



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

Mary Ellen Diekhoff, Presiding Judge Division V

Geoffrey Bradley, Judge
Division I

Valeri Houghton,
Judge Division II

Christine Talley Haseman, Judge
Division III

Catherine B. Stafford,
Judge Division IV

Holly M. Harvey, Judge
Division VI

Stephen R. Galvin,
Judge Division VII

Kara E. Krothe, Judge
Division VIII

Darcie L. Fawcett,
Judge Division IX

Bret Raper, Commissioner

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 will 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/>.

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. In many cases, tenants and landlords can work out agreements during or just before the hearing. During many of the eviction and damages hearing dates, free legal advice, mediation, and social services referrals will be available at the Justice Building through the Housing and Eviction Prevention Project (HEPP). HEPP is available on Wednesdays from 9:00 a.m. to 11:00 a.m. and Thursdays from 1:00 p.m. to 3:00 p.m., when most eviction hearings are scheduled. You can receive same day services, but may have a better outcome if you seek assistance earlier. During the COVID-19 pandemic, services are being offered via video conference as you login for your hearing.

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,

The Hon. Kara E. Krothe

The Hon. Catherine Stafford

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 Co. Clerk's office.
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?

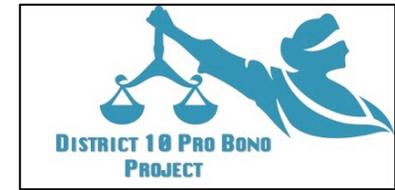
7. Your court date and time for the Eviction Hearing appears on the Claim form. Make note of this and schedule appropriately.
8. If you do not show up for your hearing, a default judgment will likely be entered against you, you could be ordered to move out and may not receive notice of when your Damages 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 \$1,500 and if the employee has a certificate of representation on file with the Monroe Co. Clerk's office.
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](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 at least 45 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 less 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. Parties are notified of the amounts by the Judge and it is entered as a monetary judgment.
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.



Providing free legal advice, mediation, housing and social service referrals to assist Monroe County tenants and landlords facing eviction.

Contact:

Tonda Radewan
(812) 340-8189
evictionavoidance@gmail.com

Telephone or Zoom services available on:

Wednesdays: 1:00 pm – 3:00 pm
Thursdays: 1:00 pm – 3:00 pm
Fridays: 9:00 am – 11:00 am

Our thanks to the following sources for their in-kind and partial financial support in 2020: Community Foundation of Bloomington and Monroe County, Inc., Monroe County Eviction Avoidance Working Group, United Way of Monroe County, and the Indiana Supreme Court through a 2020 Court Reform Grant award.

Legal and Mediation Resources for Tenants and Landlords in Monroe County, IN

Organization/Program	Description	How to Apply
Housing & Eviction Prevention Project: Legal services	Free legal advice or limited representation for any litigant involved in an active or pending small claims eviction or damages hearing.	Telephonic (pre-hearing) and on-site* legal advice provided during initial hearings conducted Thursdays from 1:00 pm to 3:00 pm and Fridays from 9:00 am to 11:00 am. *Due to the COVID-19 pandemic, hearings are being held via remote appearance unless indicated otherwise. For pre-hearing advice contact District 10 Counsel in the Court at (812) 269-6463 or Justice Unlocked at (812) 650-0551 for telephonic services during the above times.
Housing & Eviction Prevention Project: Mediation services	Free mediation services provided by CJAM (Community Justice & Mediation Center) for tenants and landlords wishing to resolve issues through negotiation.	Telephonic (pre-hearing) and on-site* mediation services provided during initial hearings conducted on Thursdays from 1:00 pm to 3:00 pm and Fridays from 9:00 am to 11:00 am. For pre-hearing services contact (812) 269-6353 or email LTmediation@cjamcenter.org.
Housing & Eviction Prevention Project: Housing information and social services referrals	General (non-legal) advice and informed referrals to local agencies and non-profit organizations providing housing and other social services.	Telephonic (pre-hearing) and on-site* referral services provided during initial hearings conducted on Thursdays from 1:00 pm to 3:00 pm and Fridays from 9:00 am to 11:00 am. For pre-hearing services contact (812) 340-8189 or email evictionavoidance@gmail.com.
Indiana Free Legal Answers	Website providing free legal answers to low income people with civil legal questions.	Apply online at www.indiana.freelegalanswers.org .
Indiana Legal Services, Inc.	Free legal advice or representation for low income people that have completed ILS financial intake process.	Intake: Call (844) 243-8570 between 10:00 am -2:00 pm Monday through Friday.
IU Student Legal Services	Free Legal advice or representation for IU students.	Call (812) 855-7867 between 8:00 am -5:00 p. Monday through Friday or apply online at https://studentaffairs.indiana.edu/student-support/legal-services .
Justice Unlocked	Sliding scale legal advice or representation for low income people.	Call (812) 269-8277 between 9:00 am -5:00 pm Monday through Friday or apply online at https://justiceunlocked.com .
Renting in Indiana: A Handbook for Tenants and Landlords	A guidebook for understanding leases, security deposits and other issues related to renting a home.	The handbook is available as a free download on the Housing4Hoosiers website, https://housing4hoosiers.org . The website is also a resource to help renters, landlords, and property managers understand more about their rights and responsibilities with rental housing.

