

In the
Indiana Supreme Court



Cause No. 18S-MS-141

Order Amending Administrative 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, the Indiana Administrative Rule 9 is amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

...

Rule 9. Access to Court Records

...

(D) General Access Rule.

- (1) A Court Record is accessible to the public except as provided in section 9(G). Consistent with I.C. 5-14-3, the Chief Administrative Officer shall establish fees for copies of Court Records accessible by the public.
- (2) This rule applies to all Court Records, regardless of the manner of creation, method of collection, form of storage, or the form in which the record is maintained.
- (3) If a Court Record, or portion thereof, is excluded from public access, there shall be a publicly accessible indication of the fact of exclusion but not the content of the exclusion. This sub-section (3) does not apply to court proceedings or Court Administrative Records which are confidential pursuant to law.
- (4) A Court may manage access to audio and video recordings of its proceedings to the extent appropriate to avoid substantial interference with the resources or normal operation of the court and to comply with Indiana Judicial Conduct Rule 2.17 [former Canon 3(B)(13)]. This provision does not operate to deny to any person the right to access a Court Record under Rule 9(D)(1).

...

(F) Bulk Distribution and Compiled Information.

- (1) Upon written request as provided in this section, Bulk Distribution or Compiled Information that is not excluded by Section 9(G) of this rule may be provided. Bulk Distribution or Compiled Information that is excluded by Section 9(G). ~~C~~opies of

documents and financial information may also be allowed by written contract with the Office of Judicial Administration.

(2) Except as provided in 2(b):

(a) Requests for Bulk Distribution or Compiled Information shall be made to the Indiana Office of Judicial Administration.

(b) Courts and clerks within a judicial circuit may provide nonconfidential, Compiled Information from their case management system in response to a request for information that is normally available to the public via public access.

(3) The Chief Administrative Officer may establish fees for Bulk Distribution or Compiled Information.

...

(G) Excluding Court Records From Public Access.

...

(3) *Court Administration Records That Shall Be Excluded From Public Access.* The following Court Administration Records are confidential and shall be excluded from Public Access:

(a) Case Records excluded in 9(G)(2);

(b) Court Administration Records excluded from Public Access or declared confidential by Indiana statute or other court rule.

(c) Attorney residence addresses and electronic mail addresses provided to the Clerk of the Supreme Court pursuant to Admission & Discipline Rule 2 except for such administrative purposes approved by the Chief Administrative Officer;

...

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

Done at Indianapolis, Indiana, on 3/15/2018 .



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.