

EVICTION DIVERSION INITIATIVE | NCSC

Eviction Diversion Case Study: Lawrence Township Small Claims Court

Background

Indianapolis has experienced some of the highest eviction filing rates in the country over the last decade.¹ In response, the Lawrence Township Small Claims Court, one of nine municipal courts in Marion County, Indiana, engaged a range of community partners to develop a robust eviction diversion program that could serve as a replicable model for the other courts in the county.

With financial support and technical assistance from the [NCSC Eviction Diversion Initiative](#), the Lawrence Township Small Claims Court adopted rules, established partnerships, and implemented process changes to center the needs of court users and bring more resources into the community. Court data shows that, after the eviction diversion program went into effect, nearly 90% of filed eviction cases were resolved without an eviction judgement being entered against the tenant.² The court also observed a reduction in default rates with more community members coming to court and participating in the program as word-of-mouth spread in the community.

Adopting Rules to Expand Access to Eviction Diversion Resources

Lawrence Township's eviction diversion program builds on the foundation set forth by the [Indiana Supreme Court Pre-Eviction Diversion Program](#). Established early in the Covid-19 pandemic, the statewide program requires judges to advise landlords and tenants at the initial court date of any available resources in the community and to inquire about their interest in using the resources. If both parties agree, the case is automatically continued for 90 days, with status conferences set at 30 and 60 day intervals. If the parties are successful in resolving their dispute, the case is dismissed and sealed. If only one party wishes to access the program resources, they may still work with the service providers but the case will move forward on the standard timeline.



Figure 1 - The court's Eviction Diversion Navigator meets with a self-represented landlord to complete a needs assessment.

¹ The Eviction Lab, available online at <https://evictionlab.org/rankings/#/evictions>.

² *Lawrence Eviction Rates Drop Markedly a Year into Pilot Program* (August 6, 2023), WISHTV, available online at:

<https://www.wishtv.com/news/local-news/lawrence-eviction-rates-drop-markedly-a-year-into-pilot-program>.

Establishing Holistic Partnerships

At the heart of Lawrence Township’s eviction diversion program are its program partners. The court proactively identified the many unmet needs of its litigants and worked to build a strong network of partner organizations to address both the immediate and longer-term needs of community members.

Legal Assistance

Free legal services are provided during the weekly eviction docket through a partnership with Indiana Legal Services and a clinical program of the Indiana University School of Law. The court provides space for the two legal service providers to meet privately with clients at the courthouse. Each organizations offers a range of legal services from brief advice to in-court representation based on the goals, needs and capacity of litigants.

Financial Assistance

The Lawrence Township Small Claims Court established a strong partnership with the federal Emergency Rental Assistance Program (ERAP) provider. ERAP navigators are onsite at the courthouse to help litigants complete rental assistance applications and provide real-time updates to the judge. Court staff also have access to the ERAP database to monitor the status of pending applications.

At the height of the program, landlords began to express frustration with the lengthy delays in processing applications and receiving payments. To expedite the process and eliminate mail delays, the court arranged to have ERAP checks delivered directly to the courthouse where they could be tendered in open court. This reduced the potential for misunderstanding between the parties and allowed for expedited case resolution.

Wraparound Services

The court proactively engaged several other community partners to provide wraparound support to families facing eviction who often have multiple unmet legal and non-legal needs. Some examples include:

- sharing court filing data with the local school district, allowing school social workers to identify enrolled students who are at risk of homelessness;
- partnering with a local safety net hospital to better understand the intersection between the community’s legal and medical needs; and
- arranging for a local laundromat to provide free laundry services to community members facing eviction.

As part of its ongoing effort to create a more responsive and community-centered court, the court is also developing a community needs survey. Court staff will participate in community outreach events and use the survey to better understand and respond to the needs of the community.

Creating a User-Centered Court Experience



Figure 2 – Signs inside and outside the courthouse inform members of the community that free resources are available.

The initial court date serves as the primary point of entry for the Lawrence Township eviction diversion program. The court worked to create a welcoming and supportive environment within the courthouse to encourage litigants to meaningfully engage with the court process and use all available program resources.

