseph County:

102.4.1 Weapons. No attorney, litigant, witness, or spectator may possess firearms, knives, or other deadly weapons while in or around the courthouse complexes within St. Joseph County without the prior written authorization of the Judge of the Circuit Court or Probate Court or the Chief Judge of the Superior Court. However, a law enforcement officer who is not a litigant in a pending matter and who is appearing as a witness may retain possession of their issued firearm while in the courthouse so long as he or she advises, and receives the permission of, the supervisor of the courthouse security detail upon entering the courthouse complex or has prior authorization from a Judge of one of the Courts.

102.4.2 Cameras, Telephones, and Other Items. Unless otherwise allowed by this Rule, and to protect the interest of privacy, safety

and justice, cellular telephones, smart phones and personal digital assistants (PDA's) are not permitted in the court houses within St. Joseph County. To avoid disruption during court proceedings, the following items are prohibited in the courtrooms and the areas in or around the courtrooms during hearings or trials:

1. Cameras, video cameras, or any devices capable of audio and/or visual recording;
2. If allowed inside the court houses by these Rules or by order of court, a Personal Digital Assistant, electronic book, telephone, beeper, or similar electronic device capable of making an audible noise shall be disabled or switched to vibrate mode prior to entering a courtroom;
3. Newspapers or other periodicals unrelated to the business of the Court; and
4. Other items that may be disruptive to the court proceedings.

102.4.3 Photographs. The taking of photographs, sound recording (except by official court reporters in the performance of their duties), broadcasting by radio, television, telephone, or any other means, in connection with any judicial proceeding in the environs of the court houses within St. Joseph County is prohibited; provided, however, that incidental to investiture, ceremonial, training, marital, adoption or other non-judicial proceeding, a judge may permit the taking of photographs, broadcasting, televising or recording. A judge, by specific order, may allow the use of cameras or audio/visual recording equipment in his or her courtroom in an individual case so long as authorized by the Supreme Court of Indiana.

102.4.4 Limitations on the Use of Personal Digital Assistants (PDAs) and other electronic devices. To facilitate governmental efficiency and client service, the general public may bring personal digital assistants (PDAs), cellular telephones or similar electronic devices (hereinafter "electronic devices") into the portion of the St. Joseph County Courthouse complex that contains county and city governmental offices, which is located at 227 W. Jefferson Boulevard, in South Bend, Indiana. To enhance court security and the personal safety of litigants and court personnel, the general public is prohibited from bringing these electronic devices into the remainder of the St. Joseph County Courthouse complex (the portions of the Courthouse complex located at 101 South Main Street and 112 South Lafayette Street, South Bend, Indiana) as well as the Courthouse complexes located at 1000 S. Michigan Street, South Bend,

STEUBEN COUNTY LOCAL COURT RULES TABLE OF CONTENTS

CIVIL RULES

LR76-AR00-1	Scope	P.	3
LR76-AR00-2	Citation		3
LR76-AR00-3	Case Filings		3
LR76-AR00-4	Preparation of Pleadings, Motions and Other Papers		4
LR76-AR00-5	Filing/Service		4
LR76-AR00-6	Motions		5
LR76-AR00-7	Withdrawal of Appearance		5
LR76-AR00-8	Removal of Records - Law Library		6
LR76-AR00-9	Continuances - Extensions of Time to Answer		7
LR76-AR00-10	Discovery		8
LR76-AR00-11	Pre-Trial Procedure		9
LR76-AR00-12	Attorney Fee Requests		12

DOMESTIC RELATION RULES

LR76-DR-1	Scope		12
LR76-DR-2	Citation		12
LR76-DR-3	Cooperation		13
LR76-DR-4	Dissolution of Marriage		13
LR76-DR-5	Mediation		18

CRIMINAL RULES

LR76-CR-1	Scope		19
LR76-CR-2	Citation		19
LR76-CR-3	Appearance/Waiver		19
LR76-CR-4	Withdrawal of Appearance		20
LR76-CR-5	Pre-Trial Procedures		20
LR76-CR-6	Discovery/Character Evidence		21
LR76-CR-7	Bail Policies and Schedule		21
LR76-CR-8	Local Traffic Violation		24
LR76-CR-9	Community Corrections		25
LR76-CR-10	Plea Agreements		25

ADMINISTRATIVE RULES

LR76-AR-1	Scope		26
LR76-AR-2	Citation		26
LR76-AR-3	Cell Phones/Cameras		26
LR76-AR1-4	Caseload Allocation Plan		26
LR76-CR2.2-1	Criminal Case Filings		28

than the first pre-trial conference.

