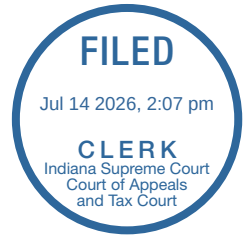


In the Indiana Supreme Court

Cause No. 26S-MS-8



Order Amending Rules of Trial Procedure

During the 2026 Judicial District Meetings, trial court judges informed the Court of increasing concerns about voluminous and disorganized litigant filings, including filings prepared with the assistance of artificial intelligence and filings containing fictitious legal authority or fabricated legal citations. These issues have caused a delay in case progression, a drain on limited judicial resources, and a threat to public confidence in the judiciary.

As a result, the Committee on Rules of Practice and Procedure has proposed amendments to Trial Rules 8(B), 8(E), 9.2(C), 11, 30(B), and 87(G), and the creation of new Trial Rules 11.1 and 11.2. The proposed amendments and new rules update signing and certification requirements for parties represented by an attorney and parties not represented by an attorney; permit courts to strike noncompliant filings; authorize courts to impose conditions and restrictions on abusive litigants and sanctions for bad-faith filings or failed remedies; and update related cross-references.

The Court has considered the proposed amendments and new rules. Under the Court's authority to establish procedures and supervise the administration of all courts in the state, Trial Rules 8(B), 8(E), 9.2(C), 11, 30(B), and 87(G) are amended, and new Trial Rules 11.1 and 11.2 are adopted as set forth in Exhibit A to this order (deletions shown by ~~strikethrough~~ and new text shown by underlining).

The amendments and new rules are effective August 1, 2026.

Done at Indianapolis, Indiana, on 7/14/2026.

Loretta H. Rush

Chief Justice of Indiana

All Justices concur.

Exhibit A

Rule 8. General rules of pleading

(B) Defenses: Form of denials.

A responsive pleading ~~must~~shall state in short and plain terms the pleader's defenses to each claim asserted and ~~must~~shall admit or controvert the averments set forth in the preceding pleading. If in good faith the pleader intends to deny all the averments in the preceding pleading, ~~the pleader~~he may do so by general denial subject to the provisions of Rule 11 or Rule 11.1, as applicable. If ~~the pleader~~he does not intend a general denial, ~~the pleader~~he may:

(E) All pleadings to be concise and direct--Consistency.

(2) A pleading may set forth two ~~{2}~~ or more statements of a claim or defense alternatively or hypothetically, either in one ~~{1}~~ count or defense or in separate counts or defenses. When two ~~{2}~~ or more statements are made in the alternative and one ~~{1}~~ of them if made independently would be sufficient, the pleading is not made insufficient by the insufficiency of one or more of the alternative statements. A pleading may also state as many separate claims or defenses as the pleader has regardless of consistency and whether based on legal or equitable grounds. All statements ~~must~~shall be made subject to the obligations set forth in Rule 11 or Rule 11.1, as applicable.

Rule 9.2. Pleading and proof of written instruments

(C) Oath or affidavit of denial of execution must be made upon personal knowledge.

An oath or affidavit denying execution as required and made under subdivision (B) ~~of this rule~~ ~~must~~shall be made upon the personal knowledge of the person making it, and, if general in form (Rule 11(~~DB~~)), ~~is~~shall be deemed to be made upon such personal knowledge.

Rule 11. Parties represented by an attorney: Signing, certification, and verification of pleadings

(A) Signature ~~Parties Represented by Attorney~~.

Every pleading, ~~or motion, or other submission to the court by~~ ~~of~~ a party represented by an attorney ~~must~~shall be signed by at least one ~~{1}~~ attorney of record in ~~the attorney's~~this individual name, whose address, telephone number, and attorney number ~~must~~shall be stated, except that

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this provision ~~doesshall~~ not apply to pleadings, ~~and~~ motions, ~~and other submissions~~ made and transcribed at the trial or a hearing before the judge and received by ~~the judgehim~~ in such form. ~~A party who is not represented by an attorney shall sign his pleading and state his address.~~ Except when specifically required by rule, pleadings, ~~or~~ motions, ~~or other submissions~~ need not be verified or accompanied by affidavit. ~~The rule in equity that the averments of an answer under oath must be overcome by the testimony of two [2] witnesses or of one [1] witness sustained by corroborating circumstances is abolished.~~

(B) Certification.