Signage and Wayfinding

When litigants arrive at the courthouse they are greeted by signs - both outside and inside - reinforcing the message that the courthouse is a place to find help (see Figure 2). When a litigant checks in for a case, court staff provide information about on-site services and direct them to a resource room where representatives from partner agencies waiting to meet with them.

While navigating the courthouse, litigants have access to a wide range of print and digital self-help materials and forms. Print materials are clearly labeled and numbered, making it easy for court staff and service providers to help litigants find what they need. for litigants to find what they need and for court staff and service providers to offer support (Figure 3).



Figure 3 - Labels in the clerk's office help guide litigants to the appropriate self-help materials and forms.

Dedicated Pro Se Dockets

The eviction docket in Lawrence Township is split across two days, with Thursdays reserved for cases filed by self-represented landlords. The needs and challenges of landlords representing themselves in court are often different from those of landlords represented by counsel, and this schedule allows the court to handle their cases at a slower pace and to target available resources more effectively. Specialized dockets help ensure that each case is given the time and attention it deserves by the court and program partners.

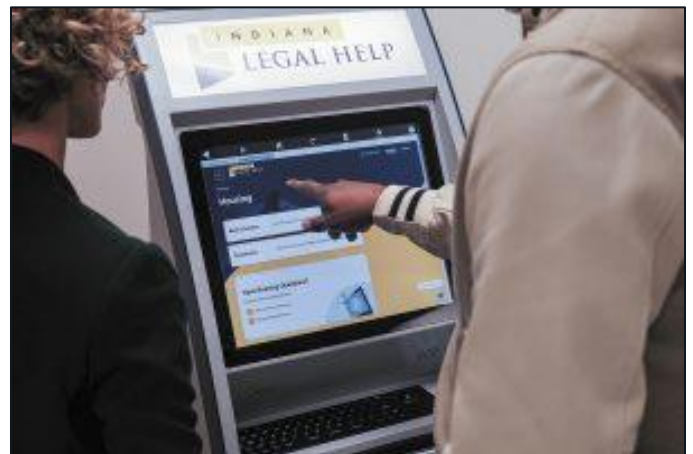


Figure 4 - Litigants can access digital resources, referrals, and forms through the Indiana Legal Help kiosks located at the courthouse and in many other locations across the state.

Using Technology to Improve Access and Enhance Service Delivery

The Lawrence Township Small Claims Court has leveraged technology in multiple ways to improve both court efficiency and access. The court provides public access computers for litigants who wish to participate in court proceedings by Zoom or need internet access. Through a partnership with the Indiana Bar Foundation, the court also hosts a [self-service legal kiosk](#) where court patrons can access legal information and forms or apply for free legal aid through [Indiana Legal Help](#).

Connecting Courts and Communities

In 2022, the Indiana legislature passed [House Bill 1214](#) authorizing the sealing of certain eviction records upon motion of the tenant. The court used this opportunity to reach into the community and play a proactive role in helping eligible tenants seal their records. Through a newly established Eviction Sealing Clinic, legal aid and pro bono attorneys advise tenants about their eligibility and file petitions to seal old eviction records.



Figure 5 - Service providers wait to meet with tenants at a Lawrence Township Small Claims Court eviction sealing clinic.

After the success of the initial clinic, the court expanded the clinic model by hosting clinics in different community settings and adding additional legal and non-legal services.



Figure 6 - The Court uses mobile tablets to intake and triage clients during eviction sealing clinics.

Future clinics will also provide legal support for litigants seeking to reduce wage garnishment, as the court has identified a close connection between debt collection and housing instability.

Looking Ahead

The Lawrence Township Small Claims Court will continue to look for new opportunities to expand the program services. The court hopes to launch a new website and social media campaign to promote the program and to engage in targeted outreach to housing providers. The court also continues to engage new community partners to expand the available services and to improve long-term outcomes.

NCSC Eviction Diversion Initiative

Visit ncsc.org/eviction or email EDI@ncsc.org for more information and resources on court-based eviction diversion programs or to [schedule a free consultation](#).

To learn more about NCSC's Access to Justice work, visit ncsc.org/a2j.