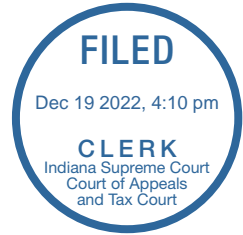


# In the Indiana Supreme Court

Cause No. 22S-MS-1



## Order Amending Rules of Appellate 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 of this state, the Indiana Rules of Appellate Procedure are amended as follows (deletions shown by ~~strike through~~ and new text shown by underlining):

...

### Rule 65. Opinions And Memorandum Decisions

...

#### D. Precedential Value of Opinions and Memorandum Decisions.

(1) Published Opinions. A published opinion of the Supreme Court is binding precedent for all Indiana courts. A published opinion of the Court of Appeals is binding precedent for all Indiana trial courts.

(2) Memorandum decisions. Unless later designated for publication in the official reporter, a memorandum decision ~~is not binding precedent for any court shall not be regarded as precedent~~ and ~~must shall~~ not be cited to any court except ~~by the parties to the case~~ to establish *res judicata*, collateral estoppel, or law of the case. However, a memorandum decision issued on or after January 1, 2023, may be cited for persuasive value to any court by any litigant. But there is no duty to cite a memorandum decision except to establish *res judicata*, collateral estoppel, or law of the case.

...

This amendment is effective January 1, 2023.

Done at Indianapolis, Indiana, on 12/19/2022 .

Handwritten signature of Loretta H. Rush in black ink.

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Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.