

Rule 101. Court Jurisdiction

101.1 - While the Court has authority over ordinances, infractions and misdemeanors pursuant to Ind. Code § 33-35-2-3, the Beech Grove City Court elects to exercise a limited jurisdiction over Beech Grove Code of Ordinances and those State Infractions, occurring within Marion County, that may be filed before it.

101.2 - The Court may hear Municipal Ordinances from any other Municipality located in Marion County upon the entry of a properly executed Interlocal Agreement between the City of Beech Grove and the other Marion County Municipality.

Rule 102: Court Hours

102.1 - The Beech Grove Court shall be in session Wednesday evenings, excluding State of Indiana holidays. The Court shall also be in session during such other hours as the Court may, from time to time, direct or post.

Rule 103. Court Closing

103.1 - When weather conditions or other emergencies arise, upon a declaration of closing of Beech Grove City Offices by the Mayor of Beech Grove or the Beech Grove City Council shall also constitute a closing of the Beech Grove City Court.

103.2 - The Court will make reasonable efforts to notify litigants of any Court closing if the Chronological Case Summary contains a current telephone number; however, the Court shall not be responsible for contacting any attorneys or pro se litigants if they have not provided the Court with an accurate telephone number.

103.3 - In the event that Court is closed, the Court shall be responsible for rescheduling all matters on the Court calendar at a future date, and shall issue notice of the Court date consistent with all other notice issued by the Court.

Rule 201. Filing of Pleadings & Entry of Appearances

201.1 - All pleadings shall be filed with the Clerk of the Court consistent with the provisions of the Indiana Rules of Trial Procedure.

201.2 - All documents filed with the Court shall be on paper measuring 8 ½” x 11.”

201.3 - The Clerk shall not be responsible for filing or correcting pleadings which are not in proper form, nor is the Clerk required to notify a party that the pleading has a deficiency or is defective.

201.4 - Parties may file pleadings by facsimile pursuant to Rule 203.

201.5 - All attorneys shall file appearances complying with Trial Rule 3.1.

201.6 - Withdrawals of appearances by attorneys shall be permitted only with leave of Court. In both civil and criminal matters, attorneys requesting withdrawal will include in their motion the last known address of their client(s).

201.7 - All pleadings filed with the Court which require a certificate of service shall specifically name the individual party or attorney on whom service has been made, the address, the manner in which service was made and the date when service was made.

Rule 202. Proposed Orders

202.1 - Each Motion, Petition or other request for relief shall be accompanied by a proposed order. Opposing counsel may submit proposed alternative orders to the Court.

202.2 - The Court shall not be required to act on any Motion, Petition or other request for relief unless filed in conformity with these General Rules.

202.3 - All proposed orders submitted by counsel pursuant to these General Rules shall meet the following requirements: a. Contain a complete distribution list of all attorneys and pro se litigants with full addresses. b. Stamped envelopes appropriately addressed for each attorney of record and/or pro se litigant on the distribution list.

Rule 203. Facsimile Transmissions

203.1 - As outlined below, facsimile filing is permitted in the Beech Grove City Court. The Clerk of the Court is authorized to accept pleadings, motions and other papers by electronic facsimile transmission for filing in any case pending before the Court, subject to the following requirements;

- a. The transmission must be accompanied by a cover sheet meeting the requirements of the Indiana Supreme Court Administrative Rule 12 (D).
- b. The transmission must include any proposed orders as required by Rule 202.
- c. The transmission may not exceed ten (10) pages in length including the cover sheet.
- d. The sending party must keep and maintain the transmission log required by Indiana Supreme Court Administrative Rule 12(B)(3) and (4).
- e. If the filing requires the immediate attention of the Judge, it shall so indicate in bold letters in an accompanying transmittal memorandum.
- f. Legibility of documents and timeliness of filing is the responsibility of the sender.

