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In the
Indiana Supreme Court

CAUSE NUMBER: 94S00-0801-MS- 15

ORDER AMENDING APPELLATE 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, Rules 9, 14, 15, 16, 23, 34, 43, 53 and 65 and Form App. R. 15-1 of the *Indiana Rules of Appellate Procedure* are amended to read as follows (deletions shown by ~~striking~~ and new text shown by underlining):

INDIANA APPELLATE RULES

. . .

Rule 14. Interlocutory Appeals

. . .

I. **Death Penalty Cases.** In any case in which the State seeks the death penalty or in which the interlocutory order raises a question of interpretation of IC 35-50-2-9, references in this Rule to the Court of Appeals shall refer to the Supreme Court.

. . .

Rule 15. Appellant's Case Summary

. . .

C. **Content.** The Appellant's Case Summary shall set forth the following information, as applicable:

. . .

(2) *Trial Information.*

. . .

(i) Synopsis of judgment and if applicable, sentence, or administrative order, ruling or decision; ~~and~~

(j) Case type using classification in Administrative Rule 8(B)(3); and

(k) Whether all or a portion of the court records were sealed or excluded from public access by court order.

. . .

D. Attachments. The following documents shall be attached to the Appellant's Case Summary:

. . .

(6) In appeals file *in forma pauperis*, a proof of appointment or proof of indigency~~.~~; and

(7) A copy of all orders and entries relating to the sealing or declaring confidential of any court records.

. . .

Rule 16. Appearances

. . .

F. Appearance on Transfer or Review. If an attorney has entered an appearance in a case before the Court of Appeals or the Tax Court, that attorney need not file another appearance in any continuation of that case before the Supreme Court. If an attorney has been granted ~~leave to appear *pro hac vice*~~ temporary admission in a case before the Court of Appeals or the Tax Court, that attorney need not again seek ~~leave to appear *pro hac vice*~~ temporary admission in any continuation of that case before the Supreme Court.

. . .

Rule 23. Filing

A. Time for Filing. All papers will be deemed filed with the Clerk when they are:

(1) personally delivered to the Clerk (~~including rotunda filing with the guard of the State House~~ which, when the Clerk's Office is open for business, shall mean personally tendering the papers to the Clerk or the Clerk's designee; and at all other times (unless the Clerk specifies otherwise) shall mean properly depositing the papers into the "rotunda filing drop box" located in the vestibule of the east second-floor entrance to the State House);

(2) deposited in the United States Mail, postage prepaid, properly addressed to the Clerk; or

(3) deposited with any third-party commercial carrier for delivery to the Clerk within three (3) calendar days, cost prepaid, properly addressed.

. . .

These amendments shall take effect January 1, 2009.

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, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Prosecuting Attorney'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 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 9th day of September, 2008.

Randall T. Shepard

Randall T. Shepard
Chief Justice of Indiana

All Justices concur.