The signature of an attorney ~~certifies that the attorney constitutes a certificate by him that he~~ has read the pleadings, ~~motion, or other submission~~; that to the best of ~~the attorney's~~ ~~hisknowledge~~, information, and belief, ~~the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for investigation or discovery, and denials of factual contentions are warranted on the evidence or reasonably based on belief or lack of informationthere is good ground to support it; that the claims, defenses, and other legal contentions are warranted by existing law or a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law; that any cited legal authority is authentic; and that it is not presentedinterposed for to delay or harass.~~

(C) Noncompliant filings.

~~If a pleading or motion is not signed or is signed with intent to defeat the purpose of the rule, it may be stricken as sham and false and the action may proceed as though the pleading had not been served. For a willful violation of this rule an attorney may be subjected to appropriate disciplinary action. Similar action may be taken if scandalous or indecent matter is inserted. A court may strike any filing not in compliance with this rule. The court may take similar action on any redundant, immaterial, impertinent, or scandalous matter.~~

(DB) Verification by affirmation or representation.

When in connection with any civil or special statutory proceeding it is required that any pleading, motion, petition, supporting affidavit, or other document ~~of any kind~~, be verified, or that an oath be taken, it ~~isshall be~~ sufficient if the subscriber simply affirms the truth of the matter to be verified by an affirmation or representation in substantially the following language: "I (we) affirm, under the penalties for perjury, that the foregoing representation(s) is (are) true. (Signed) _____" Any person who falsifies an affirmation or representation of fact ~~isshall be~~ subject to the same penalties as are prescribed by law for the making of a false affidavit.

(EC) Verified pleadings, motions, and affidavits as evidence.

Pleadings, motions and affidavits accompanying or in support of such pleadings or motions when required to be verified or under oath ~~mustshall~~ be accepted as a representation that the signer had personal knowledge thereof or reasonable cause to believe the existence of the facts or matters stated or alleged therein; and, if otherwise competent or acceptable as evidence, may be admitted as evidence of the facts or matters stated or alleged therein when it is so provided in

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these rules, by statute or other law, or to the extent the writing or signature expressly purports to be made upon the signer's personal knowledge. When such pleadings, motions and affidavits are verified or under oath they ~~must~~shall not require other or greater proof on the part of the adverse party than if not verified or not under oath unless expressly provided otherwise by these rules, statute or other law. Affidavits upon motions for summary judgment under Rule 56 and in denial of execution under Rule 9.2 ~~must~~shall be made upon personal knowledge.

(F) Scope.

This rule applies to all pleadings, motions, and other submissions to the court by parties represented by an attorney, including without limitation those prepared with the assistance of artificial intelligence, the internet, or other resources.

Rule 11.1. Parties not represented by an attorney: Signing, certification, and verification

(A) Scope.

This rule applies to all pleadings, motions, and other submissions to the court by parties not represented by an attorney, including without limitation those prepared with the assistance of artificial intelligence, the internet, or other resources.

(B) Signing.

A party not represented by an attorney who files a pleading, motion, or other submission must sign it and provide the party's mailing address, telephone number, and email address, if available, except to the extent the information is protected from public access under the Rules on Access to Court Records or is permitted to be withheld or replaced by a public mailing address under these rules.

(C) Certification.

The signature certifies that the signer has read the pleading, motion, or other submission; that to the best of the signer's knowledge, information, and belief, the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for investigation or discovery, and denials of factual contentions are warranted on the evidence or reasonably based on belief or lack of information; that the claims, defenses, and other legal contentions are warranted by existing law or a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law; that any cited legal authority is authentic; and that it is not presented to delay or harass.

(D) Noncompliant filings.

A court may strike any filing not in compliance with this rule. The court may take similar action on any redundant, immaterial, impertinent, or scandalous matter.

(E) Other requirements.

