

In the  
Indiana Supreme Court



CAUSE NUMBER: 94S00-1401-MS-57

ORDER AMENDING INDIANA RULES OF APPELLATE PROCEDURE

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Indiana Rules of Appellate Procedure 2, 3, 9, 10, 11, 12, 14, 14.1, 23, 24, 28, 29, 30, 43, 53, 65, Appendix B to Rule 30 and Forms 9-1, 11-3, 11-4 and 16-1 are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

Indiana Rules of Appellate Procedure

...

Rule 2. Definitions

In these Rules, the following definitions apply:

...

**G. Criminal Appeals.** Criminal Appeals are those cases which were designated by the originating court as a Murder - MR, Class A Felony - FA, Class B Felony - FB, Class C Felony - FC, Class D Felony - FD, Level 1 Felony - F1, Level 2 Felony - F2, Level 3 Felony - F3, Level 4 Felony - L4, Level 5 Felony - F5, Level 6 Felony - F6, Criminal Felony--CF; Class D Felony--DF; Criminal Misdemeanor--CM; Post Conviction Relief--PC; Juvenile Status--JS; Juvenile Delinquency--JD; Infraction--IF; Miscellaneous Criminal--MC; Local Ordinance Violation--OV, and Exempted Ordinance Violation--OE. This definition is for ease of reference and does not change the substantive rights of the parties.

...

**N. Case Record, ~~and Case Court Records, and Excluded From Public Access.~~** The terms "Case Record," "Court Record," and "Public Access" shall have the definitions provided in mean a record defined by Administrative Rule 9(C)(2). "~~Case Records Excluded From Public Access~~" shall mean records identified in Administrative Rule 9(G)(1).

**O. Court Reporter.** "Court Reporter" shall mean a person who is designated by a court or Administrative Agency to perform official reporting services, including preparing the Transcript.

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SEP 09 2014

*Jeffrey K. Brothers*  
CLERK OWEN CIRCUIT COURT

...

(4) *Header or Footer Notations.* The eCourt Reporter shall note in boldface capital letters at the top or bottom of each page where a witness' direct, cross, or redirect examination begins. No other notations are required.

...

(8) *Table of Contents.* The eCourt Reporter shall prepare a table of contents listing each witness and the volume and page where that witness' direct, cross, and redirect examination begins. The table of contents shall identify each exhibit offered and shall show the Transcript volumes and pages at which the exhibit was identified and at which a ruling was made on its admission in evidence. The table of contents shall be a separately bound volume.

(9) Court Records excluded by Administrative Rule 9(G).

(a) In cases where all of the Court Records are excluded from Public Access pursuant to Administrative Rule 9(G)(1), the Transcript shall be excluded from Public Access.

(b) If, during the hearing or trial a party or person identified any oral statement(s) to be excluded from Public Access, the Court Reporter must comply with the requirements of Administrative Rule 9(G)(5)(b) with regard to the statement(s) and must note in the Transcript the specific 9(G)(2) or 9(G)(3) ground(s) identified by the party or person.

(c) Additionally, until the time the Transcript is transmitted to the Court on Appeal, any party or person may file written notice with the Trial Court identifying:

(i) the transcript page and line number(s) containing any Court Record to be excluded from Public Access; and

(ii) the specific Administrative Rule 9(G)(2) or 9(G)(3) grounds upon which that exclusion is based. (See Form #App.R. 11-3.)

This written notice must be served on the Court Reporter and, upon receipt of the written notice, the Court Reporter must refile the Transcript in compliance with the requirements of Administrative Rule 9(G)(5)(b) and must note in the Transcript the specific 9(G)(2) or 9(G)(3) grounds(s) identified by a party or person.

(d) After the Transcript has been transmitted to the Court on Appeal, any request by a party or person to exclude a Court Record in the Transcript from Public Access must be made to the Court on Appeal and must contain the specific Administrative Rule 9(G)(2) or 9(G)(3) ground(s) upon which that exclusion is based. Upon receipt of an order from the Court on Appeal, the Court Reporter must re-file the Transcript in compliance with the requirements of Administrative Rule 9(G)(5)(b).

electronic data in a FAT or FAT-32 file system. Each electronic data storage device shall be prepared and designated as:

- a. "Official record"
- b. "Official working copy"
- c. "Court Reporter's copy"
- d. "Party copy"

The eCourt Reporter must convert the "official record," the "official working copy" and the "party copy" into Portable Document Format (PDF) and transmit these copies in PDF format as set out in Appellate Rule 30.

