

# SENATE BILL No. 336

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 34-1-60-1.

**Synopsis:** Small claims courts and corporations. Allows a corporation, including a depository financial institution, to appear before a small claims court without legal counsel. (Current law allows only certain corporations to appear before small claims courts without legal counsel.)

**Effective:** July 1, 1998.

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January 8, 1998, read first time and referred to Committee on Judiciary.

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Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

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**SENATE BILL No. 336**



A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 34-1-60-1, AS AMENDED BY P.L.151-1994,  
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 1998]: Sec. 1. (a) Except as provided under subsection (c), a  
4 civil action may be prosecuted or defended by a party in person or by  
5 attorney.  
6 (b) If the state of Indiana is a party to a civil action filed on the small  
7 claims docket of a circuit court, superior court, or county court, the  
8 state of Indiana is not required to appear by attorney.  
9 (c) ~~A corporation and~~ Any organization required to make  
10 application to the secretary of state under IC 25-11-1-3 must appear by  
11 attorney in all cases. However, corporations, ~~organized under:~~  
12 ~~(1) IC 23-1;~~  
13 ~~(2) IC 23-1.5;~~  
14 ~~(3) IC 23-7-1.1 (before its repeal on August 1, 1991); or~~  
15 ~~(4) IC 23-17;~~  
16 **including depository financial institutions (as defined in**  
17 **IC 28-9-2-6)**, are not required to appear by attorney in civil cases filed



1 on a small claims docket of a circuit, superior, or county court.

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