Rules 11(D) and 11(E) apply to parties not represented by an attorney.

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Rule 11.2. Abusive Litigation

(A) Definitions.

(1) Filer. For purposes of this rule, “filer” means a party or other litigant who files, or on whose behalf is filed, a pleading, motion, or other submission to the court.

(2) Abusive litigant. An abusive litigant under this rule is a filer who engages in conduct that may include, but is not limited to, filing frivolous, unreasonable, groundless, or repetitive claims; litigating claims in bad faith; citing fictitious legal authority; or egregiously violating the Rules of Trial Procedure or Rules on Access to Court Records.

(B) Findings.

The court, upon the motion of any party or on its own initiative and after considering a filer’s litigation history, may make a finding that a filer is an abusive litigant.

(C) Remedies.

Upon a finding that a filer is an abusive litigant, a court may impose reasonable conditions and restrictions on the filer’s ability to commence or continue actions, as specified by order, that are tailored to the filer’s particular practices. The court may, without limitation, impose one or more of the following conditions or restrictions:

(1) require the filer to accompany future filings with an affidavit certifying under penalty of perjury that the allegations are true to the best of the filer's knowledge, information, and belief;

(2) direct the filer to attach to future complaints a list of all cases previously filed involving the same, similar, or related cause of action;

(3) direct that future pleadings be stricken if they do not meet the requirements that a pleading must contain a short and plain statement of the claim showing that the pleader is entitled to relief and that each averment of a pleading must be simple, concise, and direct;

(4) require the filer to state clearly and concisely, at the beginning of a motion, the relief requested;

(5) require the filer to provide specific page citations to documents alleged by the filer to support an argument or position;

(6) require the filer to provide argument and citation to authority, explaining why the new action is not subject to dismissal due to res judicata, collateral estoppel, or law of the case;

(7) limit the filer's ability to request reconsideration or to file repetitive motions;

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(8) limit the number of pages or words of pleadings, motions, and other submissions to the court;

(9) limit the length of the title that may be used for a filing;

(10) limit the amount or length of exhibits or attachments that may accompany a filing; or

(11) to the extent permitted by law, deny a filer's request to waive the filing fee in a civil case if the court determines that the filer is asserting a claim upon which the court cannot grant relief, is seeking relief from a defendant who is immune, or is attempting to relitigate a claim barred by res judicata, collateral estoppel, or law of the case.

(D) Sanctions for Bad Faith or Failed Remedies.

After an opportunity for hearing, upon a party's request or on its own initiative, a court may impose sanctions after a finding of bad faith or a finding that the previous remedies have failed. The court may sanction any filer or attorney whose conduct resulted in the court's finding. Sanctions may include default, dismissal with prejudice, payment of reasonable expenses, and payment of reasonable attorney's fees.

(E) Other Remedies.

This rule does not limit a court's authority to respond to individual pleadings under Trial Rule 12(F), or to respond to individual filings under Rule 11(C), Rule 11.1(D), or any other rule.

Rule 30. Depositions Upon Oral Examination

(B) Notice of examination: General requirements--Special notice--Nonstenographic recording--Production of documents and things-- Deposition of organization.

(2) Leave of court, when required by subdivision (A) ~~of this rule,~~ is not required for the taking of a deposition by plaintiff if the notice:

(a) states that the person to be examined is about to go out of the state or will be unavailable for examination unless ~~the~~his deposition is taken before expiration of the twenty ~~[20]~~-day period; and

(b) sets forth facts to support the statement.

The plaintiff's attorney ~~must~~shall sign the notice, and ~~the~~his signature constitutes a certification ~~by him~~ that to the best of ~~the attorney's~~his knowledge, information, and belief the statement and supporting facts are true. A violation of this certification may be

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addressed under~~The sanctions provided by Rule 11 (C) are applicable to the certification or any other applicable authority.~~

Rule 87. Electronic Filing

(G) Signature.

(2) A document that is signed and E-Filed is subject to the terms and provisions of Trial Rules 11(A) or 11.1, as applicable. A User may include the signature of other attorneys in documents e-filed with the court but in doing so represents to the court that the signature is authorized.