**Standard 4.** Pursuant to Appellate Rule 30 (B), the eCourt Reporter shall retain a signed, read only "eCourt Reporter's copy" of the electronic Transcript in the original word processing version used for the transcription.

SAMPLE FORMS

Form App. R. 9-1 Notice of Appeal

IN THE INDIANA [SUPREME COURT/COURT OF APPEALS/TAX COURT]  
CAUSE NO. \_\_\_\_\_

NAME, )  
)  
)  
[Appellant/Petitioner], ) [Appeal or Petition] from the  
([Plaintiff/Defendant/Claimant/ ) [\_\_\_\_\_ Court or Administrative  
Respondent below]), ) Agency]  
)  
v. ) Trial Court [or Administrative  
) Agency number] Case No.: \_\_\_\_\_  
NAME, )  
) The Honorable \_\_\_\_\_,  
[Appellee/Respondent], ) Judge.  
([Plaintiff/Defendant/Claimant/ )  
Respondent below]). )

NOTICE OF APPEAL

If civil case, is Appellant willing to participate in Appellate Dispute Resolution?

Yes  No

If yes, provide a brief statement of the facts of the case. (Attach additional pages as needed.)

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**Attachments**

The following SHALL be attached to this Notice of Appeal (in all appeals):

Copy of judgment or order being appealed

The following SHALL be attached to this Notice of Appeal if applicable (check if applicable):

- Copy of the trial court or Administrative Agency's findings and conclusion (in civil cases)
- Copy of the sentencing order (in criminal cases)
- Order denying Motion to Correct Error or, if deemed denied, copy of Motion to Correct Error
- Copy of all orders and entries relating to the trial court or agency's decision to seal or exclude information from public access
- If proceeding pursuant to Appellate Rule 14(B)(3), copy of Order from Court of Appeals accepting jurisdiction over interlocutory appeal
- The documents required by Rule 40(C), if proceeding *in forma pauperis*

**Certification**

By signing below, I certify that:

- (1) This case  does  does not involve an interlocutory appeal; issues of child custody, support, visitation, adoption, paternity, determination that a child is in need of services, termination of parental rights; or an appeal entitled to priority by rule or statute.
- (2) I have reviewed and complied, and will continue to comply, with the requirements of Appellate Rule 9(J) and Administrative Rule 9(G)(4) on appeal; and,
- (3) I will make satisfactory payment arrangements for any Transcripts ordered in this Notice of Appeal, as required by Appellate Rule 9(H).

Respectfully submitted,

---

[Insert Name of Attorney or *pro se* party]

should be filed on green paper and remain excluded from public access in accordance with the authority listed below:

Transcript page and line number(s).

Administrative Rule 9(G) grounds upon which exclusion is authorized.

[List here]

[List 9(G) grounds here.]

[NOTE: If 9(G)(2)(a) or 9(G)(2)(b), or 9(G)(3)(b) provides the basis for exclusion, you must also list the specific law, statute, or rule declaring the Court Record confidential.]

Respectfully submitted,

\_\_\_\_\_  
[Signature]

**CERTIFICATE OF SERVICE**

I certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the foregoing was served upon the following by [state method of service]:

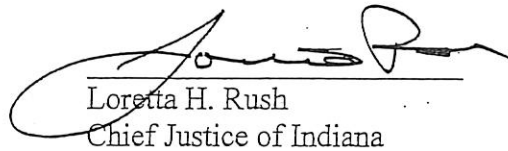
[list names and addresses of counsel of record on appeal and court reporter]

\_\_\_\_\_  
[Signature]

Thomson Reuters is directed to publish this Order in the advance sheets and bound volumes of this Court's decisions. Thomson Reuters is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit and Superior Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public.

DONE at Indianapolis, on September 2, 2014.

  
Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.

