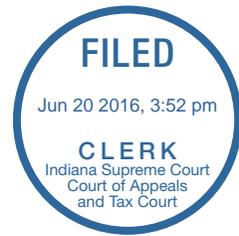


In the  
Indiana Supreme Court



Cause No. 94S00-1602-MS-86

**Order Amending 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, the Indiana Rules of Appellate Procedure are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

**Rule 28. Preparation Of Transcript By Court Reporter**

...

**C. Submission of Electronic Transcript.**

(1) Following certification of the Transcript, the Court Reporter shall submit the electronic Transcript using one of the following methods:

(a) *Submission by E-Filing.* If the trial court clerk is listed, individually or by organization, on the Public Service List, then the Court Reporter shall transmit the electronic Transcript to the trial court clerk through the IEFIS using a "Serve" filing type under the Court on Appeal case number.

(b) *Submission on Physical Media.* If the trial court clerk is not listed, individually or by organization, on the Public Service List, then the Court Reporter shall seal the official record and official working copy in an envelope or package bearing the trial court case number and marked "Transcript." The Court Reporter shall retain the Court Reporter's copy of the electronic Transcript. The sealed electronic Transcript copies shall be filed with the trial court clerk in accordance with Rule 11.

(2) The ~~sealed electronic Transcript copies~~, separate Exhibit volume(s), and photographic reproductions of oversized exhibits (if included pursuant to Rule 29(C)) shall be filed with the trial court clerk in accordance with Rule 11.

...

**Rule 46. Arrangement And Contents Of Briefs**

**A. Appellant's Brief.** The appellant's brief shall contain the following sections under separate headings and in the following order:

...

(9) *Conclusion.* The conclusion shall include a precise statement of the relief sought and the Signature signature of the attorney and *pro se* party.

...

## Effective Dates

These rules shall take effect as follows:

- (A) Appeals and all other proceedings under the Rules of Appellate Procedure initiated on or after January 1, 2001 shall be governed in totality by the revised Rules of Appellate Procedure. Appeals shall be considered initiated either by:
- (1) the filing a praecipe for appeal under the former rules (Former Appellate Rule 2), or;
  - (2) the filing of a notice of appeal under the revised rules (Revised Appellate Rule 9 and 14), or;
  - (3) in the case of other types of proceedings in which the appellate review process requires the filing of some other form of initiating document, the filing of such document.
- (B) If more than one praecipe, notice of appeal, or other initiating document is filed, the appeal or other form of proceeding shall be considered initiated on the date of the filing of the first initiating document.
- (C) Appeals initiated prior to January 1, 2001 shall be governed by the former Rules of Appellate Procedure throughout the appeal process except as follows:
- (1) Revised Appellate Rule 25(C) provides generally for an automatic three-day extension of time to file responses to documents served by a party by mail. This is a change from former Appellate Rule 12(D), which allowed an automatic five-day extension for such responses. The revised rule shall apply to all responses to documents shown as filed on or after January 1, 2001.
  - (2) Proceedings on petitions for rehearing shall be governed by the revised rules if the first petition for rehearing is filed on or after January 1, 2001.
  - (3) Proceedings on petitions to transfer an appeal to the Supreme Court shall be governed by the revised rules if the first petition to transfer is filed on or after January 1, 2001.
  - (4) Proceedings on petitions for review of a Tax Court decision shall be governed by the revised rules if the first petition for review is filed on or after January 1, 2001.

<b>SAMPLE FORMS</b>	<b>Format</b>
9-1 Notice of Appeal Rule 9(A)	<a href="#">MS Word</a>
10-1 Notice of Completion of Clerk's Record Rule 10(C)	<a href="#">MS Word</a>
10-2 Notice of Completion of Transcript Rule 10(D)	<a href="#">MS Word</a>
10-3 Motion for Time to Compile Clerk's Record Rule 10(E)	<a href="#">MS Word</a>
11-1 Court Reporter's Notice that Transcript is Filed Rule 11(A)	<a href="#">MS Word</a>
11-2 Motion for Extension to File Transcript Rule 11(C)	<a href="#">MS Word</a>
11-3 Appellate Rule 28(A)(9) Notice of Exclusion of Confidential Information from Public Access	<a href="#">MS Word</a>
11-4 Administrative Rule 9(G)(5) Notice of Exclusion of Confidential Information from Public Access	<a href="#">MS Word</a>
<a href="#">11-5 Notice of Exclusion of Confidential Information from Public Access</a>	
<a href="#">11-6 Notice of Exclusion of Confidential Information That is Not Necessary To The Disposition Of The Case</a>	
16-1 Appellee's Notice of Appearance	<a href="#">MS Word</a>
16-2 Notice of Appearance in Interlocutory Appeals	<a href="#">MS Word</a>

