

SENATE BILL No. 365

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-9-1-1.

Synopsis: Small claims cases. Allows a corporation, collection agency, sole proprietorship, or partnership to designate a full-time employee who is not an attorney to appear on behalf of the corporation, organization, sole proprietorship, or partnership in all civil cases filed on a small claims docket of a circuit, superior, or county court.

Effective: July 1, 1999.

Waterman

January 8, 1999, read first time and referred to Committee on Judiciary.

C
o
p
y



Introduced

First Regular Session 111th General Assembly (1999)

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 a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

C
O
P
Y

SENATE BILL No. 365



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

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

1 SECTION 1. IC 34-9-1-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) Except as provided under
3 subsection (c), a civil action may be prosecuted or defended by a party:
4 (1) in person; or
5 (2) represented by an 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 **are a corporation, an organization required to make application to**
17 **the secretary of state under IC 25-11-1-3, a sole proprietorship, or**



1 **a partnership:**
2 **(1) is not required to appear by attorney; and**
3 **(2) may designate a full-time employee to appear on behalf of**
4 **the corporation, organization, sole proprietorship, or**
5 **partnership;**
6 in **all** civil cases filed on a small claims docket of a circuit, superior, or
7 county court.

C
o
p
y