B. When the Court sets a final pre-trial conference date plea negotiations terminate on that date.

ADMINISTRATIVE RULES

LR76-AR-1 Scope

A. Pursuant to Ind. Trial Rule 81, the Steuben Circuit Court and the Steuben Superior Court (Court) do hereby adopt the following Local Administrative Rules, repealing any Local Administrative Rules heretofore promulgated by the Court.

LR76-AR-2 Citation

A. These Local Administrative Rules shall be cited as L. Admn. R. followed by the rule number.

LR76-AR-3 Cell Phones/Cameras

A. No cell phones, cameras or recording devices of any nature whatsoever will be permitted into the Courthouse.

B. All such devices will be confiscated by security personnel at the front door of the Courthouse, and promptly returned to the owner upon his/her departure from the Courthouse.

C. Courthouse employees, law enforcement personnel and members of the Indiana Bar who are identified as such are exempt from the provisions of this Local Administrative Rule.

LR76-AR1-4 Caseload Allocation Plan

A. Criminal, Infraction and Ordinance Violation Cases

Criminal cases shall be filed pursuant to LR76-CR2.2-1. All

**LAGRANGE SUPERIOR AND CIRCUIT COURTS
LOCAL RULES OF PRACTICE**

Updated September 24, 2017

Table of Contents

LR44-TR 00-1	Scope of Rules
LR44-TR 3.1-2	Withdrawal of Appearance by Counsel
LR44-TR 5-3	Service and filing of pleadings; court office mailboxes; submission of proposed orders
LR44-TR 53.5-4	Continuances
LR44-TR 69-5	Procedure for Proceeding Supplemental
LR44-TR 00-6	Termination of Counsel's Representation in Dissolution of Marriage Actions
LR44-TR 00-7	Bail Policy and Schedule
LR44-TR 00-8	Dress and Conduct
LR44-AR1-9	Caseload Allocation Plan
LR44-CR2.2-10	Criminal Case Assignment
LR44-CR2.2-11	Criminal Case Reassignment
LR44-TR79-12	Special Judge Assignment in Civil Cases
LR44-AR 15-13	Court Reporters
LR44-AR 00-14	Removal of files
LR44-FL 00-15	Local Rules Relating to Dissolution of Marriage
LR44-JR 4-16	Procedure for Summoning Jurors
LR 44-AR00-17	LaGrange County Court Drug and Alcohol Program-Schedule of Fees
LR44-AR00-18	Court Building Security Order
LR 44-AR00-19	LaGrange County Drug Court Schedule of Fees

LR44-TR 00-8**Dress and Conduct**

- A.** Lawyers and litigants shall be appropriately attired during all court appearances.
- B.** Lawyers, litigants, and spectators shall at all times speak and behave in such a manner as to respect the dignity and authority of the Courts, Judges, and all judicial personnel.
- C.** No person shall bring food or beverage into any courtroom without the prior approval of the judge of that court.
- D.** No cell phones, pagers or any other personal electronic devices shall be allowed to be brought into the Courthouse during regular business hours. This prohibition shall not apply to attorneys, county employees, or individuals exempted from this restriction by express consent of the Judge.

LR44-AR1-9**Caseload Allocation Plan****A. Criminal, Infraction and Ordinance Violation Cases**

Criminal cases shall be filed pursuant to LR44-CR2.2-10. All infraction and ordinance violation cases shall be assigned to the Superior Court.

B. Probate and Related Cases

Estate, Guardianship, and Trust cases shall be assigned to the LaGrange Circuit Court. Adoption cases shall be equally divided between the LaGrange Circuit and Superior Courts.

C. Juvenile Cases

All juvenile cases including paternity cases shall be assigned to the LaGrange Circuit Court.