203.2 - The Clerk shall accept electronic facsimile transmission filings only if received at the facsimile machine assigned by the Clerk. The telephone number designated to receive such transmissions is 317-782-4943.

Rule 301. Trials

301.1 - Court trials shall begin promptly at the time assigned. The attorneys and the litigants are encouraged to arrive substantially in advance of the scheduled time for the purpose of entering into any last minute stipulations or agreements.

301.2 - Trials shall adjourn or conclude as the Court shall direct.

Rule 302. Continuances

302.1 - Motions for continuance shall be in writing and include the following information: a. The date and time opposing counsel was advised that a continuance will be requested. b. Whether opposing counsel or party agrees with or objects to the request. c. The date and time of the hearing or trial for which a continuance is being sought. d. The approximate amount of time needed to elapse before the matter can be heard. e. A good-faith estimate of the time needed for such hearing or trial when rescheduled.

302.2 - Unless good cause is shown, no motions for continuance will be considered unless filed at least 48 hours before a court trial or hearing.

302.3 - When an attorney enters an appearance, it is the attorney's responsibility to review the file and become aware of all previously scheduled hearing dates.

302.4 - A signature by an attorney on the request for continuance is certification by that attorney that the client has been notified of the request, agrees to the continuance and to the reason for which the continuance is sought.

302.5 - The Clerk of the Court is authorized to grant one postponement or continuance of an initial hearing to a defendant who requests the same. The Clerk is required to notify the defendant of the rescheduled Court date and document in the CCS that the case has been continued at the request of the defendant and the status of notification to the defendant of the new Court date.

Rule 401. Late Payment Fee

401.1 - Fines, court costs and civil penalties assessed for infractions or violations of municipal ordinances, are to be paid before 4:00 p.m. sixty (60) days after the date they are assessed unless otherwise ordered. An order extending this deadline will be presumed to require payment on or before 4:00 p.m. of the extension deadline date or on the last business day of the extension period if a specific date is not set.

401.2 - If said fine, cost, or penalty is not paid in conformity with this rule or the court order extending the deadline, the Clerk may collect a late fee under Ind. Code § 33-37-5-22, (b) Failure to pay within the time period specified in Paragraph (a) will result in the defendant incurring a late fee in the amount of twenty-five dollars (\$25).

401.3 - The Court may waive the late fee specified in Paragraph (b) if it finds that the defendant is indigent or that the defendant has demonstrated good cause for failing to make timely payment.

Rule 402. Duplication Fees

402.1 - Copies of any written document of the Court shall be produced at a cost of \$1.00 per page.

Rule 403. Courtroom Rules

403.1 - No person shall possess a deadly weapon in the Court, court offices, or in the hallways or areas adjacent to such court. This subsection does not apply to any law enforcement officer while on active duty and after first obtaining permission from the Judge of the Court in which he/she is to appear and/or Judicial Officer.

403.2 - A deadly weapon is defined as follows:

a. A loaded or unloaded firearm; b. A weapon, device, taser (as defined in Ind. Code § 35-47-8-3) or electronic stun weapon (as defined in Ind. Code § 35-47-8-1), equipment, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.

403.3 - The Bailiff and/or law enforcement officers may detain persons which they have reason to believe possess such deadly weapons in violation of this rule long enough to obtain proper name, address, date of birth and social security number and/or to seize such deadly weapon.

403.4 - Any person who possesses a deadly weapon in violation of this rule shall be immediately brought before the Court for a Direct Contempt Hearing.

403.5 - Food and beverages are not permitted in the Courtroom.

403.6 - Use of any cellular phone or other electronic device in the Courtroom is prohibited. Counsel may use cellular phones, laptop computers or other electronic devices as necessary to conduct business before the Court.

403.7 - The Court Bailiff may establish any and all necessary procedures needed to carry out this rule.

403.8 - The Bailiff and/or law enforcement officers shall seize all prohibited items in violation of this rule. All seized items shall be held by the Bailiff until further Order of the Court.