I, Kevin S. Smith, Clerk of the Indiana Supreme Court, Court of Appeals, and Tax Court, do hereby certify that the foregoing is a full, true, complete and correct copy of the Order Amending Indiana Rules of Appellate Procedure, from cause number 44500-14-01-NS-57, as the same appears upon the official record of the Supreme Court, Court of Appeals, or Tax Court, and in my custody as Clerk. In testimony whereof I have subscribed my name and affixed the seal of the court this 2 day of September, 2014.  
By Kevin S. Smith, Clerk  
Title: Orders/Opinions

**FILED**

SEP 09 2014

In the

*Jeffrey K. Brothers*

**Indiana Supreme Court**

CLERK OWEN CIRCUIT COURT CAUSE NUMBER: 94S00-1401-MS-57



ORDER AMENDING INDIANA RULES FOR TRIAL DE NOVO  
FOLLOWING JUDGMENT IN CITY OR TOWN COURT

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Indiana Rule for Trial De Novo following Judgment in City or Town Court 4 is amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

**INDIANA RULES FOR TRIAL DE NOVO FOLLOWING JUDGMENT IN CITY OR TOWN COURT**

...

**Rule 4. Documents and Information Excluded from Public Access and Confidential Pursuant to Administrative Rule 9(G)(1).**

Documents and information excluded from public access pursuant to Administrative Rule 9(G)(1) shall be filed in accordance with Trial Rule 5(G).

...

This amendment shall take effect on January 1, 2015.

The Clerk of this Court is directed to forward a copy of this Order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Prosecuting Attorney's Council; Public Defender's Council; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers

**FILED**

SEP 09 2014

In the

Indiana Supreme Court

*Jeffrey K. Brothers*

CLERK OWEN CIRCUIT COURT CAUSE NUMBER: 94S00-1401-MS-57



ORDER AMENDING INDIANA RULES OF CRIMINAL PROCEDURE

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Indiana Rule of Criminal Procedure 1.1 is amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

**INDIANA RULES OF CRIMINAL PROCEDURE**

...

**Rule 1.1. Documents and Information Excluded from Public Access and Confidential Pursuant to Administrative Rule 9(G)(1)**

Documents and information excluded from public access pursuant to Administrative Rule 9(G)(1) shall be filed in accordance with Trial Rule 5(G).

...

This amendment shall take effect on January 1, 2015.

The Clerk of this Court is directed to forward a copy of this Order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Prosecuting Attorney's Council; Public Defender's Council; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers Assistance Program; the libraries of all law schools in this state; the Michie Company; and Thomson Reuters. The Clerk is also directed to post this Order to the Court's website.



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SEP 09 2014

In the

*Jeffrey K. Brother* Indiana Supreme Court

CLERK OWEN CIRCUIT COURT CAUSE NUMBER: 94S00-1401-MS-57



ORDER AMENDING INDIANA RULES OF PROCEDURE FOR ORIGINAL ACTIONS

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Indiana Rule of Procedure for Original Actions 3 is amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

INDIANA RULES PROCEDURE FOR ORIGINAL ACTIONS

...

**Rule 3. Application Papers**

...

**(J) Documents and Information Excluded from Public Access and Confidential Pursuant to Administrative Rule 9(G)(1).** Documents and information excluded from public access pursuant to Administrative Rule 9(G)(1) shall be filed in accordance with Trial Rule 5(G).

...

This amendment shall take effect on January 1, 2015.

The Clerk of this Court is directed to forward a copy of this Order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Prosecuting Attorney's Council; Public Defender's Council; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers

**FILED**

SEP 09 2014

*Jeffrey K. Brothers*

CLERK OWEN CIRCUIT COURT CAUSE NUMBER: 94S00-1401-MS-57

In the  
**Indiana Supreme Court**



ORDER AMENDING INDIANA RULES FOR SMALL CLAIMS

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Indiana Rules for Small Claims 2 and 4 are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

**Indiana Rules for Small Claims**

...

**Rule 2. Commencement of Action**

...

**(E) Documents and Information Excluded from Public Access and Confidential Pursuant to Administrative Rule 9(G)(4).** Documents and information excluded from public access pursuant to Administrative Rule 9(G)(4) shall be filed in accordance with Trial Rule 5(G).

...

**Rule 4. Responsive pleadings**

...

