

STATE OF INDIANA)
) (\$):
COUNTY OF MARION)

IN THE PIKE TOWNSHIP OF MARION COUNTY
SMALL CLAIMS COURT
5665 LAFAYETTE ROAD
SUITE B
INDIANAPOLIS, IN 46254
Phone No. 317-293-1842

Plaintiff

v.

Cause Number: 49K05-_____-EV-_____

Defendant

Petition to Prohibit Disclosure of Eviction Records

Petitioner Name

_____/_____/_____
Date of Birth

Current Address

Phone Number

In this eviction action with respect to which the petitioner seeks relief under I.C. 32-31-11-3 and or I.C. 32-31-11-4 to have the records of same prohibited from public disclosure.

Why Petitioner is entitled to the nondisclosure of eviction records:

_____ There is currently no monetary judgment outstanding to the landlord in this eviction action.

_____ There was a dismissal in this eviction action.

_____ There is a judgment in favor of the Defendant in this eviction action.

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

Petitioner Signature

Date

Rule 6: Excluding Other Court Records From Public Access.

(A) In extraordinary circumstances, a Court Record that otherwise would be publicly accessible may be excluded from Public Access by a Court having jurisdiction over the record. A verified written request to prohibit Public Access to a Court Record may be made by any person affected by the release of the Court Record. The request shall demonstrate that:

- (1) The public interest will be substantially served by prohibiting access;
- (2) Access or dissemination of the Court Record will create a significant risk of substantial harm to the requestor, other persons or the general public; **or**
- (3) A substantial prejudicial effect to on-going proceedings cannot be avoided without prohibiting Public Access.

When this request is made, the request and the Court Record will be rendered confidential for a reasonable period of time until the Court rules on the request.

(B) Notice and Right to Respond.

(1) The person seeking to prohibit access has the burden of providing notice to the parties and such other persons as the Court may direct.

(2) The **person seeking to prohibit access shall provide proof of notice to the Court** or the reason why notice could not or should not be given consistent with the requirements found in Trial Rule 65(B).

(3) **A party or person to whom notice is given shall have twenty (20) days from receiving notice to respond to the request.**

(C) Public Hearing.

(1) **A Court may deny a request to prohibit Public Access without a hearing.**

(2) **If the Court does not initially deny the request, it shall post advance public notice of the hearing consistent with the notice requirements found in the Access to Public Records Act.**

(3) Following public notice, the Court **shall hold a hearing on the request** to prohibit Public Access to a Court Record.

(D) Written Order. Following a hearing, a Court may grant a request to prohibit Public Access by a written order that:

- (1) States the reasons for granting the request;
- (2) Finds the requestor has demonstrated by clear and convincing evidence that any one or more of the requirements of Rule 6(A) have been satisfied;
- (3) Balances the Public Access interests served by this rule and the grounds demonstrated by the requestor; and
- (4) Uses the least restrictive means and duration when prohibiting access.

STATE OF INDIANA) IN THE PIKE TOWNSHIP OF MARION COUNTY
)SS: SMALL CLAIMS COURT
COUNTY OF MARION) 5665 LAFAYETTE ROAD
 SUITE B
 INDIANAPOLIS, IN 46254
 Phone No. 317-293-1842

Cause Number: 49K05-_____-EV-_____

Plaintiff

v.

Defendant

Order to Prohibit Disclosure of Eviction Records

The Court having conducted a hearing on Defendant's Petition now finds:

_____ There is currently no monetary judgment outstanding to the landlord in the eviction action with respect to which the petitioner seeks relief.

_____ There was a dismissal in the eviction action with respect to which the petitioner seeks relief.

_____ There is a judgment in favor of the Defendant in the eviction action with respect to which the petitioner seeks relief.

Defendant is, therefore, entitled to the records in this matter being sealed from public access. The Clerk is directed to make the records of cause prohibited from public disclosure and to do all acts necessary to complete same.

Ordered this _____ day of _____, 20____

Judge, Pike Township Small Claims Court