
APPEALS & APPELLATE DECISIONS

TRANSCRIPTS IN APPEALS

Appellate Rules 28, 29 & 30

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The majority of the technical requirements of [Ind. Appellate Rule 28](#) have been moved to [Appendix A](#) of the Appellate Rules. Please keep in mind:

- 8-1/2 x 11 inch page size;
- the lines of each page are numbered;
- each page must contain no less than 25 lines (unless it is a final page);
- pages are numbered independently and consecutively at the bottom. Each volume shall begin with the numeral one on its front page;
- all margins are one inch from the edge of the page;
- References to speakers and events that occur throughout proceedings must be properly noted in capital letters and centered on the appropriate line;
- fonts must be 12-point type or smaller; see [App. R. 43\(D\)](#) for list of acceptable fonts;
- lines shall be double spaced;
- records excluded from Public Access pursuant to Administrative Rule 9(G) are excluded from Public Access and compliance with the provisions of [App. R. Appendix A\(14\)](#) is required.

Please keep in mind the following:

- **Changes to Transcript timelines go into effect July 1, 2016. Please see the following September 9, 2014 Supreme Court Order: <http://www.in.gov/judiciary/files/order-rules-2014-0909-appellate.pdf>**
- **All volumes have a cover page containing the case information and clearly identifying the volume (e.g., Transcript, Vol. 1 or Exhibits, Vol. 3).**
- **Transcripts for an appeal in a “split” juvenile paternity (JP) case require preparation of a confidential and a non-confidential volume. See below.**
- All electronic volumes of Transcripts and Exhibits are in PDF format.
- **Short transcripts are combined into one large volume** (up to 250 pages). Identify on a cover sheet what hearings are contained in the volume.
- All transcripts are accompanied by a **separately bound Table of Contents;**

In addition to this manual and the text of Appellate Rule 28 itself, useful information about preparation of transcripts may be found in the Court Reporter's Handbook. See <http://www.in.gov/judiciary/center/2448.htm>.

Electronic Transcripts

[App. R. 28\(C\)](#) addresses the submission of electronic transcripts. Following certification of the Transcripts, the Court Reporter shall submit the electronic transcript either through the electronic filing system or on physical media such as USB drives or DVDs. Transcripts submitted on physical media shall be submitted in duplicate on separate physical media.

Points to remember about electronic Transcripts:

- The court reporter must transcribe the evidence on media meeting standards established by [Appendix A](#).
- The electronic Transcript is paginated and the lines sequentially numbered. Although marginal notes are not required, the electronic Transcript must designate the point at which exhibits, by exhibit number, are considered at trial.
- Submission of exhibits is governed by [App. R. 29](#).
- [Ind. Administrative Rule 9\(G\)\(4\)](#) governs access to records in appellate proceedings. **Electronic transcripts from are not exempt from compliance with confidentiality requirements.**
- The electronic media upon which the electronic Transcript is transcribed is labeled in accordance with the Rule.
- The court reporter's signature on the electronic media constitutes the reporter's certificate.

Split Juvenile Paternity (JP) Case Transcripts

A split JP case is one that began before July 1, 2014 and was disposed by the trial court after July 1, 2014.

A special provision in Administrative Rule 9(G)(2)(k) makes all records and documents filed in a JP case before July 1, 2014 confidential. By statute, all records and documents filed after July 1, 2014 are not confidential.

What is the proper form to deliver a transcript to the Court of Appeals for this situation?

In this situation, the court reporter creates two volumes, one for public access on white paper with the confidential information redacted, and one CLEARLY MARKED "Confidential" or "Not for Public Access" on green paper which will contain only the confidential information.

The volume for public access should start with a notation that Admin. R. 9(G)(2)(k) makes all proceedings in a JP case occurring before July 1, 2014 confidential and that portion of the transcript will be in the confidential volume.

The confidential volume need not contain a table of contents and only the title page (Form # App. R. 28-1) of the transcript is required to be on green paper.

Exhibits

[Indiana Appellate Rule 29](#) addresses exhibits in appeals.

- Documentary exhibits shall be included in separately-bound volumes that comply with [App. R., Appendix A](#)(1), (2)(a), (11), (12), and (14).
- Nondocumentary and oversized exhibits shall not be sent to the Court on appeal, but remain in the custody of the trial court.
- If an exhibit was accompanied by a Notice of Exclusion ([Admin. R. 9\(G\)\(5\)\(a\)\(i\)\(b\)](#)), the court reporter must comply with Administrative Rule 9(G)(5)(b).

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