

In the
Indiana Supreme Court



Cause No. 94S00-1602-MS-86

Order

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, the Indiana Administrative Rules are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

...

Administrative Rule 9. Access to Court Records

...

(G) Excluding Court Records From Public Access.

(5) Procedures for Excluding Court Records From Public Access.

...

(b) Green paper requirements. Where only a portion of the Court Record has been excluded from Public Access pursuant to 9(G)(2) or 9(G)(3), the following requirements apply:

...

(ii) *Non-Public Access Version.*

a. If the omission or redaction in accordance with 9(G)(5)(b)(i) is not necessary to the disposition of the case, the excluded Court Record need not be filed or tendered in any form and only the Public Access version is required. The Administrative Rule 9(G)(5)(a) Notice should indicate this fact. See Form 9-G3.

...

(6) Waiver, Failure To Exclude, Improper Exclusion, and Sanctions.

...

(c) Improper exclusion of Court Record from Public Access.

...

(iii) If a court denies a 9(G)(4) request to exclude a Court Record from Public Access or if a Court Record is required to be made available for Public Access pursuant to 9(G)(6)(c)(ii), the party that originally submitted the Court Record as a Non-Public Access document is responsible for immediately resubmitting the Court Record as a Public Access Document.

...

Form Administrative Rule 9-G3

STATE OF INDIANA

IN THE _____ COURT, COUNTY OF _____

_____,)
Plaintiff(s),)
) Case No: _____
vs.)
)
_____,)
Defendant(s))

**Notice of Exclusion of Confidential Information
That Is Not Necessary To The Disposition Of The Case**

Contemporaneous with the filing of this notice, [party name] has redacted or omitted confidential information in accordance with Administrative Rule 9(G). Pursuant to Administrative Rule 9(G)(5)(b)(ii)(a), [party name] provides this notice that the redacted or omitted confidential information “is not necessary to the disposition of the case” and, therefore, “the excluded Court Record need not be filed or tendered in any form and only the Public Access version is required.” A.R. 9(G)(5)(b)(i).

Name or description of document
containing confidential information

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

[List here]

[List AR 9(G) grounds here.]

[NOTE: If AR 9(G)(2)(a), 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 information confidential.]

Respectfully submitted,

[Insert Name]

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]

[Signature]

These amendments shall take effect on July 1, 2016.

Done at Indianapolis, Indiana, on 4/12/2016 .



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.