D. Small Claims Cases

All small claims cases shall be assigned to the LaGrange Superior Court.

E. Reciprocal Support Cases

All reciprocal support cases shall be assigned to the LaGrange Circuit Court.

F. All Other Civil Case Types

Cases other than those mentioned in the preceding paragraphs may be filed in either Circuit Court or Superior Court, at the discretion of the filing party. However, nothing in this rule shall prohibit a judge of said Court from transferring a case from that Court to the other as allowed by statute, or rule of trial procedure, or to ensure an even distribution of judicial workload between the courts of record in the county.

G. Sitting as Judge

A Judge of a Court in LaGrange County may sit as Judge of all other Courts in LaGrange County in any manner, as if the elected Judge of that Court, with the consent of the Judge of that Court.

H. Re-filed Cases

Except when a change of venue is necessary, whenever a case is dismissed by action of the originating party, the case, if re-filed, must be assigned to the same court that received the original case.



org

See pg. 3

Good Afternoon! Tuesday January 23, 2018 01:14 PM

DEPARTMENTS EMPLOYMENT JUDICIARY & LAW BOARDS & COMMISSIONS SOCIAL SERVICES HEALTH & SAFETY ENVIRONMENT TAXES & PARCELS ELECTIONS RESOURCES TV

COUNTY COURTS

CLERK OF CIRCUIT COURT

CIRCUIT COURT

SUPERIOR COURT 1

SUPERIOR COURT 2

SUPERIOR COURT 3

TRAFFIC

VETERANS TREATMENT COURT

SUPERIOR COURT 4

SELF HELP CENTER

ALTERNATIVE 2 EXPULSION

JUVENILE SERVICES CENTER

SMALL CLAIMS MANUAL

NEIGHBORHOOD ACCOUNTABILITY BOARD

LAPORTE COUNTY LOCAL FAMILY LAW RULES

JUVENILE SYMPOSIUM

COMMUNITY CORRECTIONS

INDIANA DOC OFFENDER SEARCH

SHERIFF DEPARTMENT

MY CASE (ODYSSEY)

PROBATION

PROBLEM SOLVING COURT

LAPORTE COUNTY SUPERIOR COURT 1

Michael S. Bergerson, Judge

300 Washington Street

Michigan City, IN 46360

Phone: 219-809-0517

Fax: 219-873-3021

Office hours are Monday-Friday 8:00 AM to 4:00 PM (unavailable 12:00PM - 1:00PM for lunch)

STAFF

Jill E. Krachinski

Court Administrator

Extension: 7710 E-mail: jkrachinski@laportecounty.org

Sylvia M. Papineau

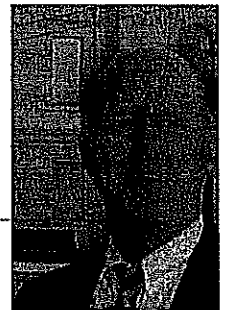
Court Reporter

Extension: 7712 E-mail: spapineau@laportecounty.org

Angela M. Pearce

Balliff/Paralegal

Extension: 7711 E-mail: apearce@laportecounty.org



COURT SCHEDULE

Monday:

Jury Trial. If there are no jury trials scheduled, any type of case can be scheduled and heard.

Tuesday:

Initial hearings for criminal cases starting at 8:30AM by video conference

Wednesday:

Jury Trial. If there are no jury trials scheduled, any type of case can be scheduled and heard.

Thursday:

Criminal call from 8:30 AM - 12:00 PM. If there is no jury trial scheduled, any type of case can be scheduled and heard in the afternoon.

Friday:

If there is no jury trial scheduled, any type of case can be scheduled and heard.

COURT PROCEDURES

Superior Court 1

PROSECUTING ATTORNEY

IDOC

The Court retains all original filings. As well as the original and one copy of all orders. Envelopes must be provided for return copies and service copies unless the submitting party is affecting service. Service by the Sheriff's Office, requires three (3) additional copies of ever to be served.

