

In the
Indiana Supreme Court



CAUSE NUMBER: 94S00-1101-MS-17

ORDER AMENDING INDIANA RULES OF APPELLATE 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, Indiana Appellate Rules 2, 9, 10, 11, 14, 14.1, 15, 16, 23, 24, 25, 46, 62, and 63, and Forms 9-1, 9-2, 14.1-1, 15-1, 16-1, and 16-2 are amended to read as follows (deletions shown by ~~striking~~ and new text shown by underlining):

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Rule 2. Definitions

In these Rules, the following definitions apply:

B. ~~Appellant's Case Summary. The Appellant's Case Summary is the appearance form filed by the appellant under Rule 15.~~ [Reserved]

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Rule 9. Initiation Of The Appeal

A. Procedure for Filing the Notice of Appeal with the Clerk of the Indiana Supreme Court, Court of Appeals and Tax Court.

- (1) *Appeals from Final Judgments.* A party initiates an appeal by filing a Notice of Appeal with the ~~trial court~~ eClerk (as defined in Rule 2(D)) within thirty (30) days after the entry of a Final Judgment is noted in the Chronological Case Summary. However, if

any party files a timely motion to correct error, a Notice of Appeal must be filed within thirty (30) days after the court's ruling on such motion is noted in the Chronological Case Summary or thirty (30) days after the motion is deemed denied under Trial Rule 53.3, whichever occurs first. ~~Copies of the Notice of Appeal, which need not be file stamped by the trial court clerk, shall be served on all parties of record in the trial court, the Clerk, and upon the Attorney General in all Criminal Appeals and any appeals from a final judgment declaring a state statute unconstitutional in whole or in part. (See Form # App.R. 9-1)~~

- (2) *Interlocutory Appeals*. The initiation of interlocutory appeals is covered in Rule 14.
- (3) *Administrative Appeals*. A judicial review proceeding taken directly to the Court of Appeals from an order, ruling, or decision of an Administrative Agency is commenced by filing a Notice of Appeal with the ~~Clerk~~ Administrative Agency within thirty (30) days after the date of the order, ruling or decision, notwithstanding any statute to the contrary.
- (4) *Abolition of Praecipe*. The praecipe for preparation of the Record is abolished.
- (5) *Forfeiture of Appeal*. Unless the Notice of Appeal is timely filed, the right to appeal shall be forfeited except as provided by P.C.R. 2.

[Grace Period: Effective until January 1, 2014, if an appellant timely files the Notice of Appeal with the trial court clerk or the Administrative Agency, instead of the Clerk as required by App.R. 9(A)(1), the Notice of Appeal will be deemed timely filed and the appeal will not be forfeited.]

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E. Payment of Filing Fee. The appellant shall pay to the Clerk the filing fee of \$250. No filing fee is required in an appeal prosecuted in *forma pauperis* or on behalf of a governmental unit. The filing fee shall be paid to the Clerk when the Notice of Appeal ~~is served on the Clerk~~ is filed. The Clerk shall not file any motion or other documents in the proceedings until the filing fee has been paid. A party may proceed on appeal in *forma pauperis* pursuant to Rule 40.

F. Content of Notice of Appeal. The Notice of Appeal shall include the following:

(1) Party Information.

(a) Name and address of the parties initiating the appeal, and if a party is not represented by counsel, the party's FAX number, telephone number, and electronic mail address, if any; and

(b) Name, address, attorney number, FAX number (if any), telephone number and electronic mail address of each attorney representing the parties initiating the appeal.

(2) Trial Information.

(a) Title of case;

(b) Names of all parties;

(c) Trial court or Administrative Agency;

(d) Case number;

(e) Name of trial judge;

(3) Designation of Appealed Order or Judgment. ~~The Notice of Appeal shall designate the appealed judgment or order and whether it is a final judgment or interlocutory order.~~

- (a) The date and title of the judgment or order appealed;
- (b) The date on which any Motion to Correct Error was denied or deemed denied, if applicable;
- (c) The basis for appellate jurisdiction, delineating whether the appeal is from a Final Judgment, as defined by Rule 2(H); an interlocutory order appealed as of right pursuant to Rule 14(A),(C), or (D); an interlocutory order accepted for discretionary appeal pursuant to Rule 14(B); or an expedited appeal pursuant to Rule 14.1; and
- (d) A designation of the court to which the appeal is taken.

~~(2) Designation of Court to which Appeal is Taken. The Notice of Appeal shall designate the court to which the appeal is taken.~~

~~(34) Direction for Assembly of Clerk's Record. The Notice of Appeal shall direct~~Directions
to the trial court clerk to assemble the Clerk's Record.

~~(45) Request for Transcript. The Notice of Appeal shall designate~~ A designation of all portions of the Transcript necessary to present fairly and decide the issues on appeal. If the appellant intends to urge on appeal that a finding of fact or conclusion thereon is unsupported by the evidence or is contrary to the evidence, the Notice of Appeal shall request a Transcript of all the evidence. In Criminal Appeals, the Notice of Appeal must request the Transcript of the entire trial or evidentiary hearing, unless the party intends to limit the appeal to an issue requiring no Transcript.

~~(6) Public Access Information. A statement whether all or any portion of the court records were sealed or excluded from public access by court order.~~

(7) Appellate Alternative Dispute Resolution Information. In all civil cases, an indication whether Appellant is willing to participate in appellate alternative dispute resolution and, if so, provide a brief statement of the facts of the case.

(8) Attachments.

(a) A copy of the judgment or order being appealed (including findings and conclusions in civil cases and the sentencing order in criminal cases);

(b) A copy of the order denying the Motion to Correct Error or, if deemed denied, a copy of the Motion to Correct Error, if applicable;

(c) A copy of all orders and entries relating to the trial court or agency's decision to seal or exclude information from public access, if applicable;

(d) A copy of the order from the Court of Appeals accepting jurisdiction over the interlocutory appeal, if proceeding pursuant to Rule 14(B)(3);

(e) The documents required by Rule 40(C), if proceeding *in forma pauperis*.

(9) Certification. A certification, signed by the attorney or pro se party, certifying the following:

(a) That the case does or does not involve issues of child custody, support, visitation, adoption, paternity, determination that a child is in need of services, termination of parental rights, and all other appeals entitled to priority by rule or statute;

(b) That the attorney or pro se party has reviewed and complied, and will continue to comply, with the requirements of Rule 9(J) and Administrative Rule 9(G)(4), to the extent they apply to the appeal; and

(c) That the attorney or pro se party will make satisfactory payment arrangements for any transcripts ordered in the Notice of Appeal, as required by Rule 9(H).

