

**Limited Jurisdiction and Traffic Law Committee
Judicial Conference of Indiana**

**Minutes
February 14, 2025
via Microsoft Teams**

1. Attendance: The following members participated in the meeting: Samuel Conrad, Garland Graves, Steven Hagen, David Happe (chair), Kyle Noone, Steven Poore, Matthew Raper, and Jennifer Wilson Reagan. The meeting was staffed by Kelly Elliott from IOCS.
2. Approval of Minutes: The committee reviewed and unanimously approved the minutes from the October 11, 2024, meeting.
3. Review Small Claims Eviction Proposed Rules: The Rules Committee received several eviction procedure rule proposals and requested the committee to review them and offer feedback. The committee created a subcommittee to conduct a more detailed review and provide specific feedback. Judge Happe will draft a response to the Rules Committee for the subcommittee to review.
4. Small Claims Rule 8 Amendment: Kelly Elliott gave a summary of the amendments made to Rule 8 of the Indiana Small Claims Rules. The 2025 Small Claims Manual was edited to reflect the amendments to Rule 8. The committee reviewed the updated Manual and had no further edits or suggestions. Judge Conrad will draft revisions to the Benchbook and Small Claims Forms to incorporate the Rule 8 amendments.
5. FTA/FTP process example for Benchbook: Mag. Wilson Reagan and Judge Noone provided feedback to the committee on the FTA/FTP process example for the Benchbook. Kelly will incorporate the changes suggested. Mag. Wilson Reagan will draft language to add to the process example that addresses infractions related to juveniles. The committee will review the edited FTA/FTP process example at the next meeting.
6. 2025 Legislation: Relevant bills pertinent to the committee were reviewed and discussed.
7. Other business:
 - a. Pre-Eviction Diversion Program Advisement: The committee previously discussed alternatives to providing the mandatory advisement on the Pre-Eviction Diversion Program at the initial hearing. One proposed alternative was to require that the Notice of Claim include information about available resources related to residential evictions. To gather input, Kelly distributed a poll to committee members to obtain their thoughts on whether they would be in favor or opposed to amending Rule 2 of the Indiana Small Claims Rules to require this information to be listed in the Notice of Claim. A majority of the committee members indicated they would be in favor of such an amendment, provided that the mandatory advisement could be made discretionary. Kelly will seek authorization to proceed forward with submitting a proposal to amend Rule 2 of the Indiana Small Claims Rules.
 - b. Case Law: The committee reviewed and discussed two published cases: Abbott v. Wegert, 238 N.E.3d 710 (Ind. Ct. App. 2024), and Ministries v. Alexander, 240 N.E.3d 183 (Ind. Ct. App. 2024). The committee elected to include information about Abbott in the Benchbook. The committee will continue to discuss Ministries at the next meeting to determine if further action is needed.

The committee tabled the review of Mayberry v. Am. Acceptance Co., LLC., 242 N.E.3rd 1053 (Ind. 2024) (*assigned to Judge Conrad*), Balash v. Mader, 245 N.E.3d 705 (Ind. Ct. App. 2024) (*assigned to*

Mag. Raper), and Simon v. William R. Simon Farms, Inc., 245 N.E.3d 1025 (Ind. Ct. App. 2024)
(assigned to Judge Poore).

2025 Meeting Dates: May 9, August 8, and November 14.

**Limited Jurisdiction and Traffic Law Committee
Judicial Conference of Indiana**

**Minutes
May 9, 2025
via Microsoft Teams**

1. Attendance: The following members participated in the meeting: James Burn, Samuel Conrad, Michael Douglass, David Happe (Chair), Kyle Noone, Steven Poore, and Jennifer Wilson Reagan. The meeting was staffed by Kelly Elliott from IOCS.
2. Approval of Minutes: The committee reviewed and unanimously approved the minutes from the February 14, 2025, meeting.
3. Review of Small Claims Eviction Proposed Rules: The Rules Committee received several eviction procedure rule proposals and requested the committee to review them and offer feedback. The committee provided a response to the Rules Committee summarizing its review of the rule proposals. The Rules Committee will discuss the letter at their next meeting. Kelly will update the committee on any developments related to this matter.
4. Review Benchbook and/or Form Revisions:
 - a. FTA/FTP process example: Mag. Wilson Reagan drafted a section to add to the FTA/FTP process example that addresses infractions related to juveniles. The committee reviewed and approved of the addition.
 - b. Small Claims Rule 8 Amendments: Judge Conrad drafted revisions to the Benchbook and small claims forms to incorporate the amendments to Rule 8 of the Indiana Small Claims Rules. The committee reviewed and approved of the revisions.
 - c. Ignition Interlock Device: The committee reviewed language contained in the Benchbook pertaining to I.C. 9-30-6-8(d) and ignition interlock devices. Judge Noone volunteered to review the language and provide suggested edits at the next meeting.
5. 2025 Legislation: Enacted legislation pertinent to the committee was reviewed. Kelly will circulate an email to committee members for volunteers to review the legislation and determine if revisions will need to be made to the Benchbook, Small Claims Manual, City and Town Court Manual, and/or the small claims forms. The committee will review any suggested revisions at the next meeting.
6. Other business:
 - a. Pre-Eviction Diversion Program Advisement: Kelly advised that IOCS will be discontinuing the Fast Track Facilitation Program (Program) and requesting an amendment to the Order Amending the Pre-Eviction Diversion Program to remove reference to it. Kelly will seek to pursue to have the committee's concerns regarding the mandatory advisement addressed in this request. Kelly will also continue to pursue authorization to seek an amendment to the Small Claims Rules to require the Notice of Claim to include language about resources for residential evictions.
 - b. The committee tabled further discussion of Ministries v. Alexander, 240 N.E.3d 183 (Ind. Ct. App. 2024).