(C) Request for Jury Trial. Notwithstanding any statute to the contrary, a defendant may request a jury trial by submitting a written request to the court within ten (10) days after receipt of the notice of claim. No statement of facts supporting the request or verification of the request is required. The party requesting a jury trial shall pay the clerk the additional amount required by statute to transfer the claim to the plenary docket or, in the Marion Small Claims Court, the filing fee necessary to file a case in the appropriate court of the county. Unless filed within ten (10) days after receipt of the notice of claim the right to a jury trial is waived. Once a jury trial request has been granted, it may not be withdrawn without the consent of the other party or parties.

...

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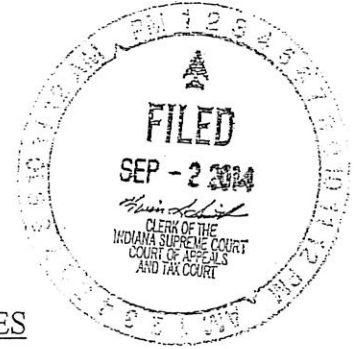
SEP 09 2014

*Jeffrey K. Brothers*

In the  
**Indiana Supreme Court**

CAUSE NUMBER: 94S00-1401-MS-57

CLERK OWEN CIRCUIT COURT ORDER AMENDING INDIANA JURY RULES



Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Indiana July Rules 16 and 18 are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

**INDIANA JURY RULES**

...

**RULE 16. NUMBER OF JURORS**

- (a) In all criminal cases, if the defendant is charged with: murder, a Class A, B, or C felony, including any enhancement(s), a Level 1, 2, 3, 4, or 5, including any enhancement(s) the jury shall consist of twelve (12) persons, unless the parties and the court agree to a lesser number of jurors. If the defendant is charged with any other crime, the jury shall consist of six (6) persons. The court shall determine the number of alternate jurors to be seated. The verdict shall be unanimous.
- (b) In all civil cases, the jury shall consist of six (6) persons, unless the parties agree to a lesser number of jurors before the jury is selected. The verdict shall be unanimous, unless the parties stipulate before the verdict is announced that a verdict or finding of a stated majority of the jurors shall be taken as the verdict or finding of the jury. The number of alternate jurors shall be governed by Trial Rule 47(B).

...

**RULE 18. NUMBER OF PEREMPTORY CHALLENGES**

- (a) In criminal cases the defendant and prosecution each may challenge peremptorily:
  - (1) twenty (20) jurors in prosecutions where the death penalty or life without parole is sought;
  - (2) ten (10) jurors when neither the death penalty nor life without parole is sought in prosecutions for murder, and Class A, B, or C felonies, including enhancements, and Level 1, 2, 3, 4, or 5, including any enhancements; and
  - (3) five (5) jurors in prosecutions for all other crimes.

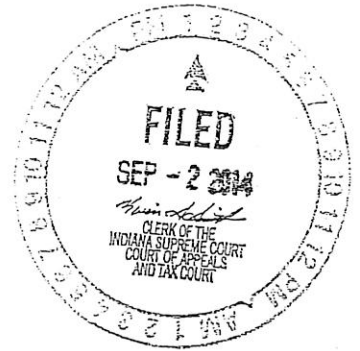
**FILED**

SEP 09 2014

*Jeffrey K. Brothers*  
CLERK OWEN CIRCUIT COURT

In the  
**Indiana Supreme Court**

CAUSE NUMBER: 94S00-1401-MS-57



ORDER AMENDING INDIANA RULES OF EVIDENCE

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Indiana Rule of Evidence 803(6)(D) is amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

**INDIANA RULES OF EVIDENCE**

...  
**Rule 803. Exceptions to the Rule Against Hearsay—Regardless of Whether the Declarant Is Available as a Witness**

The following are not excluded by the rule against hearsay, regardless of whether the declarant is available as a witness:

...  
(6) **Records of a Regularly Conducted Activity.** A record of an act, event, condition, opinion, or diagnosis if:

(A) the record was made at or near the time by — or from information transmitted by — someone with knowledge;

(B) the record was kept in the course of a regularly conducted activity of a business, organization, occupation, or calling, whether or not for profit;

(C) making the record was a regular practice of that activity;

(D) all these conditions are shown by the testimony of the custodian or another qualified witness, or by a certification that complies with Rule 902(911) or (1012) or with a statute permitting certification; and

(E) neither the source of information nor the method or circumstances of preparation indicate a lack of trustworthiness.