(10) Certificate of Filing and Service. The Certificate of Service required by Rule 24. This Certificate shall also certify the date on which the Notice of Appeal was filed with the Clerk. (See Form # App.R. 9-1)

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H. Payment for Transcript. ~~When a Transcript is requested, Within thirty (30) days after the filing of a Notice of Appeal a party must enter into an agreement make satisfactory arrangements~~ with the court reporter for payment of the cost of the Transcript. Unless a court order requires otherwise, each party shall be responsible to pay for all transcription costs associated with the Transcript that party requests.

I. Administrative Agency Appeals. In Administrative Agency appeals, the Notice of Appeal shall include the same contents and be handled in the same manner as an appeal from a Final Judgment in a civil case, notwithstanding any statute to the contrary. Assignments of error are not required. See Rule 9(A)(3). (See Form #App.R. 9-21).

J. Documents and Information Excluded from Public Access and Confidential Pursuant to Administrative Rule 9(G). Documents and information excluded from public access pursuant to Administrative Rule 9(G) shall be filed in accordance with Trial Rule 5(G) and Administrative Rule 9(G)(4).

Rule 10. Duties Of Trial Court Clerk Or Administrative Agency

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C. Notice of Completion of Clerk's Record. On or before the deadline for assembly of the

Clerk's Record, the trial court clerk or Administrative Agency shall issue and file a Notice of Completion of Clerk's Record with the Clerk and shall serve a copy on the parties to the appeal in accordance with Rule 24 to advise them that the Clerk's Record has been assembled and is complete. The Notice of Completion of the Clerk's Record shall include a certified copy of the Chronological Case Summary and shall state whether the Transcript is (a) completed, (b) not completed, or (c) not requested. (See Form # App.R.10-1). Copies of the Notice of Completion of Clerk's Record served on the parties shall include a copy of the Chronological Case Summary included with the original, but the copies served on the parties need not be individually certified.

D. Notice of Completion of Transcript. If the Transcript has been requested but has not been filed when the trial court clerk or Administrative Agency issues its Notice of Completion of the Clerk's Record, the trial court clerk or Administrative Agency shall issue and file a Notice of Completion of Transcript with the Clerk and shall serve a copy on the parties to the appeal in accordance with Rule 24 within five (5) days after the court reporter files the Transcript. (See Form #App.R. 10-2)

E. Extension of Time to Complete Clerk's Record. The trial court clerk or Administrative Agency may move the Court on Appeal designated in the Notice of Appeal for an extension of time to assemble the Clerk's Record pursuant to Rule 35 (A) and shall state in such motion the factual basis for inability to comply with the prescribed deadline despite exercise of due diligence. (See Form # App.R. 10-3). The trial court clerk shall file an original and one copy of the motion with the Clerk and shall serve a copy of the motion on the parties to the appeal in accordance with Rule 24. Motions for extension of time in interlocutory appeals, appeals involving worker's compensation, issues of child custody, support, visitation, paternity, adoption, determination that a child is in need of services, and termination of parental rights are

disfavored and shall be granted only in extraordinary circumstances.

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Rule 11. Duties Of Court Reporter

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C. Extension of Time to File Transcript. If the court reporter believes the transcript cannot be filed within the time period prescribed by this rule, then ~~The~~the court reporter ~~may~~shall move the Court on Appeal designated in the Notice of Appeal for an extension of time to file the Transcript pursuant to Rule 35 (A) and shall state in such motion the factual basis for inability to comply with the prescribed deadline despite exercise of due diligence. (See Form # App.R. 11-2). The court reporter shall file an original and one copy of the motion with the Clerk and shall serve a copy of the motion on the parties to the appeal in accordance with Rule 24. Motions for extension of time in interlocutory appeals, appeals involving worker's compensation, issues of child custody, support, visitation, paternity, adoption, determination that a child is in need of services, and termination of parental rights are disfavored and shall be granted only in extraordinary circumstances.

D. Failure to Complete Transcript. If the court reporter fails to file the Transcript with the trial court clerk within the time allowed, the appellant shall seek an order from the Court on Appeal compelling the court reporter to do so. The motion to compel shall be verified and affirmatively state that service as required under Rule 24(A)(1) was properly made and that the appellant has complied with the agreement for payment made in accordance with Rule 9(H). Failure of appellant to seek such an order not later than fifteen (15) days after the Transcript was due to have been filed with the trial court clerk shall subject the appeal to dismissal.

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Rule 14. Interlocutory Appeals

A. Interlocutory Appeals of Right. Appeals from the following interlocutory orders are taken as a matter of right by filing a Notice of Appeal with the ~~trial court~~ eClerk within thirty (30) days after the notation of the interlocutory order in the Chronological Case Summary:

- (1) For the payment of money;
- (2) To compel the execution of any document;
- (3) To compel the delivery or assignment of any securities, evidence of debt, documents or things in action;
- (4) For the sale or delivery of the possession of real property;
- (5) Granting or refusing to grant, dissolving, or refusing to dissolve a preliminary injunction;
- (6) Appointing or refusing to appoint a receiver, or revoking or refusing to revoke the appointment of a receiver;
- (7) For a writ of habeas corpus not otherwise authorized to be taken directly to the Supreme Court;
- (8) Transferring or refusing to transfer a case under Trial Rule 75; and
- (9) Issued by an Administrative Agency that by statute is expressly required to be appealed as a mandatory interlocutory appeal.

[The Notice of Appeal shall be in the form prescribed by Rule 9, and served in accordance with Rule 9\(F\)\(10\).](#)

B. Discretionary Interlocutory Appeals. An appeal may be taken from other interlocutory orders if the trial court certifies its order and the Court of Appeals accepts jurisdiction over the appeal.

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(2) Acceptance of the Interlocutory Appeal by the Court of Appeals. If the trial court certifies an order for interlocutory appeal, the Court of Appeals, in its discretion, upon motion by a party, may accept jurisdiction of the appeal. The motion shall be accompanied by an appearance as required by Rule 16(H).

- (a) Time for Filing Motion in the Court of Appeals. The motion requesting that the Court of Appeals accept jurisdiction over an interlocutory appeal shall be filed within thirty (30) days after the date the trial court's certification is noted in the Chronological Case Summary.
- (b) Content of the Motion in the Court of Appeals. The motion requesting that the Court of Appeals accept jurisdiction shall state:
 - (i) The date of the interlocutory order.
 - (ii) The date the motion for certification was filed in the trial court.
 - (iii) The date the trial court's certification of its interlocutory order was noted in the Chronological Case Summary.
 - (iv) The reasons the Court of Appeals should accept this interlocutory appeal.
- (c) Attachments to Motion. The party seeking an interlocutory appeal shall attach to its motion a copy of the trial court's certification of the interlocutory order and a copy of the interlocutory order.

