

Eviction Sealing Instructions



This form packet asks a court to expunge (seal) an eviction.

An **eviction** is a case filed in court by a landlord that wants a tenant removed from the property. An **expungement** seals a case. An expunged, or sealed, case will not show up on **government records that can be seen by the public**. An expungement does not remove a case from public sources like webpages that are not owned by the government, or from other news sources like newspapers.

There are three forms in this packet:

1. Appearance form
2. Verified Motion to Seal Court Eviction Record
3. Order



This form packet was designed for use when:

1. there is no judgement that says the tenant owes the landlord money in the eviction case; and
2. the eviction was either:
 - ☐ dismissed by the court, or
 - ☐ decided in favor of the tenant, or
 - ☐ the decision was overturned or vacated on appeal; and
3. there is supporting documentation or evidence that helps show that the above information is true; and
4. a tenant wants an eviction record sealed under [Indiana Code § 32-31-11](#) and/or [Indiana Code § 5-14-3-5.5](#) and/or [Indiana Access to Court Records Rule 6\(A\)\(2\)](#).



Complete, signed forms should be filed in the same court the eviction was filed in.

Information on how to e-file forms can be found at <https://www.in.gov/courts/efiling/> and information on filing paper forms can be found at <https://indianalegalhelp.org/filing-and-going-to-court/>



Progress on a filed case can be found online at www.mycase.in.gov.

Instruction: *Defendant/Tenant fills out this top section to match the eviction forms that were filed by the Plaintiff/Landlord.*

STATE OF INDIANA IN THE _____ COURT

COUNTY OF _____ CASE NO. _____

Plaintiff/Landlord

v.

Defendant/Tenant

APPEARANCE BY UNREPRESENTED DEFENDANT/TENANT

Instruction: *The Defendant/Tenant fills out below.*

I declare:

1. I am the Defendant/Tenant and my full name is:

2. My address for receiving legal service of document and case information as required by Court Rules is: _____
3. My email address is: _____
☐ I will accept service at the above email address.
4. My phone number is: _____
☐ This a cell phone.
5. My fax number is (Optional): _____
6. This is an EV case.
7. Additional information required by court rule is below (*This is not common*).

 Defendant/Tenant signs here: _____ Date: _____

Defendant/Tenant name (*print*): _____


Certificate of Service: *Fill out below to tell the court how the Plaintiff/Landlord will get this paper.*

CERTIFICATE OF SERVICE

I certify that on the day I filed this form with the court I sent it to the Plaintiff/Landlord at the address listed below by (*check method of delivery/service*): ☐ First Class U.S. mail ☐ hand delivery ☐ Indiana's e-filing system

Plaintiff/Landlord Name: _____

Plaintiff/Landlord Address: _____

 Defendant/Tenant signs here: _____ Date: _____

Instruction: *Defendant/Tenant fills out this top section to match the eviction forms that were filed by the Plaintiff/Landlord.*

STATE OF INDIANA IN THE _____ COURT
COUNTY OF _____ CASE NO. _____

Plaintiff/Landlord

v.

Defendant/Tenant

VERIFIED MOTION TO SEAL COURT EVICTION RECORD

Instruction: *The Defendant/Tenant fills out below.*

I declare:


1. I am the Defendant/Tenant and my full name is:

2. My date of birth is: _____
3. My current address is: _____
4. The Plaintiff/Landlord's name is: _____
5. The Plaintiff/Landlord filed an eviction against me and the case was:
☐ dismissed ☐ decided in my favor ☐ overturned or vacated on appeal
6. I want this Court to seal the court record from public view according to Indiana Code § 32-31-11 and/or Indiana Code § 5-14-3-5.5 and/or Indiana Access to Court Records Rule 6(A)(2).
7. There is no judgment that says I owe the landlord money for the eviction action.
8. I have attached supporting documentation or evidence.

I respectfully ask the Court to issue an order, without a hearing, prohibiting the disclosure of any records in this action and directing the clerk of the court to permanently seal the court's records in this case.

VERIFICATION

I affirm under penalties for perjury that the foregoing representations and statements are true.

 Defendant/Tenant signs here: _____ Date: _____

Defendant/Tenant name (print): _____


Certificate of Service: *Fill out below to tell the court how the Plaintiff/Landlord will get this paper.*

CERTIFICATE OF SERVICE

I certify that on the day I filed this form with the court I sent it to the Plaintiff/Landlord at the address listed below by (*check method of delivery/service*): ☐ First Class U.S. mail ☐ hand delivery ☐ Indiana's e-filing system

Plaintiff/Landlord Name: _____

Plaintiff/Landlord Address: _____

 Defendant/Tenant signs here: _____ Date: _____

Instruction: *Defendant/Tenant fills out this top section to match the eviction forms that were filed by the Plaintiff/Landlord. Defendant/Tenant fills out bottom Distribution section at the bottom of the form.*

STATE OF INDIANA IN THE _____ COURT

COUNTY OF _____ CASE NO. _____

Plaintiff/Landlord

v.

Defendant/Tenant

ORDER ON MOTION TO SEAL COURT EVICTION RECORD

☐ No court hearing was required.

The Defendant/Tenant:

☐ appeared in person ☐ appeared by counsel, _____

☐ failed to appear ☐ appeared by representative, _____

The Plaintiff/Landlord:

☐ appeared in person ☐ appeared by counsel, _____

☐ failed to appear ☐ appeared by representative, _____

THE COURT MAKES THE FOLLOWING FINDINGS AND ORDERS:

1. The Defendant/Tenant requests expungement of the following eviction case:

2. The Defendant/Tenant is entitled to relief under Indiana Code § 32-31-11-3 because:
 - ☐ The eviction action was dismissed by the court upon petition of the landlord under I.C. 32-31-10-2.
 - ☐ The eviction action was dismissed by the court upon petition by the tenant or the court's own motion.
 - ☐ A judgment in favor of the tenant was entered by the court.
 - ☐ A judgment was entered by the court against the tenant, and the judgment was subsequently overturned or vacated.
3. The Court **ORDERS** that the eviction action(s) listed above shall not be disclosed or be permitted to disclosure of any records in the case, including the petition by the landlord for possession of the rental unit.
4. The Court **ORDERS** the clerk of the court to redact or permanently seal the court's own records related to the eviction action(s) listed above.
5. Plaintiff/Landlord Address:

Email: _____ Phone: _____

6. Defendant/Tenant Address:

Email: _____ Phone: _____

SO ORDERED _____

Judicial Officer

Instruction: *Complete the lines below with the names of the Plaintiff/Landlord and the Defendant/Tenant.*

Distribution to: Plaintiff/Landlord: _____
Defendant/Tenant: _____