**FILED**

SEP 09 2014

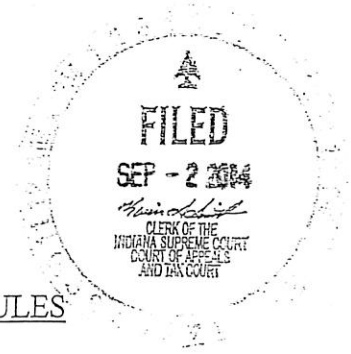
*Jeffrey K. Brothers*

CLERK OWEN CIRCUIT COURT

In the  
**Indiana Supreme Court**

CAUSE NUMBER: 94S00-1401-MS-57

ORDER AMENDING INDIANA TAX COURT RULES



Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Indiana Tax Court Rules 3 and 17 is amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

**INDIANA TAX COURT RULES**

...

**Rule 3. Commencement of an action**

...

(G) Documents and Information Excluded from Public Access and Confidential Pursuant to Administrative Rule 9(G)(4). Documents and information excluded from public access pursuant to Administrative Rule 9(G)(4) shall be filed in accordance with Trial Rule 5(G).

...

**Rule 17. Judgment**

All judgments shall be incorporated in written ~~memorandum~~ decisions by the court. ~~Unless Decisions~~ specifically designated "For Publication," ~~such written memorandum decisions~~ shall ~~not~~ be published in the official reporter and shall be citable. Other cases specifically designated as "Memorandum Decisions" are not published in the official reporter and shall not be regarded as precedent nor cited before any court except for the purpose of establishing the defense of res judicata, collateral estoppel, or the law of the case. Within thirty (30) days of the entry of a Memorandum Decision, a party or other person may make a motion to publish the decision in the official reporter. The motion must specify the reasons why publication is proper. Judgment shall be subject to review as prescribed by relevant Indiana rules and statutes.

These amendments shall take effect on January 1, 2015.

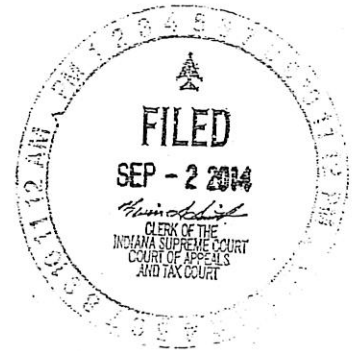
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SEP 09 2014

*Jeffrey K. Brothers*  
CLERK OWEN CIRCUIT COURT

In the  
**Indiana Supreme Court**

CAUSE NUMBER: 94S00-1401-MS-57



ORDER AMENDING INDIANA RULES OF TRIAL PROCEDURE

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Indiana Rules of Trial Procedure 3.1, 5, 16, 43, 58, 64(A) and 81.1 are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

**INDIANA RULES OF TRIAL PROCEDURE**

...

**Rule 3.1. Appearance**

...

(D) Confidentiality of ~~Information~~ Court Record Excluded from Public Access. Any appearance form or ~~Court Record~~ defined as not accessible to the public pursuant to Administrative Rule 9(G)(1) shall be filed in a the manner required by ~~Trial Rule 5~~ Administrative Rule 9(G)(5).

...

**Rule 5. Service and Filing of Pleading and Other Papers**

...

~~(G) Filing of Documents and Information Excluded from Public Access and Confidential Pursuant to Administrative rule 9(G)(1) Confidentiality of Court Records.~~ Every document filed in a case shall separately identify information excluded from public access pursuant to Admin. R. 9(G)(1) as follows:

- (1) Whole documents that are excluded from public access pursuant to Administrative Rule 9(G)(1) shall be tendered on light green paper or have a light green coversheet attached to the document, marked "Not for Public Access" or "Confidential."
- (2) ~~When only a portion of a document contains information excluded from public access pursuant to Administrative Rule 9(G)(1), said information shall be omitted [or redacted] from the filed document, and set forth on a separate accompanying document on light green paper conspicuously marked "Not for Public Access" or "Confidential" and clearly~~

~~(C) Documents and Information Court Records Excluded from Public Access and Confidential Pursuant to Administrative Rule 9(G)(4).~~ Every court that issues a judgment or order containing ~~documents or information Court Records~~ excluded from ~~pPublic aAccess~~ pursuant to Administrative Rule 9(G)(4) shall comply with the provisions of ~~Trial Rule 5(G)~~ Administrative Rule 9(G)(5).

