

SPECIAL SMALL CLAIMS INSTRUCTIONS

- New claims are to be filed between 8:00 am and 4:45 pm. The court office is open during lunch to accept new claims.
- When filing claims for eviction a copy of the lease **must** be filed with your notice of claim.
- Any claim over a contract dispute **must** have a copy of the contract attached.
- **Pursuant to administrative rule 9, any documents submitted with dates of birth of social security numbers must be submitted on green paper that will go in the “not for public access file” and a white copy with that information redacted to be placed in the court’s file upon submitting those documents to the court.**
- The defendant’s social security number or date of birth is required when request a body attachment.
- If you are requesting service by sheriff you must provide an addressed stamped envelope for the defendant.
- You **must** be sure that the other party has been served with notice of any hearing you have requested. You must call the court at least 48 hours before your hearing to verify that the other party has been properly served with notice of the hearing. If they have not been served with notice of the hearing it is your responsibility to make sure that they are served.
- Pursuant to small claims rule 8 (c) (3), if you are a partnership, LLC, or corporate entity, you must appear by an attorney in all cases where the notice of claim is over \$15000.00. If you are a sole proprietorship, the owner must appear in person in any claim over \$1500.00. Please see our FAQ or consult with your lawyer for more information about this.
- Pursuant to small claims rule 2, an affidavit of debt **must** be attached to any claim for damages based on an unpaid account. The affidavit of debt **must** be filed with all claims for unpaid credit account, unpaid medical bills, unpaid utilities and unpaid services. Landlords do not have to attach the affidavit when they file a claim for ejectment and damages against a tenant.
- The court will not accept any kind of fax filing.

- Text messages (texting) will be prohibited while the small claims court is in session. This rule applies to everyone in the courtroom. You may bring your phone into the courtroom, but it must be either turned off or set to silent mode. **Failure to comply with this rule could result in the court taking your phone until the hearing is finished.**
- You can find more information and some of the small claims forms by going to the form center of our website: www.bartholomew.in.gov/form-center-courts.html