



**ALLEN SUPERIOR COURT CIVIL DIVISION
715 S. Calhoun St., Allen County Courthouse
Fort Wayne, Indiana 46802**

MEMORANDUM REGARDING STAY OF EVICTION PROCEEDINGS

Due to the public health crisis associated with the COVID-19 virus, and consistent with the March 17, 2020 Indiana Administrative Rule 17 Order of the Indiana Supreme Court, captioned "In the Matter of the Petition of the Allen Circuit and Superior Courts for Administrative Rule 17 Emergency Relief," all eviction proceedings have been temporarily stayed.

The stay of eviction proceedings applies to cases scheduled on the trial calendar and the accounts calendar. Attached is the form of Order that will be entered in all pending eviction cases. Cooperation of counsel is necessary for the entry of the Order for pending cases on the accounts calendar. By noon on Monday March 23, 2020, counsel are directed to provide the Court with a list (case numbers) of all pending evictions on the accounts calendar.

This stay of eviction proceedings does not prohibit the filing of new cases. However, a copy of the Stay of Proceedings Order shall be entered and served with the Notice of Claim. No hearing date for eviction or damages shall be entered on the Notice of Claim. Counsel are directed to delete that portion of the form. Once the stay is lifted, counsel will be permitted to send a Notice of Hearing by first class mail to the Defendant, provided there is good service of the Notice of Claim. The Court will prepare a sample Notice of Hearing for the eviction hearing.

With respect to the recent cases in which an order for possession has been entered the Plaintiff may sign the Writ Book, but an order will be entered by the Court staying execution of the Writ in that case. When the stay of proceedings is lifted the court will enter an order allowing execution of the Writ.

No Default Judgments will be entered for possession of real estate during the stay of proceedings.

This Stay of Proceedings does not include damage hearings in landlord tenant cases.