



January 23, 2015

HOUSE BILL No. 1141

DIGEST OF HB 1141 (Updated January 21, 2015 3:24 pm - DI 69)

Citations Affected: IC 33-32.

Synopsis: Judgment dockets. Specifies that the clerk of a circuit court: (1) shall keep a judgment docket for the circuit court and for each superior court and probate court served by the clerk; and (2) is the official keeper of the judgment docket for the circuit court and for each superior court and probate court served by the clerk. Provides that a judgment docket may not include judgments in which the state, a county, or another governmental entity is the sole creditor, except for: (1) cases in which the state obtains a judgment for unpaid taxes; or (2) any entry that is required by statute.

Effective: July 1, 2015.

Richardson

January 8, 2015, read first time and referred to Committee on Courts and Criminal Code.
January 22, 2015, reported — Do Pass.

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January 23, 2015

First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1141

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 33-32-3-2, AS AMENDED BY P.L.78-2014,
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 2. (a) The clerk:
4 (1) shall keep:
5 (A) a circuit court judgment docket; **and**
6 (B) **a judgment docket for each court served by the clerk**
7 **under IC 33-32-2-1;** and
8 (2) is the official keeper of:
9 (A) the circuit court judgment docket; **and**
10 (B) **the judgment docket for each court served by the clerk**
11 **under IC 33-32-2-1.**
12 (b) A judgment docket **described in subsection (a):**
13 (1) must contain:
14 (A) all civil judgments in which one (1) party owes money to
15 another party, including any court costs awarded to a judgment

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- 1 creditor; and
 2 (B) any entry that is required by a statute; and
 3 (2) may not include:
 4 (A) judgments in which money is owed by a person to a state,
 5 a county, or another governmental entity as a result of:
 6 (i) a criminal conviction; or
 7 (ii) a violation of an infraction or ordinance; or
 8 (B) ~~except for cases in which the state obtains a judgment for~~
 9 ~~unpaid taxes~~, judgments in which **the state, a county, or**
 10 **another** governmental entity is the sole creditor, **except for:**
 11 **(i) cases in which the state obtains a judgment for unpaid**
 12 **taxes; or**
 13 **(ii) any entry that is required by statute.**
 14 (c) The clerk may keep a judgment docket in:
 15 (1) an electronic format;
 16 (2) a paper format; or
 17 (3) both an electronic and a paper format.
 18 (d) Upon the filing in the office of the clerk a statement or transcript
 19 of any judgment for the recovery of money or costs, the clerk shall
 20 enter, and index in alphabetical order, in this judgment docket a
 21 statement of the judgment showing the following:
 22 (1) The names of all the parties.
 23 (2) The name of the court.
 24 (3) The number of the cause.
 25 (4) The book and page of the record in which the judgment is
 26 recorded.
 27 (5) The date the judgment is entered and indexed.
 28 (6) The date of the rendition of judgment.
 29 (7) The amount of the judgment and the amount of costs.
 30 (e) If a judgment is against several persons, the statement required
 31 to be entered under subsection (d) shall be repeated under the name of
 32 each judgment debtor in alphabetical order.
 33 (f) A person interested in any judgment for money or costs that has
 34 been rendered by any state court, or by any federal court of general
 35 original jurisdiction sitting in Indiana, may have the judgment entered
 36 upon the circuit court judgment docket by filing with the clerk:
 37 (1) a verified statement setting forth the facts required under
 38 subsection (d); or
 39 (2) a verified copy of the judgment certified under the seal of the
 40 court that rendered the judgment.
 41 (g) The judgment docket shall be made available for public
 42 inspection at the office of the clerk during regular office hours. If a



- 1 judgment docket is kept in an electronic format:
2 (1) the judgment docket must be searchable; and
3 (2) a member of the public must be able to:
4 (A) search the judgment docket for the name of a specific
5 party; and
6 (B) obtain a list of all judgments in the judgment docket
7 concerning the party.
8 (h) If the wages of a judgment debtor are being garnished, a clerk is
9 not required to notify the employer of the judgment debtor to suspend
10 the garnishment after the judgment is satisfied. A request to suspend
11 the garnishment must be submitted by the judgment debtor to the court
12 that rendered the judgment. The clerk is not required to take any action
13 under this subsection concerning a garnishment other than to obey the
14 orders of the court that rendered the judgment.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1141, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1141 as introduced.)

WASHBURN

Committee Vote: Yeas 11, Nays 0

