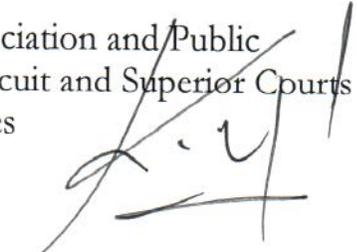


# MEMORANDUM

**TO:** Johnson County Bar Association and Public  
**FROM:** Judges of the Johnson Circuit and Superior Courts  
**RE:** Notice of New Local Rules  
**DATE:** April 29, 2016



Pursuant to Trial Trial 81, notice is hereby given that the Judges of the Johnson Circuit and Superior Courts have promulgated several changes in the local rules.

Rules for Tax Sales:

In order to improve the administrative of tax sales and to reduce any confusion in the relevant court records, local tax rules have been drafted to require the inclusion of the parcel number, tax sale certificate number, and street address, if any, on appearances. In addition, purchasers must obtain a title search. The County Attorney must receive copies of all documents filed with the court regarding a tax sale.

Finally, administrative case numbers will be opened when judicial relief is sought for a tax sale. All documents filed thereafter must contain both case numbers.

Late Fee:

Pursuant to Indiana Code 33-37-5-22, a late fee of \$25.00 may now be assessed when any costs, fines, or civil penalties are not paid in a timely fashion.

Conditions of Adult Probation:

The Judges have also modified the conditions of Adult Probation to simplify the language and impose some additional conditions which will facilitate the use of evidence-based practices. All persons currently on probation will be advised of the change in their conditions at upcoming meetings with their probation officers.

Rule Language:

The complete language for these rule changes can be found on the [co.johnson.in.us](http://co.johnson.in.us) website.

Comments:

Public comments regarding the caseload allocation plan will be received until May 31, 2016. Comments may be sent to: Donna Sipe, Esq., Court Administrator, Courthouse, 5 E. Jefferson St., Franklin, IN 46131 or [dsipe@co.johnson.in.us](mailto:dsipe@co.johnson.in.us).

Effective Date:

Good cause for deviation from the schedule establish by Indiana Trial Rule 81 for implementation of these rules. For that reason, these rules become effective on or about June 1, 2016.

# JOHNSON COUNTY CIRCUIT AND SUPERIOR COURTS

## TAX SALE RULES

### LR41 - TR3.1 - 000163.

#### Tax Sale Appearance.

- A. Additional Information. In addition to the information required by Indiana Trial Rule 3.1, each person seeking any relief regarding property sold at a tax sale shall provide the following information on the subject parcel: 1) parcel number; 2) tax sale certificate number; and, 3) street address or brief description of the parcel's location.
- B. Unrepresented Parties. Parties not represented by an attorney must use the Johnson County Tax Sale Appearance form.

### LR41 - AR - 000164.

#### Title Search Required.

- A. Title Search Required. Pursuant to Indiana Code 6-1.1-25-2(e), any person who has purchased property at a Johnson County Tax Sale must obtain a title search from a Title Insurance company authorized to do business in Indiana no later than thirty (30) days after the sale.
- B. Copy Provided to the Court. A petition for tax deed must be accompanied by a copy of the Title Search.

### LR41 - AR - 000165.

#### Provision of Documents to County Attorney.

A copy of any motion, objection, or petition filed to pursue interests in land arising from a tax sale shall be provided to the Johnson County Attorney.

### LR41 - AR - 000166.

#### Administrative Case Number.

- A. Administrative Case Number Opened by Parcel. The Court will open a Court Business (CB) case number for any proceedings regarding objections, petitions for tax deed, surplus funds, etc. requested or conducted on a specific parcel. The Court will inform the parties of the administrative case number via Official Notice.
- B. Use of Both Case Numbers. Both MI and CB case numbers must be included in the caption of all documents filed regarding a particular parcel after the parties are informed of the CB case number.

### LR41 - Ar - 000167.

#### Responsibilities of the Purchaser.

- A. Indiana Code. The relevant statutes which involve Tax Sales can be found online at: <http://iga.in.gov/legislative/laws>.
- B. Notice Forms. Draft notice forms are available upon request. Use of the Court's templates is *not* the only proof of compliance with the relevant statutes.
- C. Purchaser Solely Responsible. Whether represented by counsel or not, the Purchaser is solely responsible for compliance with each provision of the Indiana Code, including all required notices to the owner(s) of record.

## LATE PAYMENT FEE

### LR41 - AR00 - 000168 Late Payment Fee.

- A. Authority. This rule was adopted pursuant to Indiana Code 33-37-5-22.
- B. Scope. This rule applies to all criminal (CF, CM, DF, FA, FB, FC, FD, F1, F2, F3, F4, F5, F6, and MR), Infraction (IF), and Ordinance Violation (OV) cases filed in the Johnson Circuit and Superior Courts in which a conviction or judgment is entered after the effective date of this rule.
- C. Late Fee Amount. If all court costs, fines, or civil penalties are not paid by the date order, an additional late fee of \$25.00, or the maximum allowed by Indiana Law, shall be imposed.
- D. Time for Payment. All fines, fees, costs, and civil penalties ordered shall be paid on a timely basis, as directed by the Court.
- E. Late Fee Suspended. A court may suspend a late payment fee if the court finds that the defendant has demonstrated good cause for failure to make a timely payment in full.