

IC 33-39-9

Chapter 9. Defense and Indemnification of Prosecuting Attorneys

IC 33-39-9-1

Application of chapter

Sec. 1. This chapter does not apply to a threatened, pending, or completed action or a proceeding that:

- (1) results in the criminal conviction of; or
- (2) is a disciplinary action or proceeding against;

a prosecuting attorney.

As added by P.L.98-2004, SEC.18.

IC 33-39-9-2

Expenses

Sec. 2. As used in this chapter, "expenses" includes the following:

- (1) Reasonable attorney's fees, if the attorney general has authorized the prosecuting attorney to hire private counsel to provide the defense.
- (2) A judgment.
- (3) A settlement.
- (4) Court costs.
- (5) Discovery costs.
- (6) Expert witness fees.
- (7) Any other expense incurred as a result of an action or a proceeding.

As added by P.L.98-2004, SEC.18.

IC 33-39-9-3

Prosecuting attorney

Sec. 3. As used in the chapter, "prosecuting attorney" means:

- (1) a prosecuting attorney;
- (2) a deputy prosecuting attorney; or
- (3) a senior prosecuting attorney appointed under IC 33-39-10-1.

As added by P.L.98-2004, SEC.18. Amended by P.L.57-2014, SEC.9.

IC 33-39-9-4

Payment of expenses

Sec. 4. The state shall pay the expenses incurred by a prosecuting attorney from a threatened, pending, or completed action or proceeding that arises from:

- (1) making;
- (2) performing; or
- (3) failing to make or perform;

a decision, a duty, an obligation, a privilege, or a responsibility of the prosecuting attorney's office.

As added by P.L.98-2004, SEC.18.