**Updated 8-10-2020 by the Housing & Eviction Prevention Project (HEPP)*

**Due to COVID-19, hearings are being held via remote appearance unless indicated otherwise.*

Agencies Offering Direct Financial Assistance For Shelter

EMMANUEL BAPTIST CHURCH

1503 West That Road, Bloomington, IN 812-824-2768

TRINITY EPISCOPAL CHURCH

111 South Grant Street, Bloomington, IN 812-336-4466

MONROE COUNTY UNITED MINISTRIES

827 West 14th Street, Bloomington, IN 812-339-3429

*Can only assist once every 12 months.

ST. VINCENT DE PAUL

1999 N. Packing House Rd, Bloomington, IN 47404 812-961-1510

*Can only assist once every 6 months. Can also help with deposits and furniture.

SALVATION ARMY

508 West Kirkwood Avenue, Bloomington, IN 812-336-4310

*Can help with up to \$50.00

SHALOM COMMUNITY CENTER

620 South Walnut Street, Bloomington, IN 812-334-5728

FSSA CHILD PROTECTION SERVICE

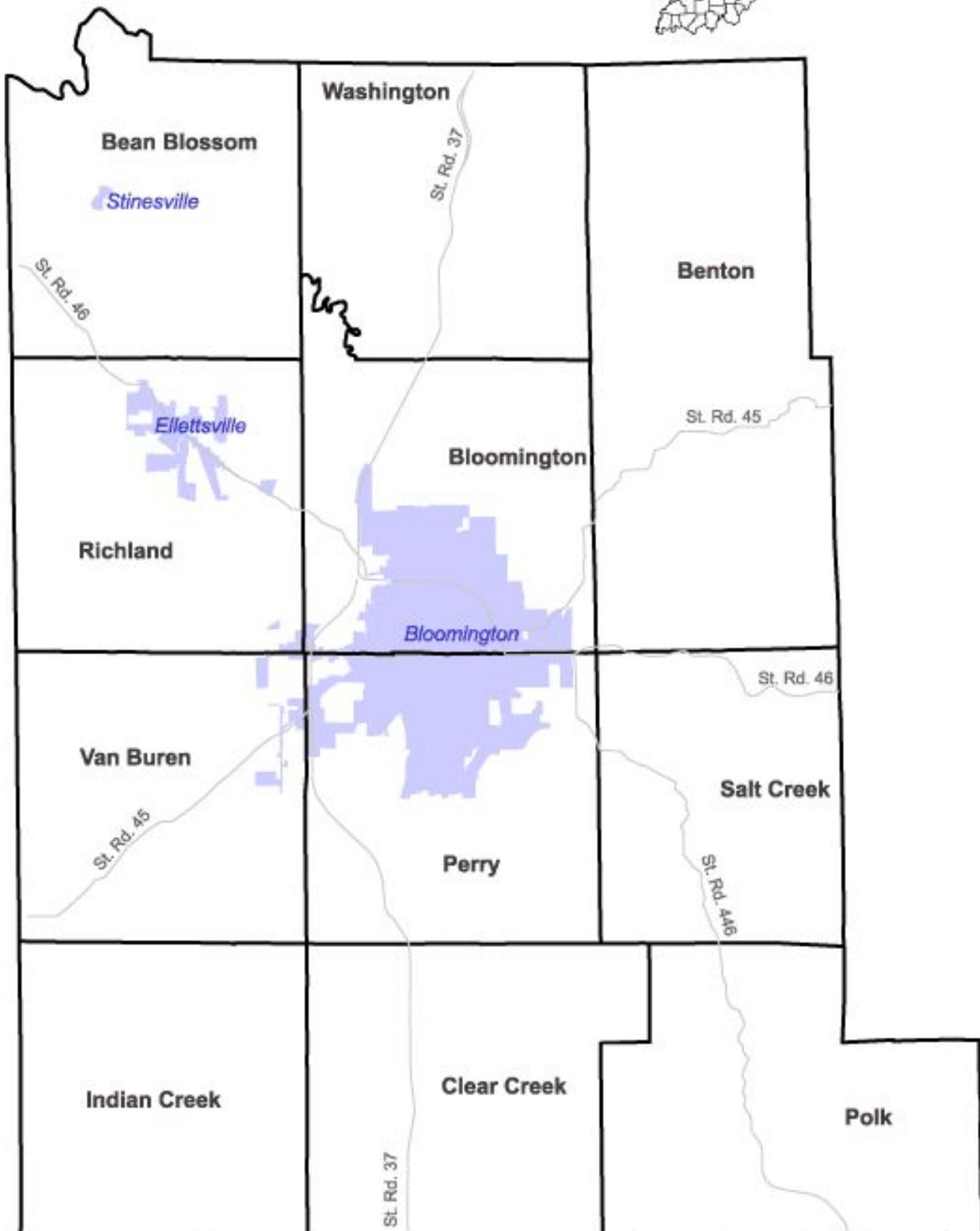
1531 South Curry Pike, Suite 300, Bloomington, IN

One month rent is possible if there is an open case on the household.

TOWNSHIP TRUSTEES

Updated list and township map provided in packet. There are 11 Trustees. Find your appropriate Trustee using the map provided.

Monroe County Townships



**FINANCIAL RESOURCES FOR PEOPLE FACING EVICTION
MONROE COUNTY TOWNSHIP TRUSTEES
FEBRUARY 2019**

TOWNSHIP	TRUSTEE	ADDRESS	PHONE	HOURS	EMAIL