Filings, Proposed Orders, Briefs and Memorandums of Law should be submitted to the Court by filing a hard copy or by e-mailing the Court Administrator, Jill Krachinski at jkrachinski@laportecounty.org

If the Judge's signature is required on any submission, **please flag all pages requiring a signature (except the CCS).**

If a hearing is required or requested, you must contact the Court for available dates and times. Then you can coordinate the hearing with opposing counsel.

Participation in any court proceeding May be done telephonically only with prior approval by the Court.

If a court filing schedules or cancels a hearing date, the CCS should reflect the hearing date/time or that the hearing was vacated. (For example: a Final Decree that negates a final hearing date; a Settlement agreement, etc.)

All exhibits must be shown to opposing counsel/parties prior to the start of a hearing/trial. If more than ten (10) exhibits are to be submitted hearing/trial, an Exhibit List is to be filed with the Court and opposing counsel prior to the hearing/trial.

"Hallway" hearings such as Rule to Show Cause and Proceedings Supplemental not requiring court time must be documented the day of hearing (appearances, dispositions, etc.), other paperwork may be filed at a later date.

A Motion to Continue is required for any hearing being removed from the Court's calendar that has not settled or reached an agreement. should be noted on the Motion whether or not opposing counsel/parties agree to the continuance.

CRIMINAL

Criminal cases are heard on Thursday mornings from 8:30 AM until 12:00 PM.

Initial hearings for defendants in custody will be held on Tuesdays at 8:30 a.m., by way of video conferencing. Initial hearings for defendants in custody typically will take place on Thursdays during the regularly scheduled Criminal Call.

For questions on criminal matter including scheduling please contact the Bailiff, Angela Pearce at extension 219-874-5611 ext: 7711 or preferably by e-mail at apearce@laportecounty.org

Adding/Continuing a case for Thursday Criminal Call, Counsel should contact the Bailiff for the next available date and submit a minute a later than noon on the preceding Tuesday. The minute sheet must reflect that opposing counsel has been contacted and does not object case being continued. If an addition/continuance is requested after noon on Tuesday, a Motion must be filed and approved by the Court. proposed form of order must indicate that opposing counsel has been contacted and does not object.

Attorney Mailboxes are encouraged to be checked prior to criminal call for pertinent filings.

Bond Reduction Requests must be made in open court or by a Motion. If a written Motion is filed, a copy of the Motion must be included to the Probation Department. A minimum of 2 weeks is required for completion of the investigation. Typically, a bond investigation needs to be completed prior to a reduction/adjustment will be granted.

Transport Orders are the responsibility of the Defendant's attorney to provide, if needed.

Only the Court can waive the appearance of a defendant for a scheduled court hearing.

On request of the Court, a defendant seeking a Public Defender must complete this form.

FAMILY LAW

A Pre-Trial Statement of Facts & Issues must be filed with the Court and opposing counsel/party one week prior to final dissolution of marriage hearings. This form must be filled out completely with supporting documents attached.

If the Judge's signature is required on any submission, **please flag all pages requiring a signature (except the CCS).**

For any hearing involving child support, a Child Support Obligation Worksheet must be filed with the Court. The worksheet must be filled completely and signed by parties. Electronically produced Worksheets are preferred. Any Petitions for Modification of Child Support must include a Child Support obligation Worksheet and supporting documents as to income for at least the past 4 months, if available.

If an agreement, a Dissolution Decree, or any other Order cancels or schedules a hearing date, it should be noted on the CCS upon filing.

For Pro Se documents and forms, please visit <http://www.in.gov/judiciary/selfservice/> For additional assistance please contact the Family Project Coordinator, Rebecca Spevak at 219-326-6808 ext. 2651 or by e-mail: rspevak@laportecounty.org. Please note: her office is located at the LaPorte Courthouse, 813 Lincolnway Suite 301, LaPorte IN 46350.

MISCELLANEOUS

The following can be submitted to the Court electronically. If a secondary hearing becomes primary, it is expected that it will take place. If parties wish to continue or vacate the hearing, a Motion along with a Proposed Order are required.