(d) Response to Motion. Any response to a motion requesting the Court of Appeals to accept jurisdiction shall be filed within fifteen (15) days after service of the motion.

(3) Filing of Notice of Appeal. ~~If the Court of Appeals accepts jurisdiction, t~~The appellant shall file a Notice of Appeal with the ~~trial court e~~Clerk within fifteen (15) days of the Court of Appeals' order accepting jurisdiction over the interlocutory appeal. The Notice of Appeal shall be in the form prescribed by Rule 9, and served in accordance with Rule 9(F)(10). The appellant shall also comply with Rule 9(E).

C. Interlocutory Appeals From Orders Granting Or Denying Class Action Certification.

The Court of Appeals, in its discretion, may accept jurisdiction over an appeal from an interlocutory order granting or denying class action certification under Ind. Trial Rule 23.

(1) *Time for Filing Motion.* A motion requesting that the Court of Appeals accept jurisdiction over an interlocutory appeal from an order granting or denying class action certification shall be filed within thirty (30) days after the notation of the order in the Chronological Case Summary. The Motion shall be accompanied by an appearance as required by Rule 16(H).

(2) *Content of Motion.* The motion requesting that the Court of Appeals accept jurisdiction shall state:

- (a) The date the order granting or denying class action certification was noted in the Chronological Case Summary.
- (b) The facts necessary for consideration of the motion.
- (c) The reasons the Court of Appeals should accept the interlocutory appeal.

- (3) *Attachments to Motion.* A copy of the trial court's order granting or denying class action certification shall be attached to the motion requesting that the Court of Appeals accept jurisdiction over the interlocutory appeal.
- (4) *Response to Motion.* Any response to the motion requesting the Court of Appeals to accept jurisdiction shall be filed within fifteen (15) days after service of the motion.
- (5) *Filing of Notice of Appeal.* ~~If the Court of Appeals accepts jurisdiction, t~~The appellant shall file a Notice of Appeal with the ~~trial court e~~Clerk within fifteen (15) days of the Court of Appeals' order accepting jurisdiction over the interlocutory appeal. The Notice of Appeal shall be in the form prescribed by Rule 9, and served in accordance with Rule 9(F)(10). The appellant shall also comply with Rule 9(E).

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G. Shortening or Extending Time.

- (1) *Extensions.* Extensions of time to prepare the Transcript or to file any brief in an interlocutory appeal are disfavored and will be granted only upon a showing of good cause. Any motion for extension must comply with Rule 35.
- (2) *Shortening Deadlines.* The Court of Appeals, upon motion by a party and for good cause, may shorten any time period. A motion to shorten time shall be filed within ten (10) days of the filing of either the Notice of Appeal with the ~~trial court e~~Clerk or the motion to the Court of Appeals requesting permission to file an interlocutory appeal.

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Rule 14.1. Expedited Appeal for Payment of Placement and/or Services

- A. Applicability.** This Rule governs appellate review per Indiana Code sections 31-34-4-7(f),

31-34-19-6.1(f), 31-37-5-8(g), and 31-37-18-9(d). All other appeals concerning children alleged to be in need of service or children alleged to be delinquent are not covered by this rule.

B. Notice of Expedited Appeal.

- (1) The Department of Child Services (“DCS”) shall file a Notice of Expedited Appeal with the ~~trial court e~~Clerk within five (5) business days after the trial court's order of placement and/or services is noted in the Chronological Case Summary. (See Form #App.R. ~~14-1-19-1~~).
- (2) On the same day DCS files the Notice of Expedited Appeal, it shall serve the Notice on the trial court judge, the clerk of the trial court, the court reporter (if a transcript, or any portion of a transcript is requested), ~~the court clerk,~~ the county commissioners, the guardian ad litem, CASA, any juvenile who is the subject of the order if 14 years of age or older, counsel for the juvenile, the parents of the juvenile, the Attorney General, in the case of a juvenile delinquency matter the Chief Probation Officer and Prosecutor, and any other party of record.
- (3) The Notice of Expedited Appeal, ~~in a form proscribed by this rule, shall designate the order from which the appeal is taken and any Transcript that is to be provided~~ shall include all content required by Rule 9(F).
- (4) The certificate of service attached to the Notice of Expedited Appeal shall include (a) the name and address, and (b) the FAX number and e-mail address if known, of every person to whom it was sent.
- (5) Any party who has received the Notice of Expedited Appeal shall have five (5) business days from service of the Notice of Expedited Appeal to file an Appearance

and request any additional other items to be included in the record. Failure to file an Appearance shall remove that party from the Appeal.

(6) The trial court shall be considered a party to the Appeal if it files a timely appearance.

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Rule 15. Appellant's Case Summary

The Appellant's Case Summary is abolished.

~~**A. Who Must File.** Any party who has filed a Notice of Appeal shall file an Appellant's Case Summary with the Clerk. The filing of an Appellant's Case Summary satisfies the requirement to file an appearance under Rule 16. (See Form #App.R. 15-1)~~

~~**B. Date Due.** The Appellant's Case Summary shall be filed within thirty (30) days of the filing of the Notice of Appeal or, in the case of a Discretionary Interlocutory Appeal under Rule 14(B)(2) or a Class Action Certification Interlocutory Appeal under Rule 14(C), the Appellant's Case Summary shall be filed at the time the motion requesting permission to file the interlocutory appeal is filed in the Court of Appeals.~~

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

~~(1) Party Information.~~

~~(a) Name and address of the parties initiating the appeal, and if a party is not represented by counsel, the party's FAX number, telephone number, and electronic mail address, if any; and~~

~~(b) Name, address, attorney number, FAX number (if any), telephone number and electronic mail address of the attorneys representing the parties initiating the appeal.~~

~~(2) Trial Information.~~

~~(a) Title of case;~~

~~(b) Names of all parties;~~

~~(c) Trial court or Administrative Agency;~~

~~(d) Case number;~~

~~(e) Name of trial judge;~~

~~(f) Date case commenced;~~

~~(g) Date of judgment or order;~~

~~(h) Whether trial was by judge or jury;~~

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

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

~~(k) Whether or not all, or any portion, or none of the court records were sealed or excluded from public access by court order.~~