BEAN BLOSSOM	RONALD H. HUSTON	7030 North Mt. Tabor Road Ellettsville, IN 47429	812-935-7174	By Appointment Only	beanblossomtrustee19@gmail.com
BENTON	MICHELLE A. BRIGHT	7606 E. State Road 45 Unionville, IN 47468	812-339-6593	By Appointment Only	michelleabright@gmail.com
BLOOMINGTON	KIM H. ALEXANDER	924 W. 17th St, Suite C Bloomington, IN 47404	812-336-4976	M-F 9 am - 4 pm EXCEPT Wednesdays Closed 12 - 1 PM	kalexand@btfire.org
CLEAR CREEK	THELMA K. JEFFERIES	9206 South Old SR #37 Bloomington, IN 47403	812-824-7225	M-F 9 am - 5 pm	thelma@bluemarble.net
INDIAN CREEK	CHRISTOPHER REYNOLDS	8019 S. Rockport Road Bloomington, IN 47403	812-824-4981	By Appointment Only	indiancreektownship@gmail.com
PERRY	DAN COMBS	1010 S. Walnut Street, Ste A Bloomington, IN 47401	812-336-3713	M-F 9 am - 3 pm	administrator@perrytownship.info
POLK	CHRISTOPHER SPIEK	9220 Last Horse Lane Heltonville, IN 47436	812-837-9446	None Listed	cspiek@bluemarble.net
RICHLAND	MARTY STEPHENS	416 South Park Street Ellettsville, IN 47429	812-876-2509	M-F 8 am - 3 pm	rtt@bluemarble.net
SALT CREEK	DONALD F. HALL	7333 E. Salt Creek Dr. Bloomington, IN 47401	812-837-9140	By Appointment Only	donnhall403@yahoo.com
VAN BUREN	RITA M. BARROW	2130 South Kirby Rd. Bloomington, IN 47403	812-825-4490	M-F 8:30 am - 4 pm Closed 12 -1 pm	ybrita@bluemarble.net
WASHINGTON	BARBARA OOLEY	7974 N. Fox Hollow Road Bloomington, IN 47408	812-876-1158	By Appointment Only	ooleyb@yahoo.com