...

#### Rule 64. Seizure of person or property

(A) **Ancillary remedies to assist in enforcement of judgment.** At the commencement of and during the course of an action, all remedies providing for seizure of person or property for the purpose of securing satisfaction of the judgment ultimately to be entered in the action are available under the circumstances and in the manner provided by law and existing at the time the remedy is sought. The remedies thus available include, without limitation, arrest, attachment, attachment and garnishment, lis pendens notice, ejectment, replevin, sequestration, and other corresponding or equivalent legal or equitable remedies, however designated and regardless of whether by existing procedure the remedy is ancillary to an action or must be obtained by an independent action. Such remedies are subject to the provisions of this rule, and, except as herein otherwise provided, the action in which any of the foregoing remedies is used shall be commenced and prosecuted pursuant to these rules. A person taken into custody in a civil action must be brought before the court that issued the writ, bench warrant or body attachment, or before a judicial officer having jurisdiction over the person within forty-eight (48) hours, excluding weekends and holidays, following the person being taken into custody. The person shall be advised of the procedures under IC 34-47-4-2 or IC 31-16-12-6.5 for release, including any bond, escrow amount set by the issuing court in the writ, bench warrant or body attachment.

...

#### Rule 81.1. Procedures for Cases Involving Family or Household Members

...

**G. Court Records Excluded from Public Access.** In a eCourt using Family Procedures, each party shall have access to all records in cases joined under this Rule, with the exception of eCourt ~~rRecords~~ excluded from ~~pPublic aAccess~~ pursuant to Administrative Rule 9. A party may seek access to such confidential records from another case joined under this Rule by written petition based on relevancy and need in accordance with Administrative Rule 9(G)(7). Records excluded from ~~pPublic aAccess~~ shall retain their confidential status and the court using Family Procedures shall direct that confidential records not be included in the public record of the proceedings.

...

These amendments shall take effect on January 1, 2015.



**FILED**

SEP 09 2014

In the

**Indiana Supreme Court**

*Jeffrey K. Brothers*

CLERK OWEN CIRCUIT COURT

CAUSE NUMBER: 94S00-1401-MS-57

**FILED**  
SEP -2 2014  
*Wainwright*  
CLERK OF THE  
INDIANA SUPREME COURT  
COURT OF APPEALS  
AND TAX COURT

ORDER AMENDING INDIANA RULES OF PROCEDURE  
FOR POST-CONVICTION REMEDIES

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Indiana Rule of Procedure for Post-Conviction Remedies PC1, Section 3 is amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

**INDIANA RULES OF PROCEDURE FOR POST-CONVICTION REMEDIES**

...

**Rule PC 1. Post-Conviction Relief**

...

**Section 3. Contents.**

...

(c) Documents and information excluded from public access pursuant to Administrative Rule 9(G)(1) shall be filed in accordance with Trial Rule 5(G).

...

This amendment shall take effect on January 1, 2015.

The Clerk of this Court is directed to forward a copy of this Order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Prosecuting Attorney's Council; Public Defender's Council; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers



**FILED**

SEP 09 2014

*Jeffrey K. Brothers*  
CLERK OWEN CIRCUIT COURT

In the  
**Indiana Supreme Court**

CAUSE NUMBER: 94S00-1401-MS-57



ORDER AMENDING INDIANA RULES FOR PROFESSIONAL CONDUCT

Under the authority vested in this Court pursuant to Article 7, Section 4 of the Indiana Constitution providing for the admission and discipline of attorneys in this state, Indiana Rules for Professional Conduct, Rule 6.7 is added to read as follows (deletions shown by ~~striking~~ and new text shown by underlining):

**Rules of Professional Conduct**

RULE 6.7 PRO BONO REPORTING REQUIREMENT

(a) Reporting Requirement. As part of each attorney's annual registration, the following information shall be reported:

(1) Pro Bono Hours. I have personally provided approximately \_\_\_\_\_ hours of reportable pro bono legal services for the previous calendar year ending December 31.