Motions for Summary Judgment
Motions to Dismiss
Findings of Fact
Conclusions of Law

TRANSCRIPTS

To request a transcript, you must contact the Official Court Reporter, Sylvia Papineau at 219-874-5611 ext. 7712 or by e-mail at spapineau@laportecounty.org. You will need to have the person's name (and/or caption), cause number, date of hearing requested, and contact number for yourself. Please contact the Official Court Reporter for the cost per page.

JURY TRIAL PREPARATIONS

Criminal Trials

Proposed final instructions are due no later than 10 days before trial, by 4:00 p.m., submitted by email to apearce@laportecounty.org or on compact disc (CD) compatible with Microsoft Office Word. Instructions (other than pattern) submitted to the Court by the parties shall have copies of any law which counsel is relying upon attached to the proposed instruction, with appropriate section highlighted. Each side is limited to ten (10) proposed final instructions.

Civil Trials

Proposed preliminary and final instructions are due on or before the Pre-Trial Conference date. Also to be included are: Issue Instructions concisely frames the issues before the Court, as agreed upon by the parties, and each party's proposed Verdict Form(s). Parties are to provide the Court with an additional copy of instructions submitted by e-mail apearce@laportecounty.org or jkrachinski@laportecounty.org or on compact disc (CD) compatible with Microsoft Office Word. Instructions (other than pattern) submitted to the Court by the parties shall have copies of any law which counsel is relying upon attached to the proposed instruction, with appropriate section highlighted. Each side is limited to ten (10) proposed final instructions.

General Information Regarding Jury Service

LaPorte Superior Court #1 is located in Michigan City, Indiana on the 2nd floor of the Courthouse located at 300 Washington Street. The courthouse sits between two (2) Michigan City landmarks—the Michigan City Post Office and the Library.

Directions To The Courthouse

Via Highway 35 (Michigan Blvd.): Turn left on 4th Street, go past two (2) stop signs; the courthouse parking lot is on the right-hand side of the library.

Via Highway 421: 421 becomes Franklin Street; follow Franklin Street through the downtown area where it dead-ends at 4th Street; turn left on 4th Street; the courthouse parking lot is on the right-hand side after the library.

Parking: If space remains, you may park in the courthouse parking lot in areas not designated with "reserved", which are reserved for courthouse employees. **DO NOT PARK IN THE POST OFFICE PARKING LOT;** your car may be towed. You may park on Washington Street in front of the post office, on 4th Street, or in the News-Dispatch's parking lot. Handicapped parking is available directly in front of the courthouse on Washington Street.

Security: You will be required to go through a metal detector upon entering the Courthouse. **Cell phones, pagers, electronic devices, etc. are NOT allowed in the Courthouse.**

Physical Accommodations: Enter the courthouse via the Washington Street entrance. An elevator is available on the first floor—down the hallway and to the right.

Time Commitment: The selection of the jury normally is completed within the first day. Our jury trials can last anywhere from two (2) to ten (10) days. Generally speaking, court is in session from 8:00 a.m. until 4:00 p.m., with a one (1) hour break for lunch. You will be allowed to return home each evening, unless sequestered.

Pay: You will receive \$15.00 a day plus .44 cents per mile if you are not chosen as a juror. If you are chosen to serve as a juror, you will receive \$40.00 per day plus .44 cents per mile.

Meals: You will receive a per diem of \$5.15 per day of jury service for lunch expenses.

Superior Court 1

[Indiana Missing Children Clearinghouse](#)

[Indiana's Most Wanted](#)

[LaPorte County Sheriff Dept.](#)

[Cities & Towns](#)

[Center for Missing and Exploited Children](#)

[LaPorte County's Most Wanted](#)

[Prosecuting Attorney](#)

[Civic Organizations](#)

[1-800-831-8959](#)

[Michigan City's Most Wanted](#)

[Greater LaPorte Chamber of Commerce](#)

[County Demographics](#)

[1-800-THE-LOST \(1-800-843-5678\)](#)

[...more](#)

[...more](#)

© 2018 LaPorte County Government | County Complex 809 State St. LaPorte, IN 46350 | 219-326-6808