~~(3) Transcript Information.~~

~~(a) Date Notice of Appeal was filed;~~

~~(b) Date Transcript is due to be filed; and~~

~~(c) The following Transcript information:~~

- ~~(i) Name, address and telephone number of court reporter responsible for preparing the Transcript;~~
- ~~(ii) Date ordered (or reason it has not been ordered);~~
- ~~(iii) Payment arrangements;~~
- ~~(iv) Estimated length of the Transcript;~~
- ~~(v) Estimated time required for preparation; and~~
- ~~(vi) Estimated completion date.~~

~~(4) Appeal Information.~~

- ~~(a) A short and plain statement of the anticipated issues on appeal; provided, however, that the statement of anticipated issues shall not prevent the raising of any issue on appeal;~~
- ~~(b) Prior appeals in same case;~~
- ~~(c) Related appeals (prior, pending or potential) known to the party;~~
- ~~(d) Whether a motion for oral argument will be filed;~~
- ~~(e) Whether a motion for pre-appeal conference will be filed;~~
- ~~(f) In Criminal Appeals, the status of the defendant (e.g., on bond, incarcerated and, if so, where);~~
- ~~(g) Whether Alternative Dispute Resolution has been used and whether appellant is willing to participate in Appellate ADR;~~

- ~~(h) Certification that case does or does not involve issues of child custody, visitation, adoption, paternity, determination that a child is in need of services, termination of parental rights, and all other appeals entitled to priority by rule or statute; and~~
- ~~(i) Certification that the attorney or pro se party has reviewed and complied, and will continue to comply, with the requirements of Indiana Administrative Rule 9(G)(4) to the extent it applies to the appeal.~~

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

- ~~(1) In civil cases, a copy of the judgment or order appealed from, including findings of fact and conclusions, where made;~~
- ~~(2) In Criminal Appeals, a copy of the judgment or order appealed from, including any sentencing order;~~
- ~~(3) A copy of any motion to correct errors filed in the trial court;~~
- ~~(4) A file stamped copy of the Notice of Appeal, except in Discretionary Interlocutory Appeals;~~
- ~~(5) In Administrative Agency cases, a copy of the order, ruling or decision appealed from, including any order or ruling on any motion or request for rehearing;~~
- ~~(6) In appeals filed *in forma pauperis*, a proof of appointment or proof of indigency; and~~
- ~~(7) A copy of all trial court entries relating to the sealing of any court records excluded from public access.~~

~~E. Failure to File.~~ The Clerk shall not accept for filing any paper, motion, or other filing by an appellant until that appellant has filed its Appellant's Case Summary. The failure to file an Appellant's Case Summary shall not forfeit the appeal.

Rule 16. Appearances

A. Initiating Parties. The filing of ~~an Appellant's Case Summary~~ a Notice of Appeal pursuant to Rule ~~15-9~~ or Notice of Expedited Appeal pursuant to Rule 14.1 satisfies the requirement to file an appearance.

B. Responding Parties. All other parties participating in an appeal shall file an appearance form with the Clerk. (See Form # App.R. 16-1). When the State is appellee in a Criminal Appeal, the Clerk shall enter the appearance of the Attorney General. The appearance form shall be filed within thirty (30) days after the filing of the ~~first Appellant's Case Summary~~ Notice of Appeal or contemporaneously with the first document filed by the appearing party, whichever comes first. The appearance form shall contain the following:

- (1) Name and address of the appearing party, and if the appearing party is not represented by counsel, the party's FAX number, telephone number, and electronic mail address, if any;
- (2) Name, address, attorney number, telephone number, FAX number (if any), and electronic mail address of the attorneys representing the parties;
- (3) If it is a civil case, whether Appellee is willing to participate in Appellate ADR.

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E. Correction of Information. Parties shall promptly advise the Clerk of any change in the information previously supplied under this Rule and Rule ~~15-9~~.

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

temporary admission in a case before the Court of Appeals or the Tax Court, that attorney need not again seek temporary admission in any continuation of that case before the Supreme Court.

G. Withdrawal of Appearance. An attorney wishing to withdraw his or her appearance shall seek leave of the court by motion stating the reason that leave is sought. If a new attorney will be replacing the withdrawing attorney, the new attorney's appearance should, if possible, be filed with the motion to withdraw appearance.

H. Appearances in Certain Interlocutory Appeals. In the case of an Interlocutory Appeal under Rules 14(B)(2) or 14(C), a party shall file an appearance setting forth the information required by Rule 16(B) at the time the motion requesting the Court on Appeal to accept jurisdiction over the interlocutory appeal is filed. (See Form # App.R. 16-2-).

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Rule 23. Filing

C. Number of Copies. The following shall be filed:

(1) ~~*Appellant's Case Summary and Appearances*~~Notice of Appeal. An original and one (1) copy of the ~~Appellant's Case Summary and of any appearance.~~Notice of Appeal.

(2) Appearances. An original and one (1) copy of any appearance.

(23) Motions.

(a) An original and one (1) copy of a motion for extension of time, a motion to withdraw the record, a motion to withdraw appearance, and a motion to file an oversized document.

(b) An original and five (5) copies of all other motions and supporting documents, of all responses and supporting documents, and of all replies and supporting documents.

~~(34)~~ *Briefs, Addenda to Briefs, Petitions, Additional Authorities.* An original and eight (8) copies of all briefs, Addenda to Briefs, Petitions to Transfer, Petitions for Rehearing, Petitions for Review and notices of additional authorities.

~~(45)~~ *Authorization or Affidavit In Forma Pauperis Proceedings.* An original and (1) copy of the trial court authorization to proceed in forma pauperis, or an affidavit that the party was permitted to proceed in forma pauperis in the trial court. See Rule 40.

~~(56)~~ *Appendices.* One (1) copy of any Appendix. See Rule 50.

~~(67)~~ *Notices by the trial court clerk or Administrative Agency.* One (1) original of the Notice of Completion of Clerk's Record and Notice of Completion of Transcript. See Rules 10(C) and (D).

~~(78)~~ *Other Documents.* An original and five (5) copies of all other documents filed with the Clerk.

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E. Signature required. Every motion, petition, brief, appendix, acknowledgment, notice, response, reply, or appearance, ~~or appellant's case summary~~ must be signed by at least one [1] attorney of record in the attorney's individual name, whose name, address, telephone number, and attorney number shall also be typed or printed legibly below the signature. If a party or amicus is not represented by an attorney, then the party or amicus shall sign such documents and type or print legibly the party or amicus's name, address, and telephone number. The signing of

the verification of accuracy required by Rule 50(A)(2)(i) or 50(B)(1)(f) satisfies this requirement for appendices.