(2) Financial Contribution. I have either (a) contributed approximately \$ \_\_\_\_\_ to the Indiana Bar Foundation, to any of the local IRC 501(c)(3) pro bono districts listed at <http://www.in.gov/judiciary/probono/2338.htm>, or to a legal service organization located in Indiana that is eligible for fee waiver under I.C. 33-37-3-2(b); or (b) made an in-kind contribution of \$ \_\_\_\_\_ to one or more of the foregoing qualifying legal service organizations or local pro bono districts.

(3) Exempt Persons. I am exempt from the provision of pro bono legal services because (i) I am currently serving as a member of the judiciary or judicial staff, (ii) I am a government lawyer prohibited by statute, rule, regulation, or agency policy from providing legal services outside my employment, (iii) I am retired from the practice of law, or (iv) I maintain inactive standing with the Clerk of the Indiana Supreme Court.

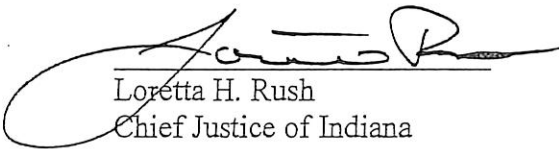
(b) Definitions.

(1) Reportable pro bono legal services are those legal services rendered directly to or for the benefit of persons reasonably perceived to be of limited means without charge or expectation of

Thomson Reuters is directed to publish this Order in the advance sheets and bound volumes of this Court's decisions. Thomson Reuters is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit and Superior Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public.

DONE at Indianapolis, on September 2, 2014.

  
Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.

I, Kevin S. Smith, Clerk of the Indiana Supreme Court, Court of Appeals, and Tax Court, do hereby certify that the foregoing is a full, true, complete and correct copy of the Order Amending Indiana Rules for Professional Conduct, from cause number 94S00-1401-NIS-57, as the same appears upon the official record of the Supreme Court, Court of Appeals, or Tax Court, and in my custody as Clerk. In testimony whereof I have subscribed my name and affixed the seal of the court this 2 day of September, 2014.  
By KS, Clerk, Title: Orders/Opinions

FILED

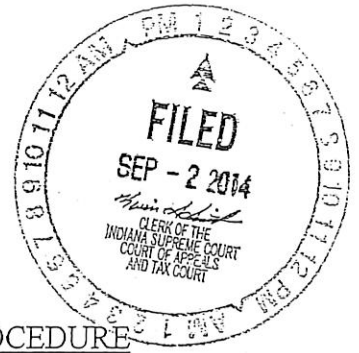
SEP 09 2014

Jeffrey K. Brothers  
CLERK OWEN CIRCUIT COURT

In the  
Indiana Supreme Court

CAUSE NUMBER: 94S00-1401-MS-57

ORDER AMENDING INDIANA RULES OF TRIAL PROCEDURE



Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, Indiana Rule of Trial Procedure 86 is added as follows (deletions shown by ~~striking~~ and new text shown by underlining):

INDIANA RULES OF TRIAL PROCEDURE

Trial Rule 86. Electronic Filing and Electronic Service

(A) Definitions.

- (1) Case Management System ("CMS"). Case Management System is the system of networked software and hardware used by any Indiana court that may receive, organize, store, retrieve, transmit, and display all relevant documents in any case before it.
- (2) Conventional Filing. Conventional Filing is the physical non-electronic presentation of documents to the clerk or court .
- (3) Electronic Filing ("E-filing"). E-filing is a method of filing documents with the clerk of any Indiana court by electronic transmission utilizing the Indiana E-Filing System. E-filing does not include transmission by facsimile or by email.
- (4) E-Filing Manager ("EFM"). E-Filing Manager is the centralized entity approved by the Supreme Court that receives and transmits all E-filing submissions between E-Filing Service Provider(s) and the appropriate Case Management System.
- (5) E-Filing Service Provider ("EFSP"). E-Filing Service Provider is the organization and software selected by a User and approved by the Supreme Court to receive and transmit all E-filing submissions between the User and the Indiana E-Filing System.
- (6) Electronic Service ("E-service"). E-service is a method of serving documents by electronic transmission on any User in a case via the Indiana E-Filing System.