- c. Case Law: The committee reviewed and discussed two published cases: Mayberry v. Am. Acceptance Co., LLC, 242 N.E.3d 1053 (Ind. 2024) and Simon v. William R. Simon Farms, Inc., 245 N.E.3d 1025 (Ind. Ct. App. 2024). The committee elected to include information about Mayberry and Simone in the Benchbook. The committee tabled the review of Balash v. Mader, 245 N.E.3d 705 (Ind. Ct. App. 2024).

2025 Meeting Dates: August 8, and November 14.

**Limited Jurisdiction and Traffic Law Committee
Judicial Conference of Indiana**

**Minutes
August 8, 2025
via Microsoft Teams**

1. Attendance: The following members participated in the meeting: Matthew Aldridge, Garland Graves, Steven Hagen, David Happe (Chair), Joseph Johns, Steven Poore, and Matthew Raper. The meeting was staffed by Kelly Elliott from IOCS.
2. Approval of Minutes: The committee reviewed and unanimously approved the minutes from the May 9, 2025, meeting.
3. Revisions to Benchbook/Forms/Manuals:
 - a. 2025 Enacted Legislation: Mag. Douglass, Judge Graves, Judge Happe, and Mag. Wilson Reagan reviewed enacted legislation to identify necessary amendments to the Benchbook, City and Town Court Manual, Small Claims Manual, and small claims forms. The committee agreed with their analysis on the proposed revisions, and the members will draft language for such revisions to review at the next meeting.
 - b. Ignition Interlock Devices (pg. 63 of Benchbook): The committee agreed to table this review for the next meeting.
 - c. Proposed Language for Cases: The committee reviewed and agreed on proposed language for the Benchbook for Sanders v. AHEPA 78 VI Apartments, Inc., 237 N.E.3d 1126 (Ind. Ct. App. 2024), reh'g clarified, 243 N.E.3d 352 (Ind. Ct. App. 2024) and Simon v. William Simon Farms, Inc., 245 N.E.3d 1025 (Ind. Ct. App. 2024), trans. denied.
4. Discussion re: Providers of Ignition Interlock Devices: The committee had a general discussion about vendors that provide ignition interlock devices for the courts. Mag. Raper offered to gather additional information on whether any industry standards or licensing exists for these vendors and will report his findings back to the committee.
5. Other Business:
 - a. Odyssey Form Inquiry: The Office of Court Technology received an inquiry about whether a template form would be available on Odyssey for when a court orders an eviction matter dismissed and the record sealed. The committee discussed developing such a form, and Judge Graves, Judge Poore, and Mag. Raper volunteered to draft a template form for the committee to review.
 - b. Update on Small Claims Eviction Proposed Rules: The Rules Committee received several proposed amendments to the Small Claims Rules relating to evictions. The Rules Committee requested the committee to review the proposed amendments and offer feedback. The committee provided a response to the Rules Committee summarizing its review of the proposed amendments. The Rules Committee reviewed the committee's

feedback and ultimately decided not to make any changes to the Small Claims Rules based on the proposed amendments.

- c. **Pre-Eviction Diversion Program Advisement:** Kelly advised that authorization was received to pursue an amendment to the Small Claims Rules to ask that the Notice of Claim include language about resources for residential evictions. The committee agreed to continue to pursue this amendment. Kelly will circulate sample language for the proposed amendment to the committee for feedback.
 - d. **Discussion of Ministries v. Alexander, 240 N.E.3d 183 (Ind. Ct. App. 2024):** Mag. Raper provided additional insight on this case matter. The committee agreed not to pursue any legislative changes based on the outcome.
- 6. **Case Law:** The committee discussed Balash v. Mader, 245 N.E.3d 705 (Ind. Ct. App. 2024) and elected to include information about it in the Benchbook and Small Claims Manual. The committee tabled discussion of Malott v. Snyder, 261 N.E.3d 271 (Ind. Ct. App. 2025) and Parker v. Ind. State Prison, No. 24A-SC-1197, 2025 Ind. App. LEXIS 231 (Ct. App. July 18, 2025).
 - 7. **Meeting Times:** Judge Happe addressed how the current meeting schedule may not be feasible for existing and new members. Kelly will send out a poll to the committee to determine if there are alternative dates and times that may work better for upcoming meetings.
 - 8. **Data Review:** The Office of Judicial Administration has proposed a project to a few judicial officers related to data extraction. The committee discussed various matters that could benefit from such a project and Judge Happe will send an email out to the committee for additional input.

2025 Meeting Dates: November 13.