In the
Indiana Supreme Court

FILED
NOV 29 2005
CLERK OF THE
INDIANA SUPREME COURT
COURT OF APPEALS
AND TAX COURT

Case No. 94S00-0501-MS-19

ORDER AMENDING INDIANA RULES OF PROCEDURE FOR POST-CONVICTION REMEDIES

Under the authority vested in this Court to provide by rule for the procedures employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts in this state, Rule 1 of the *Indiana Rules of Procedure for Post-Conviction Remedies* is amended to read as follows (new text shown by underlining):

INDIANA RULES OF PROCEDURE FOR POST-CONVICTION REMEDIES

Rule PC 1. Post-Conviction Relief
Section 1. Remedy - To whom available - Conditions.

. . .

(b) This remedy is not a substitute for a direct appeal from the conviction and/or the sentence and all available steps including those under Rule PC 2 should be taken to perfect such an appeal. Except as otherwise provided in this Rule, it comprehends and takes the place of all other common law, statutory, or other remedies heretofore available for challenging the validity of the conviction or sentence and it shall be used exclusively in place of them. This Rule supersedes present Supreme Court Rules 2-40, 2-40A, and 2-40B.

. . .

This amendment shall be effective immediately.

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; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Supreme Court of

Indiana; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Prosecuting Attorneys Council; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission on 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 the state; the Department of Correction for posting at all prison libraries; the Michie Company; and the West Group.

The West Group is directed to publish this Order in the advance sheets of this Court.

The clerks of the circuit 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, Indiana, this 29th day of November, 2005

Randall T. Shepard

Randall T. Shepard
Chief Justice of Indiana

All Justices concur.