Rule 24. Service Of Documents

A. Required Service. ~~The Appellant's Case Summary and appearances must be served on all parties to the appeal (see Rule 17), any persons seeking party status, and any persons required by statute to be served. Unless otherwise provided by these Rules, all other documents tendered to the Clerk for filing must be served upon all parties who have filed an Appellant's Case Summary or an appearance under Rules 15 or 16, any persons seeking party status, and any persons required by statute to be served. However, in Criminal Appeals only, any Appendix or Supplemental Appendix need not be served on the Attorney General.~~

(1) Notice of Appeal. A party filing a Notice of Appeal shall contemporaneously serve a copy upon:

(a) all parties of record in the trial court or Administrative Agency;

(b) the clerk of the trial court or Administrative Agency;

(c) the court reporter;

(d) any persons identified in Rule 14.1, if applicable;

(e) the Attorney General in all Criminal Appeals and any appeals from a final judgment declaring a state statute unconstitutional in whole or in part;

(f) the judge of the trial court or hearing officer of an Administrative Agency before whom the case was heard; and,

(g) any other persons required by statute to be served.

(See Form # App.R. 9-1).

(2) Documents filed in the thirty-day period following the filing of Notice of Appeal. A

party filing any document in the thirty- day period after a Notice of Appeal is filed shall contemporaneously serve a copy upon:

(a) all parties of record in the trial court or Administrative Agency;

(b) all parties of record who have filed a Notice of Appeal or an appearance with the Clerk;

(c) any persons seeking party status, and,

(d) any persons required by statute to be served.

(3) Other documents. Unless otherwise provided by these Rules, all other documents tendered to the Clerk for filing must contemporaneously be served upon:

(a) all parties of record who have filed a Notice of Appeal or an appearance with the Clerk;

(b) any persons seeking party status; and,

(c) any persons required by statute to be served.

(4) Appendix in Criminal Appeals. In criminal appeals only, any Appendix or Supplemental Appendix need not be served on the Attorney General.

B. Time for Service. A party shall serve a document no later than the date the document is filed or received for filing.

C. Manner and Date of Service. All papers will be deemed served when they are:

(1) personally delivered;

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

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

Parties appealing pursuant to Rule 14.1 must comply with the additional requirements found

in that Rule.

D. Certificate of Service.

(1) Content. ~~Anyone attorney or unrepresented party~~ tendering a document to the Clerk for filing shall:

(a) certify that service has been made;

(b) specifically list the ~~parties~~ persons served by name; ~~and~~

(c) specify the date and means of service;

(d) include any information required by Rule 14.1, if applicable; ~~and,~~

(e) if the document is a Notice of Appeal, certify the date on which the Notice of Appeal was filed with the Clerk. (See Form # App.R. 9-1).

(2) Placement. The certificate of service shall be placed at the end of the document and shall not be separately filed. The separate filing of a certificate of service, however, shall not be grounds for rejecting a document for filing. ~~The Clerk may permit documents to be filed without a certificate of service but shall require prompt filing of a separate certificate of service.~~

Rule 25. Computation Of Time

A. Non-Business and Business Days. For purposes of this rule, a non-business day shall mean a Saturday, a Sunday, a legal holiday as defined by state statute, or a day the Office of the Clerk is closed during regular business hours. A business day shall mean all other days.

B. Counting Days. In computing any period of time allowed by these Rules, by order of the court, or by any applicable statute, the day of the act, event, or default from which the designated period of time begins to run shall not be included. The last day of the period so computed is to be included unless it is a non-business day. If the last day is a non-business day, the period runs

until the end of the next business day. When the time allowed is less than seven (7) days, all non-business days shall be excluded from the computation.

C. Extension of Time When Served by Mail or Carrier. When a party serves a document by mail or third-party commercial carrier, the time period for filing any response or reply to the document shall be extended automatically for an additional three (3) calendar days from the date of deposit in the mail or with the carrier. This Rule does not extend any time period that is not triggered by a party's service of a document, such as the time for filing a Petition for Rehearing or a Petition to Transfer.

...

Rule 30. Preparation of Transcript in Electronic Format Only

A. Preparation of Electronic Transcript. In lieu of or in addition to a paper Transcript as set forth in Rule 28, with the approval of the trial court, all parties on appeal, and the Court on Appeal, the court reporter may submit an electronically formatted Transcript in accordance with the following:

- (1) *Approval by Court on Appeal.* At the time the Notice of Appeal is filed with the ~~trial~~ court eClerk, all parties to the appeal may jointly move the Court on Appeal to accept an electronically formatted Transcript. The motion must acknowledge the willingness of the trial court to provide a Transcript in an electronic format consistent with these rules.

...

Rule 46. Arrangement And Contents Of Briefs

...

H. Addendum to Brief. Any party or any entity granted *amicus curiae* status may elect to file a separately-bound Addendum to Brief. An Addendum to Brief is not required and is not recommended in most cases. An Addendum to Brief is a highly selective compilation of materials filed with a party's brief at the option of the submitting party. Note that only one copy of the Appendix is filed (see Rule 23(C)(~~56~~)), but an original and eight copies of any Addendum to Brief must be filed, in accordance with Rule 23(C)(~~34~~). If an Addendum to Brief is submitted, it must be filed and served at the time of the filing and service of the brief it accompanies. An Addendum to Brief may include, for example, copies of key documents from the Clerk's Record or Appendix (such as contracts), or exhibits (such as photographs or maps), or copies of critically important pages of testimony from the Transcript, or full text copies of statutes, rules, regulations, etc. that would be helpful to the Court on Appeal but which, for whatever reason, cannot be conveniently or fully reproduced in the body of the brief. An Addendum to Brief may not exceed fifty (50) pages in length and should ordinarily be much shorter in length. The first document in the Addendum to Brief shall be a table of contents, and documents contained in the Addendum to Brief should be indexed or numbered in some manner that facilitates finding the documents referred to therein, preferably with indexed tabs. The Addendum to Brief shall be bound in book form along the left margin, preferably in a manner that permits the volume to lie flat when opened. The Addendum to Brief shall have a cover that is the same color and similarly styled as the brief it accompanies (see Form App. 43-1), except that it shall be clearly identified as an Addendum to Brief. An Addendum to Brief may not contain argument.

...

Rule 62. Appeals Involving Waiver Of Parental Consent To Abortion

...

C. Appeal by Minor or Her Physician. A minor or her physician wishing to appeal a judgment or order denying the waiver of parental consent to abortion shall file with the trial court, no later than ten (10) days after entry of the order or judgment is noted in the Chronological Case Summary, a written request that the Record on Appeal be prepared and certified. The trial court judge shall promptly certify the judgment or order and summary findings of fact and conclusion of law, together with the Petition initiating the proceeding, and either a stipulation of the facts or an electronic transcription of the evidence taken in the proceeding. These certified documents shall constitute the Record on Appeal. The trial court shall promptly transmit the Record on Appeal to the Clerk. No motion to correct error, ~~or~~ Notice of Appeal ~~or Appellant's Case Summary~~ shall be filed.