CASS COUNTY COMMISSIONERS ORDINANCE NO. 2017- 01

ORDINANCE REGULATING THE USE OF
CELLULAR TELEPHONES/TABLETS IN THE
CASS COUNTY GOVERNMENT BUILDING

WHEREAS, the Cass County Commissioners periodically implement policies and procedures regarding the use of the County Government Center by the citizens of Cass County and others; and

WHEREAS, technology has advanced to the point that nearly everyone possesses and uses a cellular telephone; and

WHEREAS, it is imperative that county employees be able to carry on their responsibilities without unnecessary disruption often caused by the use of cellular telephones; and, finally;

WHEREAS, the Commissioners implement the following Ordinance to facilitate a safe and efficient means of the use of cellular telephones in the County Government Center provide as follows:

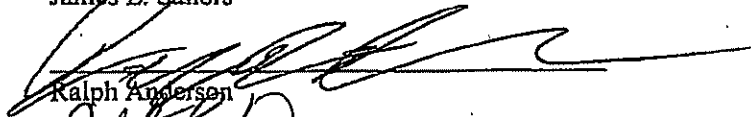
NOW, THEREFORE, BE IT RESOLVED AND ORDAINED AS FOLLOWS:

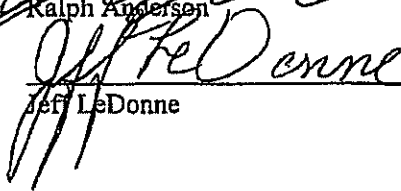
In order to facilitate Court and County office procedures without interruption, reduce noise levels in the corridors and any unnecessary intimidation of County employees, we hereby prohibit cellular telephones/tablets from the Cass County Government Building. All cellular telephones/tablets brought into the building on or after April 1, 2017, will be confiscated at the security desk and held until the owner departs the building. Anyone seeking to use the phone/tablet in court or for another purpose related to county business must obtain written permission from that Court or County Officer. Court officers (including attorneys and law enforcement personnel) County employees are exempt so long as they are in compliance with their individual department cell phone regulations if applicable. The Cass County Commissioners hereby adopt this Ordinance approving the prohibition of cellular telephones/tablets from the Cass County Government Building.

Passed and adopted by the County Commissioners of Cass County, Indiana this 16 day
of March, 2017.

CASS COUNTY BOARD OF COMMISSIONERS:


James L. Sailors


Ralph Andersen


Jeff LeDonne

Attest:


Cheryl Alcorn, County Auditor

AFFIDAVIT OF PHILLIP E. LOOS

I, Phillip E. Loos, Director of Security of Cass County Government Center/Courthouse, after first being duly sworn upon my oath allege and state as follows:

1. The undersigned is the Director of Cass County Security and has been serving in that capacity since May, 2011.
2. Since March of 2017, I, and my staff, have enforced Cass County Ordinance # 2017-01, which regulates the use of cellular telephones in the Cass County Government Center/Courthouse. I, along with my staff, am aware that there is a provision to this Ordinance allowing a patron to have his/her cell phone in the Courthouse with written permission from the Court or County office when the use of the cell phone is necessary for county business.
3. I personally worked the front door security post at the Government Center/Courthouse on December 4, 2017, and have spoken with Dave Patty who worked the front door security post on December 18, 2017.
4. No one requested to use his/her cell phone to record the Commissioner's meetings on December 4, 2017, or December 18, 2017, or for that matter any meeting of the Cass County Commissioners in December of 2017 or January of 2018.
5. If anyone does request to use their cell phone for the purpose of recording a public meeting we will simply ask that they follow our reasonable policy of following protocol for it's use as set forth above.
6. I have personal knowledge of the facts stated herein.

I swear and affirm under the penalties of perjury that the foregoing representations are true and correct.

Dated this 30th day of January, 2018.

Phillip E. Loos
Phillip E. Loos
Superintendent of Cass County Security

STATE OF INDIANA)
) SS:
COUNTY OF CASS)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Phillip E. Loos, personally known by me and acknowledged the execution of the foregoing instrument this 30th day of January, 2018.

In witness whereof, I have hereunto subscribed my name and affixed my official seal.

MY COMMISSION EXPIRES:

Jeffrey D Stanton
Notary Public
Printed Name: Jeffrey D. Stanton
Resident of Cass County