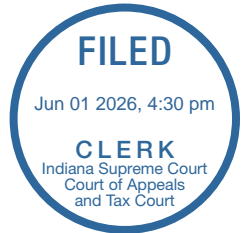


In the Indiana Supreme Court

Cause No. 26S-MS-8



Order Amending Rules of Appellate Procedure

The Indianapolis Bar Association's Appellate Practice Section and the Committee on Rules of Practice and Procedure have proposed amendments to the Rules of Appellate Procedure. The proposed amendments remove life without parole cases from mandatory and exclusive Supreme Court jurisdiction.

The Court has considered the proposed amendments. Under this Court's authority to establish procedures and supervise the administration of all courts in the state, Appellate Rules 4, 14, and 57 are amended as set forth in Exhibit A to this order (deletions shown by ~~striketrough~~ and new text shown by underlining).

The amendments are effective July 1, 2026.

Done at Indianapolis, Indiana, on 6/1/2026.

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

Loretta H. Rush
Chief Justice of Indiana

By a majority of the Court.

Indiana Rules of Appellate Procedure

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Rule 4. Supreme Court Jurisdiction

A. Appellate Jurisdiction.

(1) Mandatory Review.

The Supreme Court shall have mandatory and exclusive jurisdiction over the following cases:

(a) Criminal Appeals in which a sentence of death ~~or life imprisonment without parole~~ is imposed ~~under Ind. Code § 35-50-2-9~~ and Criminal Appeals in ~~post-conviction~~post-conviction relief cases in which the sentence was death.

...

(2) Discretionary Review. The Supreme Court shall have ~~discretionary~~ jurisdiction over cases in which it grants Transfer under Rule 56 or 57 or Review under Rule 63. Except as provided in Rule 57(l), the grant of Transfer or Review is discretionary.

(3) Certain Interlocutory Appeals.

The Supreme Court shall have jurisdiction over interlocutory appeals authorized under Appellate Rule 14 in any case in which the State seeks the death penalty ~~or in life without parole cases in which the interlocutory order raises a question of interpretation of IC 35-50-2-9.~~

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Rule 14. Interlocutory Appeals

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I. Death Penalty Cases.

In any case in which the State seeks the death penalty ~~or in which the interlocutory order raises a question of interpretation of IC 35-50-2-9~~, references in this Rule to the Court of Appeals shall refer to the Supreme Court.

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Rule 57. Petitions to Transfer and Briefs

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H. Considerations Governing the Grant of Transfer.

Except as provided in Section (I), the grant of transfer is a matter of judicial discretion. The following provisions articulate the principal considerations governing the Supreme Court's decision whether to grant transfer.

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I. Life Without Parole Appeals.

Upon request of either party under this Rule, the Supreme Court shall grant transfer in any criminal appeal in which a sentence of life imprisonment without parole is imposed under Ind. Code § 35-50-2-9.

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