

**Special Courts Committee  
Judicial Conference of Indiana**

**Minutes  
April 8, 2022**

1. Attendance: The following members participated in the meeting: Thomas Cannon, Jr., Travis Sandifur, Kathleen Belzeski, Julie Verheye, Sam Conrad, Garland Graves, Tammy Somers, David Happe, and Kimberly Bacon, Chair.
2. Approval of Minutes: The committee reviewed and unanimously approved the minutes from the November 5, 2021 virtual meeting.
3. Small Claims Manual: The committee reviewed updates to the manual regarding the 2022 rules changes on corporations and partnerships and approved the posted material. Kathleen Belzeski and Kimberly Bacon drafted suggested changes to the “What Landlord and Tenants Should Know” section that were approved by the committee. A few additional changes will be made and re-circulated to the group for approval via email.
4. Traffic/Misdemeanor/Small Claims Benchbook and Small Claims Forms: The committee has been in the process of reviewing and updating the Benchbook. During the meeting committee members presented their suggested changes including a new section on Emergency Eviction Orders drafted by David Happe and Kimberly Bacon. Garland Graves presented suggested updates to the small claims forms, including adding an additional form order for sanctions. The committee approved the changes to the forms and Benchbook. The Benchbook will be formatted and sent to the committee via email for final approval. Sam Conrad agreed to draft a default judgment traffic order for the committee to review and approve via email.
5. City/Town Court Manual: The committee has been working on updates to the manual. Due to time constraints a review was unable to be completed and was tabled until the next meeting. The individual chapters and the complete edited manual will be circulated to the committee to review again prior to the next meeting.
6. 2022 Legislation: A brief overview of the relevant 2022 bills was presented. Kimberly Bacon and Tammy Somers agreed to work on a form and updates to the Benchbook regarding the new laws effective July 1, 2022 regarding residential evictions.
7. Other business:
  - a. The committee discussed possibly meeting in person in July. A survey will be distributed to the committee to determine willingness/interest in meeting in person.
  - b. Committee member rotations will change on July 1. The committee thanked the following members who will rotate off the committee for their service: Thomas Cannon, Jr., Garland Graves, and Julie Verheye.

**2022 Meeting Dates: July 8 (tentatively in person in Indianapolis), and October 14.**

The meetings will be held virtually at 11am on Microsoft Teams unless otherwise stated.

**Special Courts Committee  
Judicial Conference of Indiana**

**Minutes  
July 8, 2022  
via Microsoft Teams**

1. Attendance: The following members participated in the meeting: John Bohdan, Kyle Noone, David Happe, Travis Sandifur, Tammy Somers, and Kimberly Bacon, Chair. The meeting was staffed by Mindy Pickett from IOCS.
2. Approval of Minutes: The committee reviewed and unanimously approved the minutes from the April 8, 2022 virtual meeting.
3. New Members: Mindy Pickett reported that three new members joined the committee effective July 1, 2022. The new members are Mag. Michael Douglass, Mag. Matthew Raper, and Mag. Roman Ricker.
4. City/Town Court Manual: The committee has been working on updates to this manual. Judge Noone suggested a change to the power to adopt local rules section. The committee voted to approve all the revisions, re-format the manual and get it posted. Once the manual is reformatted it will be circulated via email with a deadline for final approval.
5. Small Claims and Traffic Forms, Small Claims Manual and Traffic, Misdemeanors and Small Claims Judicial Benchbook: At previous meetings the committee submitted and reviewed revisions to the aforementioned documents. A default judgment traffic form and eviction sealing forms have been added to the sample forms. Mindy Pickett explained that all approved documents are officially posted and available for viewing. Any additional suggestions and/or revisions can be sent to Chair Judge Bacon and/or Mindy Pickett at any time.
6. Eviction Dismissal and Sealing under I.C. 32-31-10 and I.C. 32-31-11: The committee had a brief discussion about these new statutes. Some courts are already seeing petitions for the court to seal the records.
7. Other business:
  - a. Committee members discussed what is going on in their courts including traffic issues and reinstatement fee waivers. Mindy Pickett informed the committee of first amendment auditors and an upcoming judicial webinar in August that members should consider attending.
  - b. There will be a small claims session at the annual judicial conference in September. Committee members discussed potential topics.
  - c. The Indiana Supreme Court has asked that the Special Courts committee review and incorporate the Eviction Task Force report including best practice recommendations into our benchbooks and manuals.
  - d. The committee agreed to the following tentative 2023 meeting dates: January 13, April 14, July 14 and October 13. All meetings to be virtual, with a possible in person meeting in the summer.

**2022 Meeting Dates: October 14**

**2023 Meeting Dates: January 13, April 14, July 14 (tentative in-person) and October 13**

The meetings will be held virtually at 11am (eastern) on Microsoft Teams unless otherwise stated.

**Special Courts Committee  
Judicial Conference of Indiana**

**Minutes  
October 14, 2022  
via Microsoft Teams**

1. Attendance: The following members participated in the meeting: Kathleen Belzeski, Michael Douglass, Steven Hagen, Kyle Noone, Matthew Raper, Roman Ricker, Travis Sandifur, and Kimberly Bacon, Chair. The meeting was staffed by Mindy Pickett from IOCS.
2. Approval of Minutes: The committee reviewed and unanimously approved the minutes from the July 8, 2022 virtual meeting.
3. Final Eviction Task Force Report: The committee discussed incorporating best practices from this report into the Small Claims and Traffic Benchbook and discussed their current local practices. The committee agreed that it may be too soon to recommend any rule or statutory changes. Mag. Belzeski and Judge Bacon will work on a draft recommending an initial hearing on eviction cases if possible or at least at a minimum a longer period before the first hearing to allow the parties to utilize resources and obtain counsel. The recommendation will also include utilizing a housing navigator if possible, and tips on how to obtain one for your county.
4. Other business:
  - a. Eviction Sealing: The committee discussed local practices about the new eviction sealing statute including what final adjudication may mean. The committee agreed that the statute is up to interpretation. Mag. Raper and Mag. Douglass are going to draft a recommendation for the Small Claims and Traffic Benchbook on some current best practice recommendations, including what to do if a case is already sealed and a new motion is filed.
  - b. Supreme Court Order eviction dialogue: The committee discussed how the suggested dialogue from the Supreme Court order on September 2, 2022 could be adjusted to fit local resources available, etc.
  - c. Two cases were reviewed by the committee and discussed including: Snow v. Bureau of Motor Vehicles, 194 N.E.3d 1138 (Ind. App. 2022) and U.S. Bank Tr. Natl. Assn. as Tr. of Am. Homeowner Preservation Tr. Series 2015 A+ v. Dugger, 193 N.E.3d 1015 (Ind. App. 2022). The U.S. Bank case includes a discussion on renewal of judgments after 10 years and the 20-year satisfaction period. The committee may have a larger discussion on this issue at a future meeting.
  - d. The 2023 meeting dates have been set. The committee would like to try to meet one time in person next year. IOCS staff will send out a poll to obtain the best date for committee members.

**2023 Meeting Dates: January 13, April 14, July 14, and October 13**

The meetings will be held virtually at 11am (eastern) on Microsoft Teams unless otherwise stated.