**[FORM] DECLARATION UNDER PENALTY OF PERJURY FOR
THE CENTERS FOR DISEASE CONTROL AND PREVENTION'S TEMPORARY
HALT IN EVICTIONS TO PREVENT FURTHER SPREAD OF COVID-19**

This declaration is for tenants, lessees, or residents of residential properties who are covered by the CDC's order temporarily halting residential evictions (not including foreclosures on home mortgages) to prevent the further spread of COVID-19. Under the CDC's order you must provide a copy of this declaration to your landlord, owner of the residential property where you live, or other person who has a right to have you evicted or removed from where you live. Each adult listed on the lease, rental agreement, or housing contract should complete this declaration. Unless the CDC order is extended, changed, or ended, the order prevents you from being evicted or removed from where you are living through December 31, 2020. You are still required to pay rent and follow all the other terms of your lease and rules of the place where you live. You may also still be evicted for reasons other than not paying rent or making a housing payment. This declaration is sworn testimony, meaning that you can be prosecuted, go to jail, or pay a fine if you lie, mislead, or omit important information.

I certify under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing are true and correct:

- I have used best efforts to obtain all available government assistance for rent or housing;¹
- I either expect to earn no more than \$99,000 in annual income for Calendar Year 2020 (or no more than \$198,000 if filing a joint tax return), was not required to report any income in 2019 to the U.S. Internal Revenue Service, or received an Economic Impact Payment (stimulus check) pursuant to Section 2201 of the CARES Act;
- I am unable to pay my full rent or make a full housing payment due to substantial loss of household income, loss of compensable hours of work or wages, lay-offs, or extraordinary² out-of-pocket medical expenses;
- I am using best efforts to make timely partial payments that are as close to the full payment as the individual's circumstances may permit, taking into account other nondiscretionary expenses;

¹ "Available government assistance" means any governmental rental or housing payment benefits available to the individual or any household member.

² An "extraordinary" medical expense is any unreimbursed medical expense likely to exceed 7.5% of one's adjusted gross income for the year.

- If evicted I would likely become homeless, need to move into a homeless shelter, or need to move into a new residence shared by other people who live in close quarters because I have no other available housing options.³
- I understand that I must still pay rent or make a housing payment, and comply with other obligations that I may have under my tenancy, lease agreement, or similar contract. I further understand that fees, penalties, or interest for not paying rent or making a housing payment on time as required by my tenancy, lease agreement, or similar contract may still be charged or collected.
- I further understand that at the end of this temporary halt on evictions on December 31, 2020, my housing provider may require payment in full for all payments not made prior to and during the temporary halt and failure to pay may make me subject to eviction pursuant to state and local laws.

I understand that any false or misleading statements or omissions may result in criminal and civil actions for fines, penalties, damages, or imprisonment.

Signature of Declarant

Date

³ “Available housing” means any available, unoccupied residential property, or other space for occupancy in any seasonal or temporary housing, that would not violate federal, state, or local occupancy standards and that would not result in an overall increase of housing cost to you.