...

Rule 63. Review of Tax Court Decisions

...

C. Notice of Intent to Petition for Review. A party initiates a petition for review by filing a Notice of Intent to Petition for Review with the Clerk in accordance with requirements of Rule 9 (except with respect to the filing fee) no later than:

- (1) thirty (30) days after the date of entry in the court's docket of the Final Judgment or final disposition if a Petition for Rehearing was not sought; or

NOTICE OF APPEAL FROM TRIAL COURT

~~*[Plaintiff or Defendant – Insert designation and name of the party appealing], [by counsel or pro se – select one], pursuant to Ind. Appellate Rule 9(A), respectfully gives notice of an appeal from the following judgment(s) or order(s) entered by the [insert the name of the court]: [list title(s) and date(s) of appealed judgment(s) or order(s).]*~~

~~*This appeal is from [a final judgment or an interlocutory order – select one.]*~~

~~*This appeal will be taken to the Indiana [Supreme Court or Court of Appeals – select one] pursuant to Ind. Appellate Rules 4&5].*~~

Pursuant to Ind. Appellate Rule 10, the clerk of [insert name of trial court] is requested to assemble the Clerk’s Record, as defined in Ind. Appellate Rule 2(E).

Pursuant to Ind. Appellate Rule 11, the court reporter of the [insert name of the court] is requested to transcribe, certify, and file with the clerk of the [insert name of trial court] the following hearings of record, including exhibits: [designate requested portions of the transcript]

Respectfully submitted,

[Insert Name of Attorney or pro se party]

Address

Telephone number

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been served upon the following by [indicate method of service], this ____ day of _____, 20__ : Clerk of the Indiana Supreme Court, Court of Appeals and Tax Court, 216 State House, 200 West Washington Street, Indianapolis, IN 46204; and [insert list of parties served, see Ind. Appellate Rule 9(A)(1)]

[Insert name of Attorney or pro se party]

SAMPLE FORMS

Form App. R. 9-1 Notice of Appeal

IN THE INDIANA [SUPREME COURT/COURT OF APPEALS/TAX COURT]

CAUSE NO. _____

<u>NAME,</u>)	
)	
<u>[Appellant/Petitioner],</u>	)	<u>[Appeal or Petition] from the</u>
<u>([Plaintiff/Defendant/Claimant/</u>	)	<u>[_____ Court or Administrative</u>
<u>Respondent below]),</u>	)	<u>Agency]</u>
)	
<u>v.</u>	)	<u>Trial Court [or Administrative</u>
	)	<u>Agency number] Case No.:</u> _____
<u>NAME,</u>)	
)	
<u>[Appellee/Respondent],</u>	)	<u>The Honorable _____,</u>
<u>([Plaintiff/Defendant/Claimant/</u>	)	<u>Judge.</u>
<u>Respondent below]).</u>)	

NOTICE OF APPEAL

[insert whether this is an “expedited” appeal under App. R. 14.1]
(Appearance)

Party Information

Name: _____

Address: _____

The following party information only if not represented by an attorney:

Tel. No.: _____ Fax No.: _____

E-Mail: _____

Requesting service of orders and opinions of the Court by:

E-mail FAX or U.S. Mail (choose one)

In forma pauperis: Yes No

Attorney or attorneys representing party filing Notice of Appeal, if any (all fields must be supplied):

Name: _____

Attorney # _____

Address: _____

Tel. No.: _____ Fax No.: _____

E-Mail: _____

INFORMATION FOR JUDGMENT/ORDER BEING APPEALED

Date of Judgment/Order being appealed: _____

Title of Judgment/Order being appealed: _____

Date Motion to Correct Error denied or deemed denied , if applicable: _____

If case was heard by a magistrate, date trial judge approved judgment or order: _____

Basis for Appellate Jurisdiction:

- Appeal from a Final Judgment, as defined by Appellate Rule 2(H) and 9(I)
- Appeal from an interlocutory order, taken as of right pursuant to Appellate Rule 14(A),(C),(D)
- Appeal from an interlocutory order, accepted by discretion pursuant to Appellate Rule 14(B)(3)
- Expedited Appeal, taken pursuant to Appellate Rule 14.1

This appeal will be taken to:

- Court of Appeals of Indiana, pursuant to Appellate Rule 5
- Indiana Supreme Court, pursuant to Appellate Rule 4

Trial Court Clerk/Administrative Agency/Court Reporter Instructions

Pursuant to Appellate Rule 10 or 14.1(C), the clerk of [insert name of trial court or Administrative Agency] is requested to assemble the Clerk's Record, as defined in Appellate Rule 2(E).

Pursuant to Appellate Rule 11 or 14.1(C), the court reporter of the [insert name of the court or Administrative Agency] is requested to transcribe, certify, and file with the clerk of the [insert name of trial court or Administrative Agency] the following hearings of record, including exhibits: _____.

Public Access

Was the entire trial court or agency record sealed or excluded from public access?

Yes No

Was a portion of the trial court or agency record sealed or excluded from public access?

Yes No

If yes, which provision in Administrative Rule 9(G) provides the basis for this exclusion:

_____.

If Administrative Rule 9(G)(1)(c) provides the basis for this exclusion, was the trial court or agency order issued in accordance with the requirements of Administrative Rule 9(H)?

Yes No

Appellate Alternative Dispute Resolution

If civil case, is Appellant willing to participate in Appellate Dispute Resolution?

Yes No

If yes, provide a brief statement of the facts of the case. (Attach additional pages as needed.)

Attachments

The following SHALL be attached to this Notice of Appeal (in all appeals):

Copy of judgment or order being appealed

The following SHALL be attached to this Notice of Appeal if applicable (check if applicable):

- Copy of the trial court or Administrative Agency's findings and conclusion (in civil cases)
- Copy of the sentencing order (in criminal cases)
- Order denying Motion to Correct Error or, if deemed denied, copy of Motion to Correct Error
- Copy of all orders and entries relating to the trial court or agency's decision to seal or exclude information from public access
- If proceeding pursuant to Appellate Rule 14(B)(3), copy of Order from Court of Appeals accepting jurisdiction over interlocutory appeal
- The documents required by Rule 40(C), if proceeding *in forma pauperis*

Certification

By signing below, I certify that:

- (1) This case does does not involve an interlocutory appeal; issues of child custody, support, visitation, adoption, paternity, determination that a child is in need of services, termination of parental rights; or an appeal entitled to priority by rule or statute.
- (2) I have reviewed and complied, and will continue to comply, with the requirements of Appellate Rule 9(J) and Administrative Rule 9(G)(4) on appeal; and,
- (3) I will make satisfactory payment arrangements for any Transcripts ordered in this Notice of Appeal, as required by Appellate Rule 9(H).