(D) Electronic Filing of Documents.

(1) Unless otherwise permitted by these rules, all documents submitted for filing must be filed electronically with the clerk using the Indiana E-Filing System.

(2) Attorneys or unrepresented litigants who wish to be exempted from the requirement that they file electronically may file a petition for electronic filing exemption and a completed and verified Electronic Filing Technical Requirements Questionnaire, which is appended hereto as E-Filing Form 1. The petition and Questionnaire must be filed in each pending case to which these rules are applicable. The petition and Questionnaire will be reviewed by the judicial officer assigned to that case and granted only upon a showing of good cause.

(E) Proof of Filing. Users should print or otherwise save each Notice of Electronic Filing as proof of E-filing. Confirmation of E-filing may also be made by referring to the Chronological Case Summary of the court in which the case is pending through the Case Management System of that court.

(F) Conventionally Filed Documents. Conventionally filed documents must be entered into the Indiana E-Filing System by the clerk or court. If the original documents cannot be converted into a legible electronic document, then the originals must be placed into the case file and that action must be noted in the Chronological Case Summary. The filer must also conventionally serve these documents in accordance with these Rules and applicable Local Rule(s) and file a certificate of service.

(G) Service of Pleading and Other Papers:

(1) Service on Registered Users. Registered Users must serve all documents in a case upon every other party who is a Registered User through E-service using the Indiana E-Filing System. E-service has the same legal effect as service of an original paper document. E-service of a document through the Indiana E-Filing System is deemed complete upon transmission, as confirmed by the Notice of Electronic Filing associated with the document. Exempt parties must serve all documents in a case as provided by Trial Rules 4 or 5.

(2) Service on Others. Service of documents on attorneys of record who are not Registered Users or on unrepresented parties must be as provided by Trial Rules 4 or 5.

(H) Format Requirements.

(1) Documents filed electronically must be formatted in conformity with this Rule and the requirements of the Indiana E-Filing System.

(2) All documents must be submitted in the manner required by the E-Filing Service Provider. The Indiana E-Filing System may be accessed via any Internet connection available to the Registered User and at Public Access Terminals located in the offices of the county clerk.

extended by one day for each day on which such failure occurs, unless otherwise ordered by the court.

(d) Upon motion and a showing of an Indiana E-Filing System failure the court must enter an order permitting the document to be considered timely filed and may modify responsive deadlines accordingly.

(2) Other Failures Not Caused by the User who was Adversely Affected. When E-filing is prevented by any other circumstance not caused by the User who was adversely affected, the User may bring such circumstances to the attention of the court and request relief as provided in Trial Rule 6(B), or the User may revert to conventional filing.

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This amendment shall NOT take effect until further Order of this Court.

The Clerk of this Court is directed to forward a copy of this Order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Prosecuting Attorney's Council; Public Defender's Council; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers Assistance Program; the libraries of all law schools in this state; the Michie Company; and Thomson Reuters. The Clerk is also directed to post this Order to the Court's website.

Thomson Reuters is directed to publish this Order in the advance sheets and bound volumes of this Court's decisions. Thomson Reuters is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit and Superior Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by

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*Jeffrey K. Brothers*  
CLERK OWEN CIRCUIT COURT

In the  
**Indiana Supreme Court**

CAUSE NUMBER: 94S00-1401-MS-57



ORDER AMENDING INDIANA RULES FOR ADMISSION TO THE BAR  
AND THE DISCIPLINE OF ATTORNEYS

Under the authority vested in this Court pursuant to Article 7, Section 4 of the Indiana Constitution providing for the admission and discipline of attorneys in this state, Indiana Rules for Admission to the Bar and the Discipline of Attorneys, Rule 26 is added to read as follows (deletions shown by ~~striking~~ and new text shown by underlining):

**Rules for Admission to the Bar and the Discipline of Attorneys**

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**Rule 26. Group Legal Service Plans**

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(H) Any lawyer rendering legal services in Indiana pursuant to a group legal service plan shall be ~~found~~ bound by and comply with the Rules of Professional Conduct adopted January 1, 1987, as amended.

...

This amendment shall take effect on the date of this Order.

The Clerk of this Court is directed to forward a copy of this Order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Prosecuting Attorney's Council; Public Defender's Council; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers