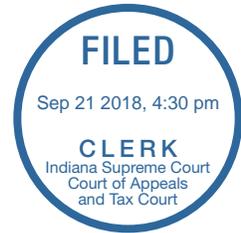


In the  
Indiana Supreme Court



Cause No. 18S-MS-141

Order Amending Indiana Rules of Trial 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 Trial Procedure are amended as follows (deletions shown by striking and new text shown by underlining):

...

**Rule 23. Class actions**

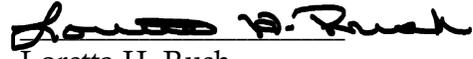
...

**(F) Disposition of Residual Funds.**

- (1) "Residual Funds" are funds that remain after the payment of all approved class member claims, expenses, litigation costs, attorneys' fees, and other court-approved disbursements to implement the relief granted. Nothing in this rule is intended to limit the trial court from approving a settlement that does not create residual funds.
- (2) Any order entering a judgment or approving a proposed compromise of a class action certified under this rule that establishes a process for identifying and compensating members of the class shall provide for the disbursement of residual funds, unless otherwise agreed. In matters where the claims process has been exhausted and residual funds remain, not less than twenty-five percent (25%) of the residual funds shall be disbursed to the Indiana Bar Foundation to support the activities and programs of the ~~Indiana Pro Bono Commission~~ Coalition for Court Access and its *pro bono* districts. The court may disburse the balance of any residual funds beyond the minimum percentage to the Indiana Bar Foundation or to any other entity for purposes that have a direct or indirect relationship to the objectives of the underlying litigation or otherwise promote the substantive or procedural interests of members of the certified class.

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

Done at Indianapolis, Indiana, on 9/21/2018.

A handwritten signature in black ink, appearing to read "Loretta H. Rush".

Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.