Respectfully submitted,

[Insert Name of Attorney or *pro se* party]

Address

Telephone number

E-mail

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this _____ day of _____, 20____, the foregoing was
filed with the Clerk of the Indiana Supreme Court, Court of Appeals, and Tax Court.

I also certify that on this _____ day of _____, 20____, the foregoing was
served upon the following in accordance with Rule 24 [list names and addresses of]:

- (1) counsel of record in the trial court/administrative agency;
- (2) the trial court clerk/administrative agency clerk;
- (3) the parties served as required by Appellate Rule 14.1(B)(2) and (4) (if
applicable);
- (4) the court reporter;
- (5) the Attorney General, if applicable under Rule 9(A)(3);
- (6) the judge of the trial court or hearing officer of an Administrative Agency
before whom the case was heard; and,
- (7) any other persons required by statute.

[Signature]

Form App. R. 9-2 Notice Of Appeal From Administrative Agency

_____) _____ IN THE [insert name of Administrative Agency]

STATE OF INDIANA) SS:

) CASE NO. [insert Administrative Agency number]

_____,)
 _____)
 Claimant(s),)
 _____)
 vs. _____)
 _____)
 _____)
 Respondent(s).)

NOTICE OF APPEAL FROM ADMINISTRATIVE AGENCY

~~*[Insert designation and name of the party appealing], [by counsel or pro se—select one], pursuant to Ind. Appellate Rule 9(I), respectfully gives notice of an appeal from the following order(s) entered by the [insert the name of the Administrative Agency]: [list title(s) and date(s) of appealed order(s).]*~~

~~*This appeal is from [a final order or an interlocutory order—select one.]*~~

~~*This appeal will be taken to the Indiana Court of Appeals pursuant to Ind. Appellate Rule 5(C).*~~

~~Pursuant to Ind. Appellate Rule 10, the [insert name of administrative agency] is requested to assemble the Clerk’s Record, as defined in Ind. Appellate Rule 2(E).~~

~~Pursuant to Ind. Appellate Rule 11, the court reporter of the [insert name of the Administrative Agency] is requested to transcribe, certify, and file with the [insert name of Administrative Agency] the following hearings of record, including exhibits: [designate requested portions of the transcript]~~

Respectfully submitted,

 _____ **[Insert name of Attorney or pro se party]**
 _____ **Address**
 _____ Telephone number

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been served upon the following by [indicate method of service], this ____ day of _____, 20__: [insert list of parties served, see Ind. Appellate Rule 9(A)(1)]

[Insert name of Attorney or pro se party]

...

Form App. R. 14.1-1. Notice of Expedited Appeal

STATE OF INDIANA _____) IN THE [insert name of trial court]
_____) SS:
COUNTY OF _____) CASE NO. [insert trial court number]

In the Matter of _____)
a Child Alleged to be a Child)
in Need of Services _____)
_____)
Department of Child Services, _____)
Petitioner _____)

OR

In the Matter of _____)
a Child Alleged to be a Delinquent)
Child _____)
_____)
Department of Child Services, _____)
Petitioner _____)

Notice of Expedited Appeal Regarding Juvenile Placement and/or Services

The Department of Child Services, [by counsel], pursuant to Ind. Appellate Rule 14.1, respectfully gives notice of an expedited appeal from the following judgment(s) or order(s) entered by the [insert the name of the court]: [list title(s) and date(s) of appealed judgment(s) or

~~order(s).]~~

~~The clerk of [insert name of trial court] is requested to assemble the Clerk's Record, as defined by Ind. Appellate Rule 2(E) and which must include the pre-dispositional report. The Clerk's Record must be assembled and filed within ten (10) business days of the filing of this Notice of Expedited Appeal, and no extensions of time are allowed. See Ind. Appellate Rule 14.1(C)(1) & E.~~

~~The court reporter of the [insert name of the court] is requested to transcribe, certify, and file with the clerk of the [insert name of trial court], on or before the date the clerk's record is due to be assembled, the following hearings of record, including exhibits: [designate requested portions of the transcript]~~

~~Respectfully submitted,~~

~~_____
[Insert Name of Attorney or pro-se party]
Address
Telephone number
Facsimile Number
E-mail address~~

CERTIFICATE OF SERVICE

~~The undersigned hereby certifies that a copy of the foregoing has been served upon the following by [indicate method of service], this ____ day of _____, 20__; [insert list of parties served, including name and address, and, if known, FAX number and e-mail address, as required by Appellate Rule 14.1(B)(4)]~~

~~_____
[Insert name of Attorney or pro-se party]~~

~~...~~

~~Form #App.R. 15-1~~

~~IN THE INDIANA [SUPREME COURT/—COURT OF APPEALS/TAX COURT]~~

CAUSE NO. _____

NAME, _____)
_____ [Appellant/Petitioner/ _____) [Appeal or petition] from the _____
_____ Plaintiff/Defendant,] _____) _____ Court.

_____)
_____ v. _____) Trial Court case no.: _____
_____) _____

NAME, _____)
_____ [Appellee/Respondent/
_____) The Honorable _____
_____ Plaintiff/Defendant.] _____) _____, Judge.

APPELLANT'S CASE SUMMARY

(Appearance)

Party Information

_____ Party or parties that filed Notice of Appeal:

Name: _____

Address: _____

The following party information only if not represented by an attorney:

Tel. _____ No.: _____ Fax _____ No.: _____ E-Mail: _____

Requesting service of orders, opinions and notices of the Court by: E mail , FAX , or U.S. Mail (choose one)

Attorney or attorneys representing party filing Notice of Appeal, if any [All fields, except FAX, MUST be supplied]:

Name: _____ Attorney _____ #

Address: _____

Tel. _____ No.: _____ Fax _____ No.: _____ E-Mail: _____

In forma pauperis: Yes [] No [] (if yes, attach proof of appointment or proof on indigency).

