



**ST. JOSEPH SUPERIOR COURT
1855 COURTHOUSE
112 SOUTH LAFAYETTE BLVD
SOUTH BEND, INDIANA 46601**

CHAMBERS OF
THE MAGISTRATES

TELEPHONE (574) 245-6796
FACSIMILE (574) 245-6728

August 5, 2020

RE: Small Claims Collection Hearings and Motions in Proceedings Supplementary

Dear Members of the Debt Collection Bar:

The novel corona virus pandemic continues to be an on-going threat to the health and safety of all who have business before the Courts. The Indiana Supreme Court has authorized utilizing remote hearings through the end of the calendar year due to the pandemic. In order to keep the number of people coming into the St. Joseph County 1855 Courthouse (Courthouse 2) down, consistent with the recommendations of the Centers for Disease Control and the Indiana and St. Joseph County Health Departments, the South Bend Division of the Small Claims Court will require telephonic hearings on Small Claims Collection Hearings and Motions in Proceedings Supplementary. The Notice of Claim or Order to Appear should direct the Defendant(s) to contact the Plaintiff's attorney on a specified date/time along with a telephone number to call, in place of the current practice of a date and time to appear at the 1855 Courthouse.

Counsel will be required to file a report to the Court on the outcome of the telephone conference, as a replacement to the CCS form currently in use for the in-person proceedings. Copies of the reports are attached to this letter for your use. The reports should be filed through Odyssey e-filing within 7 days of the date of the telephonic hearing.

Any hearings that your office currently has scheduled on or after September 1, 2020 should use the telephonic format for these hearings. Attached is a copy of the order converting the existing in person hearings to telephonic hearings. **It is your responsibility to serve the notice of hearing converting the case to a telephonic hearing on the defendants in the cases you have filed along with providing a telephone contact number for your office. A copy of your notice(s) should be e-filed with the Court.**

It is our expectation that these procedures will encourage participation in the Court process without a litigant being fearful of contracting the novel coronavirus which could result from an in-

person appearance. It will keep you, your staff, all litigants and witnesses and courthouse personnel safe from the threat contracting the virus and the Covid-19 disease.

You should also file interest calculations in cases where a judgment or final order in garnishment is requested. The Indiana Supreme Court has tolled post-judgment interest. See the Order 20S-CB-123 originally entered on Mar. 23, 2020 and updated on May 29, 2020.

If you have any concerns regarding the procedures being implemented, please contact the St. Joseph County Superior Court Magistrates' Office via email at stjosephsmallclaims@sjcindiana.com. Your email will not be answered individually, but we will address any issues through the St. Joseph County Bar Association newsletter and the Bench and Bar Committee and postings on the St. Joseph County website.

Thank you for your cooperation and patience in this difficult time. The Court may make further changes as dictated by health experts and everyone needs to be prepared to meet the challenges of this health crisis as they develop.

Sincerely,

Magistrate Elizabeth Hardtke

Magistrate Paul Singleton

Magistrate Julie Verheye

Magistrate Keith Doi

Cc: Elizabeth Hurley, Chief Judge

David Chapleau, Judge

Jenny Manier, Judge