28-1 Title Page and Cover Rule 28(A)(7)	<a href="#">MS Word</a>
40-1 Affidavit to Proceed <i>in Forma Pauperis</i> Rule 40(A)	<a href="#">MS Word</a>
43-1 Cover for Brief Rule 43(I)	<a href="#">MS Word</a>
51-1 Cover for Appendices Rule 51(E)	<a href="#">MS Word</a>

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

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

COUNTY OF \_\_\_\_\_

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

**Administrative Rule 9(G), Appellate Rule 23, Appellate Rule 28(A)(9), and Appendix A § Notice of Exclusion  
of Confidential Information from Public Access  
(TRANSCRIPT ON APPEAL)**

Pursuant to Administrative Rule 9(G), Appellate Rule 23, Appellate Rule 28 and Appendix A § 14 Appellate Rule 28(A)(9)(e), [party name], provides this notice that the following confidential information contained in the transcript on appeal ~~should be filed on green paper and is to~~ 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 (3) provides the basis for exclusion, you must also list the specific law, statute, or rule declaring the information 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]

**Form App. R. 11-4**

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

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

**Appellate Rule 28(A)(9)(d) and Administrative Rule 9(G)(5), Appellate Rule 23, Appellate Rule 28 and Appendix A § 14 Notice of Exclusion of Confidential Information from Public Access (TRANSCRIPT ON APPEAL)**

Pursuant to Administrative Rule 9(G)(5), Appellate Rule 23, Appellate Rule 28 and Appendix A § 14~~Appellate Rule 28(A)(9)(d)~~, [party name], provides this notice that the following confidential information contained in the transcript on appeal ~~should be filed on green paper and is to~~ 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 (3) provides the basis for exclusion, you must also list the specific law, statute, or rule declaring the information 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]

...

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

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

**APPEARANCE**  
(in Interlocutory appeals)

**I. Party Information**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

The following party information *only if not represented by an attorney*:

Tel. No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Requesting service of orders and opinions of the Court by:

E-mail  FAX or  U.S. Mail (choose one)

*In forma pauperis*:  Yes  No

**II. Attorney Information (if party represented by attorney)**

Attorney Name: \_\_\_\_\_

Indiana Attorney #: \_\_\_\_\_

Address: \_\_\_\_\_  
 \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Attorney Name: \_\_\_\_\_

Indiana Attorney #: \_\_\_\_\_

Address: \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Attorney Name: \_\_\_\_\_  
Indiana Attorney #: \_\_\_\_\_  
Address: \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Attorney Name: \_\_\_\_\_  
Indiana Attorney #: \_\_\_\_\_  
Address: \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

**IMPORTANT:** Each attorney specified above:

- (a) certifies that the contact information listed for him/her on the Indiana Supreme Court Roll of Attorneys is current and accurate as of the date ~~of~~ this Appearance is filed;
- (b) acknowledges that all orders, opinions, and notices in this matter will be sent to the attorney at the email address(es) specified by the attorney on the Roll of Attorneys *regardless of the contact information listed above for the attorney*; and
- (c) understands that he/she is solely responsible for keeping his/her Roll of Attorneys contact information current and accurate, *see* Ind. Admis. Disc. R. 2(A).

Attorneys can review and update their Roll of Attorneys contact information on the ~~Clerk of Indiana~~ Courts Portal ~~at~~ <http://appealsclerk.in.gov>.

**III. Appellate ADR (in all civil cases) (circle one)**

Appellee  is  is not willing to participate in Appellate ADR.

Respectfully submitted,

Signed: \_\_\_\_\_

Printed: \_\_\_\_\_

[Insert Name of Attorney or pro se party]

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone number: \_\_\_\_\_

Attorney Number (if applicable): \_\_\_\_\_

**CERTIFICATE OF SERVICE**

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

[List names and address of:

- (1) counsel of record or pro se party;
- (2) Attorney General, if applicable]

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

...

**Appendix A. Standards for Preparation of Electronic Transcripts**

...

(14) *Court Records Excluded by Administrative Rule 9(G).*

...

(16) *Electronic Storage Devices.* The Court Reporter shall transcribe the evidence on one or more sequentially numbered electronic data storage devices for each complete transcription. Approved media for electronic storage include USB flash memory drives, compact discs (CDs), and digital versatile discs (DVDs) specifically formatted to store electronic data in a File Allocation Table (FAT) or File Allocation Table 32 (FAT-32) file system. CDs and DVDs should be prepared for distribution (e.g., finalized, closed session) to ensure that the files can be opened by the Clerk. Each electronic data storage device shall be labeled or tagged to identify the names of the parties and case number in the proceedings in the trial court; the Court on Appeal case number, if known; the device sequence number, if more than one (1) device is required for a complete Transcript; the ~~Signature~~ signature of the Court Reporter; and whether the device is the official record, official working copy, Court Reporter's copy, or party copy.

...

These amendments shall take effect on July 1, 2016.

Done at Indianapolis, Indiana, on 6/20/2016 .



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Loretta H. Rush  
Chief Justice of Indiana