

In the
Indiana Supreme Court



CAUSE NUMBER: 94S00-1501-MS-22

ORDER AMENDING INDIANA RULES FOR SMALL CLAIMS

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Small Claim Rule 11 (D) is amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

...

Rule 11. Judgment

...

~~(D) Release of Judgment. Upon payment in full, including accrued interest, the clerk shall notify the judgment creditor and shall require him or her to file a release of judgment. If the judgment creditor fails to file a release of judgment within thirty (30) days of the issuance of the notice, the clerk shall note in the Chronological Case Summary that the judgment has been satisfied and that the plaintiff has failed to release judgment pursuant to court directive, and the clerk shall note a release of judgment in the judgment docket.~~ **Satisfaction/Release of Judgment.** Upon payment in full of a judgment, including accrued interest and court costs, the judgment creditor shall file a satisfaction/release of judgment and the Clerk shall note the satisfaction/release of the judgment on the Chronological Case Summary and on the Judgment Docket.

Based upon a review of the Clerk's payment records, the Clerk may, or at the verified request of the judgment debtor, shall issue a Notice to the judgment creditor that a judgment, including accrued interest and court costs, has been paid in full and that the judgment should be satisfied/released. The Notice shall be sent to the judgment creditor and debtor at the address shown on the Chronological Case Summary. The Clerk shall note the issuance of the Notice on the Chronological Case Summary. If the judgment creditor does not agree that the judgment should

be satisfied/released, the judgment creditor shall, within 30 days of the date of the issuance of the Notice, file a verified objection. If the judgment creditor does not file an objection or a satisfaction/release of judgment, the judgment shall be deemed satisfied/released and the Clerk shall note the satisfaction/release of the judgment on the Chronological Case Summary and on the Judgment Docket.

This amendment shall take effect on July 1, 2015.

DONE at Indianapolis, on March 19th, 2015.

/s/Loretta H. Rush
Loretta H. Rush
Chief Justice of Indiana

All Justices concur.