

Honorable Laura E. Viar

Marion County Special Requirements

All Journal Entries of Judgment in Limited Civil cases shall contain the following language, which shall appear in the first paragraph of the Journal Entry:

“Plaintiff’s attorney hereby certifies that the file in the above-captioned case reflects that each defendant against whom judgment is entered has been properly served with summons or process herein and that this Court has jurisdiction to enter the judgment requested.”

Attorneys are not required to appear in answer hearings for limited actions.

Small Claims Plaintiffs are required to appear.

All other hearings on limited and small claims require an appearance by the plaintiff or the attorney for the plaintiff.

Domestic Relations Cases:

In all domestic relations cases in which minor children are involved, the parties will be required to attend and complete a divorce impact class. Once the case is filed and all parties served, the Clerk of the Court will send each party an order for divorce impact class attendance. A copy of the order is shown below. Divorce impact class attendance may be modified or excused by the assigned judge upon a showing of good cause. Unless completion of the class is excused by the court, failure to do so will be considered in custody and parenting time decisions.

Journal Entries:

This requirement relates to all cases other than those in which the state is the Plaintiff or Petitioner. Unless otherwise ordered by the Court or agreed on the record, the party initiating an action or motion which requires preparation of a journal entry or order, shall prepare the document and submit it to opposing counsel within 14 days.

In proceedings in which one side appears pro se and the other is represented by counsel, the attorney appearing in the case will be required to prepare all journal entries unless such obligation is excused by the Court.

Motions to Suppress:

In criminal proceedings defense motions to suppress must be served on the prosecution in timely fashion so that witnesses may be subpoenaed and present for hearing. Merely obtaining a date for a suppression hearing is not sufficient notice, a written motion with notice of hearing must be filed and served on opposing counsel.

Motions to suppress must provide reasonable notice of what state actions are being challenged.

REMOTE HEARINGS REQUIREMENT FOR LIMITED ACTIONS CASES

For public safety reasons, all proceedings in limited actions cases except Answer hearings and Aid in Execution hearings shall be conducted remotely. To that end, all new cases and orders for hearing filed by attorneys must comply with the following requirements.

THIS REQUIREMENT SHALL BE EFFECTIVE FOR ALL DOCUMENTS FILED WITH THE COURT AFTER MAY 15, 2020 AND SHALL CONTINUE UNTIL FURTHER ORDER.