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Media Release: Indiana Courts' Eviction Procedures Criticized by Attorneys and Law Professors in New Report

In “Too Fast, Too Easy: How Indiana Courts are Fueling Our Eviction Crisis,” law professors from Indiana University and Notre Dame and attorneys from Indiana Legal Services and the Indiana Justice Project say Indiana courts and judges share the blame for the state’s housing crisis.

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Indiana is in an eviction crisis. Each year, nearly 70,000 eviction cases are filed, affecting more people annually than live in the state’s third-largest city.

While a shortage of affordable housing sets the stage, the crisis is intensified by another problem: Indiana’s eviction process has become too fast and too easy.

Unlike most legal disputes, which move slowly and allow for careful consideration, eviction cases in Indiana are rushed through at extraordinary speed. Tenants are often given only a few days’ notice before their hearing, and many hearings last less than five minutes. Families facing the loss of their homes, one of the most impactful decisions a court can make, are often afforded less time and care than minor disputes in other parts of the legal system.



The consequences ripple far beyond the courtroom. Evictions destabilize families, cause children to suffer educational and health setbacks, and push many Hoosiers into unsafe or exploitative housing. The stain of an eviction filing often follows tenants for years, making it harder to secure future housing even if the case was dismissed. In practice, the courts have become a driver of homelessness, family trauma, and community instability.

What emerges is a picture of a justice system that, when it comes to eviction, has become far too fast and far too easy. In “Too Fast, Too Easy: How Indiana Courts are Fueling Our Eviction Crisis,” law professors and attorneys who have worked in Indiana’s eviction courts say that Indiana judges have the opportunity, and the responsibility, to correct course.

The following reforms offer practical steps to slow down the process, ensure greater balance, and restore public confidence in the courts as fair and impartial arbiters. To address the crisis, this report outlines practical reforms Indiana’s courts could adopt to bring greater fairness and balance to eviction proceedings:

- **Give tenants more time to prepare.** Eviction hearings should not be rushed. Courts should provide a meaningful window, at least three weeks, for tenants to respond before a case moves forward.
- **Require mediation before eviction.** Landlords and tenants should have the chance to work out disputes, with court-supported mediation both before a case is filed and before a judgment is entered.
- **Protect tenants in unsafe housing.** Tenants should be allowed to pay rent into a secure account if their landlord fails to maintain safe and livable conditions, ensuring accountability and preventing evictions.

- **Keep eviction filings private until resolved.** Records should remain confidential until a final judgment is made, preventing tenants from being unfairly blacklisted for cases that may be dismissed.

By embracing these reforms, Indiana's courts can show that fairness, not speed or convenience, is at the heart of justice for our state's renters.

The full report is available [here](#).

STATEMENTS FROM THE CO-AUTHORS

"There is a growing lack of trust in institutions, including our judicial system. Our current small claims eviction procedures fail to provide tenants with sufficient time to prepare for or present their case in court. Our recommendations are aimed at creating a more equitable system, one that recognizes the societal harm of evictions and rebalances the process so that it is fair to all parties involved," says Judith Fox, clinical professor emerita, Notre Dame Law School.

"Courts have always been a place where Hoosiers look for fairness. This report shows how that tradition of fairness can play a powerful role in keeping families stably housed and communities strong," says Megan Stuart, director of advocacy at Indiana Legal Services.

"The commonsense recommendations we propose fall well within the authority of Indiana's courts to guide case proceedings in ways that reduce the harm evictions cause to families and children," says Adam Mueller, executive director of the Indiana Justice Project.

"A lot of attention has been paid to legislative reforms to address Indiana's housing crisis. But our elected and appointed judges bear significant responsibility for Indiana being ranked as the fourth most landlord-friendly state in the nation, a ranking which specifically cites 'Landlord-leaning small claims courts,'" says Fran Quigley, clinical professor and director of the Housing, Health, and Human Rights Clinic at Indiana University McKinney School of Law.

