

In the  
Indiana Supreme Court



CAUSE NUMBER: 94S00-1401-MS-57

ORDER CORRECTING AMENDMENTS TO  
INDIANA RULES OF APPELLATE PROCEDURE

On September 2, 2014, this Court entered an Order amending the Rules of Appellate Procedure. This Order contained two new forms, Form App. R. 11-3 and Form App. R. 11-4. A late amendment to the Appellate Rules makes Form App. R. 11-3 unnecessary. Therefore, Form App. R. 11-3 as set forth in the September 2, 2014 Order is stricken and Form App. R. 11-4 is renumbered Form App. 11-3. The changes are set forth as follows (deletions shown by ~~striking~~ and new text shown by underlining):

**Form App. R. 11-3**

**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, \_\_\_\_\_ )  
\_\_\_\_\_ [Appellee/Respondent], \_\_\_\_\_ ) The Honorable \_\_\_\_\_, Judge.  
\_\_\_\_\_ ([Plaintiff/Defendant/Claimant/ \_\_\_\_\_ )  
Respondent below]). \_\_\_\_\_ )

### **~~Court Reporter's Administrative Rule 9(G) Notice~~**

~~Administrative Rule 9(D)(1) requires that all court records must be accessible to the public except as provided in 9(G). In accordance with Administrative Rule 9(G)(5)(a)(i)(c) and Appellate Rule 28(A)(9)(a), you are hereby notified that the transcript on appeal is complete and ready to be filed with the trial court.~~

~~Pursuant to Appellate Rule 29(A)(9)(b), if a party believes any portion of the transcript is to be excluded from public access, that party has fourteen (14) days from the date of service of this notification to file written notice with the trial court clerk identifying: (i) the transcript page(s) and line number(s) containing the Court Record to be excluded from public access; and (ii) the specific Administrative Rule 9(G) grounds upon which that exclusion is based. See Appellate Form 11-4. If it becomes necessary for a party to withdraw the Transcript to prepare such written notice, the Transcript must be copied and returned to the court reporter within twenty-four (24) hours.~~

~~Pursuant to Appellate Rule 28(A)(9)(c), this written notice also must be served upon the court reporter. If no notice is received by the court reporter within fourteen days, the transcript on appeal will become accessible to the public.~~

\_\_\_\_\_

{Insert Name}

Court Reporter of \_\_\_\_\_ Court

### **CERTIFICATE OF SERVICE**

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

-[insert names of counsel of record on appeal]

\_\_\_\_\_  
\_\_\_\_\_  
[Insert Name]

Court Reporter of \_\_\_\_\_ Court

**Form App. R. 11-411-3**

STATE OF INDIANA  
IN THE \_\_\_\_\_ COURT  
COUNTY OF \_\_\_\_\_

\_\_\_\_\_)  
\_\_\_\_\_)  
Plaintiff(s), )  
\_\_\_\_\_) Case No: \_\_\_\_\_  
vs. )  
\_\_\_\_\_)  
\_\_\_\_\_)  
Defendant(s) )

**Administrative Rule 9(G)(5) Notice of Exclusion  
of Court Record from Public Access  
(TRANSCRIPT ON APPEAL)**

Pursuant to Administrative Rule 9(G)(5)(a)(i)(c) and Appellate Rule 28(A)(9)(b), [party name], provides this notice that the following Court Record contained in the transcript on appeal 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]

Further, on September 9, 2014, this Court entered an Order amending the Rules of Appellate Procedure, effective July 1, 2016, related to the time limit for preparing transcripts for appeals. The September 9, 2014 Order duplicated an amendment to Appellate Rule 2(O), which was also set forth in the September 2, 2014 Order. The amendment to Appellate Rule 2(O) is to be effective January 1, 2015, as set forth in the September 2, 2014 Order. Therefore the amendment to Appellate Rule 2(O) set out in the September 9, 2014 Order is hereby stricken.

This Order is effective 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; all city and town court judges; the judges of the Marion County Small Claims Courts; 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.

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

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 22, 2014.

/s/Loretta H. Rush  
Loretta H. Rush  
Chief Justice of Indiana