TRIAL INFORMATION

Date case commenced: _____

Date of Judgment/order: _____ (Attach copy of judgment or order appealed from including findings and conclusions (civil) and sentencing order (criminal))

Date Motion to Correct Error denied, or deemed denied, if used: (Attach copy of Motion to Correct Error)

Was case heard by a judicial officer other than a judge? Yes No

If yes, did the trial judge sign proposed judgment or order: Yes No

Check the appropriate line(s) to show the ruling being appealed:

- Administrative ruling Injunction Judgment notwithstanding the verdict
- Declaratory judgment Judgment (bench trial) Judgment (probation revocation)
- Directed verdict Judgment (guilty plea) Summary judgment
- Dismissed Judgment (jury verdict)
- Other _____ (specify)

Is this a final judgment as to all claims and all parties? Yes No

If no, state the basis on which the judgment/order is immediately appealable:

T.R. 54(B) T.R. 56(C) App.R. 14(A)(1-9)

App.R. 14(B) App.R. 14(C) App.R. 14(D)

Did the trial court issue an order sealing or excluding from public access all or any portion of the trial court records? Yes No

_____ If yes, attach copies of all orders and entries relating to the trial court's decision to seal or exclude information from public access.

Check the appropriate line(s) best describing the nature of the case:

- Attorney's fees Education law Professional malpractice
- Child custody/support Employment and labor Real property rights
- Civil rights Environmental law Sanctions
- Construction law Equitable distribution Taxation
- Contempt Guardianship Termination of parental rights
- Contract law Health care Tort claims act
- Corporate law Insurance, auto
- _____ Unemployment compensation
- Criminal law, Misdemeanor Insurance, other
- _____ Unfair and deceptive practices
- Criminal law, habitual felon Intentional torts
- _____ Utilities
- Criminal law, probation revocation Juvenile Wills, trusts, estates
- Criminal law, post conviction relief Landlord/tenant
- _____ Workers' compensation
- _____ Specify _____ Municipal law
- _____ Wrongful death
- Debtor/creditor rights Negligence Wrongful discharge
- Dissolution of marriage Paternity Zoning/annexation
- Driver's license revocation Products liability
- Other _____

Synopsis of judgment and sentence, if applicable:

Record Information

Date notice of appeal filed _____ (Attach copy of notice of appeal)

Date clerk's record due to be assembled: _____

Transcript information:

Court reporter responsible for preparing transcript (Name, address, telephone number):

Transcript ordered: Yes No Payment arrangements made: Yes
No

If no, reason not ordered or made:

Est. Transcript length _____ pp:

Transcript _____ due _____ date:

Appeal Information

A short and plain statement of the anticipated issues on appeal:

_____ (Attach copy of motion to correct errors)

Prior appeals in this case with cause number:

Related appeals with Cause Number (prior, pending, or potential):

Motion for oral argument will be filed: Yes No
Undecided

Motion for pre-appeal conference will be filed: No Yes
Purpose: Shorten record Appellate ADR Refine issues
Other

If civil case, was ADR used in the trial court? Yes No
If civil case, is Appellant willing to participate in Appellate ADR? Yes
No

If yes, provide a brief statement of the facts of the case. Attach additional pages as needed.

If criminal case, status of defendant: On bond Incarcerated
Location: _____

Form #App.R. 16-1

IN THE INDIANA [SUPREME COURT/ COURT OF APPEALS/TAX COURT]

CAUSE NO. _____

NAME,

[Appellant/Petitioner],

([Plaintiff/Defendant/

Claimant/Respondent

below]).

v.

NAME,

[Appellee/Respondent],

([Plaintiff/Defendant/

Claimant/Respondent

below]).

)

)

)

)

)

)

)

)

)

)

)

)

)

[Appeal or Petition] from the [Court

or Administrative Agency]

Trial Court [or Administrative Agency

number] case no.: _____

The Honorable _____,

Judge.

APPELLEE'S NOTICE OF APPEARANCE

I. Party Information

Name: _____

Address: _____

The following party information only if not represented by an attorney:

Tel. No.: _____ Fax No.: _____

E-Mail: _____

Requesting service of orders and opinions of the Court by:

E-mail FAX or U.S. Mail (choose one)

In forma pauperis: Yes No

II. Attorney Information, if applicable (all fields must be supplied):

Name: _____

Attorney # _____

Address: _____

Tel. No.: _____ Fax No.: _____

E-Mail: _____

III. Appellate ADR (in all civil cases)

Appellee [is/ is not] willing to participate in Appellate ADR.

Respectfully submitted,

[Insert Name of Attorney or pro se party]

Address

Telephone number

E-mail

CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of _____, 20____, the foregoing was

served upon the following persons, by [state exact method of service]:

[List names and address of:

(1) counsel of record or pro se party;

(2) Attorney General, if applicable]

[Signature]

IN THE INDIANA [SUPREME COURT/COURT OF APPEALS/TAX COURT]

CAUSE NO. _____

)	
<u>NAME,</u>)	
<u>[Appellant/Petitioner],</u>	)	<u>[Appeal or Petition] from the [_____ Court</u>
<u>([Plaintiff/Defendant/</u>	)	<u>or Administrative Agency]</u>
<u>Claimant/Respondent</u>)	
<u>below]).</u>	)	<u>Trial Court [or Administrative Agency</u>
<u>v.</u>	)	<u>number] case no.: _____</u>
)	
<u>NAME,</u>	)	<u>The Honorable _____,</u>
<u>[Appellee/Respondent],</u>	)	<u>Judge.</u>
<u>([Plaintiff/Defendant/</u>)	
<u>Claimant/Respondent</u>)	
<u>below]).</u>)	

NOTICE OF APPEARANCE

(in Interlocutory appeals)

I. Party Information

Name: _____

Address: _____

The following party information only if not represented by an attorney:

Tel. No.: _____ Fax No.: _____

E-Mail: _____

Requesting service of orders and opinions of the Court by:

E-mail FAX or U.S. Mail (choose one)

In forma pauperis: Yes No

II. Attorney Information, if applicable (all fields must be supplied):

Name: _____

Attorney # _____

Address: _____

Tel. No.: _____ Fax No.: _____

E-Mail: _____

III. Appellate ADR (in all civil cases)

Appellee [is/ is not] willing to participate in Appellate ADR.

Respectfully submitted,

[Insert Name of Attorney or pro se party]

Address _____

Telephone number _____

E-mail _____

CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of _____, 20____, the foregoing was served upon the following parties, by [state exact method of service]:

[List names and address of:

(1) counsel of record or pro se party;

(2) Attorney General, if applicable]

[Signature]

...

These amendments shall take effect January 1, 2012.

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; Public Defender'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 Thomson Reuters. The Clerk is also directed to post this Order to the Court's website.

Thomson Reuters 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 20th day of September, 2011.

/s/Randall T. Shepard
Randall T. Shepard
Chief Justice of Indiana

All Justices concur.