

In the Indiana Supreme Court

Cause No. 22S-MS-1



Order Amending Indiana Rules of Trial Procedure

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, the Indiana Rules of Trial Procedure are **AMENDED** as follows (deletions shown by **striking** and new text shown by **underlining**):

Rules of Trial Procedure

Rule 23. Class Actions

* * *

(F) Disposition of 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~~ fifty percent (2550%) of the residual funds shall be disbursed to the Indiana Bar Foundation to support the activities and programs of the 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 is effective January 1, 2023.

Done at Indianapolis, Indiana, on 7/29/2022.

A handwritten signature in black ink that reads "Loretta H. Rush".

Loretta H. Rush
Chief Justice of Indiana

All Justices concur.