



Monroe Circuit Court

301 North College Avenue
Bloomington, Indiana 47404-3865
(812) 349-2615

Dear Tenant,

Your landlord has filed an eviction case against you. As the Judges in Monroe County who preside over many of the eviction hearings, we are sharing some information with you that we hope will help you understand the Court's process regarding evictions and allow you to be in the best position to present your case. You may wish to download and review the *Renting in Indiana Handbook*, which you can request at <https://housing4hoosiers.org/send-me-renting-in-indiana/>.



If you have not already, please apply for Rental Assistance at www.indianahousingnow.org. IERA is accepting applications that can provide up to 15 months of assistance towards past due and ongoing rent and utility payments for those who qualify. You don't have to be late on payments to apply. If you can't access the online application, please call 2-1-1 for assistance.

Reaching Agreement Before Your Court Date

Even though a case has been filed, you may still be able to work out an agreement by contacting your landlord or your landlord's attorney, if they have one. If you are uncomfortable contacting your landlord or their attorney and you would like to mediate, you may call the Community Justice and Mediation Center (CJAM). Mediation is a neutral, voluntary and confidential process that can help you and your landlord come to an agreement. Mediation services for evictions are provided at no cost to you or your landlord. You can reach CJAM at (812) 269-6353. If you are able to work out an agreement, your landlord might agree to dismiss the case.

Finding Legal and Financial Resources

We are fortunate here in Monroe County to have many resources available. These include the Township Trustee Offices and many social service agencies that may be able to help with short-term financial assistance, food, and alternate housing. Seeking short term financial assistance or resolving problems associated with public benefits may allow you to remain in your home. Please review the information in this packet and contact the agencies that will best help you meet your needs.


There are other organizations that focus on helping tenants find free or low-cost legal assistance. It is possible that you could have a legal defense or counterclaim and obtaining legal advice may help you remain in your home and/or reduce the amount of money that might be owed to your landlord. Do not wait until the day of your hearing to seek legal advice, contact your Township Trustee or seek assistance from social service agencies, as that might be too late to get help and it is unlikely your hearing can be delayed.

On Your Court Date

Make sure to attend your court hearing. During many initial eviction and damages hearing dates, free legal advice, mediation, and social services referrals will be available through the Housing and Eviction Prevention Project (HEPP). During the COVID-19 pandemic, HEPP services are being offered via phone-in or video conference as you login for your hearing. HEPP services are available on Wednesdays from 9:00 am. to 11:00 am. and Thursdays from 1:00 pm. to 3:00 p.m., when most initial eviction and damages hearings are scheduled. You can receive same day services, but may have a better outcome if you seek assistance earlier. HEPP can be reached at (812) 340-8189 or evictionavoidance@gmail.com

If you do not have an attorney, you should consult with one before your hearing. If you have a defense or counterclaim, the attorney may provide you with advice on how to present your information or represent you that day at your hearing.

Wishing you the best,


Kara E. Krothe
Judge, Monroe Circuit Court VIII


Catherine Stafford
Judge, Monroe Circuit Court IV

Tips for Small Claims Eviction Court

How Do I Communicate with the Court?

1. No party can provide information to the Judge without the other side being included. Please put anything you wish the Judge to consider in writing and file it with the Monroe County Clerk's office (301 N College Avenue, Blgtn, IN 47404).
2. All documents filed must include the case title and cause number (starts with '53C0') and you must send a copy of all the documents to the opposing parties.
3. Please note on your document that you have sent a copy to the opposing party (or his/her attorney), and make sure to include the name of the party that you sent the documents to, their address, and the date you sent it.

How Do I Update my Contact Information with the Court?

4. File an Amended Appearance. The 'Appearance' is how you tell the Court how to keep in touch with you. It's a simple document where you can update the Court with your new address, telephone number, or email address at any point throughout the proceedings. This should be filed with the Monroe Co. Clerk's office or provided to the Judge during your hearing.
5. If you move but don't notify the Court, you might not get notice of a hearing and your case could be decided without you.
6. You may decide whether you prefer to receive documents from the Court via mail or via email. If you prefer to switch how you receive documents, please file an Amended Appearance with your selection marked.

What if I Don't Appear For My Eviction Hearing?

7. Your court date and time for the Eviction Hearing appears on the Claim form. Make note of this and schedule appropriately.
8. If you do not show up for your hearing, a default judgment will likely be entered against you, you could be ordered to move out and may not receive notice of when your Damages Hearing (see #15, below) will take place.
9. If the landlord does not show up for the hearing, the case will be dismissed. The landlord may request a new hearing date.
10. If both parties appear and the claim is contested, a new court date for the Eviction Hearing may be scheduled due to constraints on the court's calendar and to allow time for the parties to present their information to the Judge.

Do I Need a Lawyer?

11. You may represent yourself, although you may have a lawyer represent you at any stage of the proceedings if you wish.
12. If you wish to be represented, only a lawyer can do that, with one exception: a business or association may be represented by a full-time employee, but only if the claim is not for more than \$6,000 and if the business files authorization for that employee in the case.
13. If you need legal advice, seek it from a lawyer. Neither the Clerk nor the Judge can offer legal advice.
14. You can find the rules for Indiana Small Claims Court at [https://www.in.gov/judiciary/rules/small claims](https://www.in.gov/judiciary/rules/small%20claims) and the Indiana Small Claims Manual at <https://www.in.gov/judiciru/y/files/small-claims-manual.pdf>

What Happens After My Eviction Hearing?

15. Typically, a second hearing, called a Damages Hearing, is scheduled by the Court about 60-80 days after the Eviction Hearing to determine the amount of any back rent and fees that may be owed to the landlord and to also discuss the cost of any damages to the unit and return of security deposit if applicable. Once the final damages amount is determined, it may be entered as a judgment.
16. It is possible that in addition to the damages judgment, you could be held responsible for payment of court costs, interest, and/or any attorney fees that may be due.
17. The decision of the Court may be appealed to the Indiana Court of Appeals. The appeal must conform to the strict regulations of the Indiana rules of trial and appellate procedure.