

In the  
Indiana Supreme Court



CAUSE NUMBER: 94S00-1501-MS-22

ORDER AMENDING APPELLATE RULES

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, Appellate Rules 9(F) and 16(B) and Appellate Form 16-2 are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

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**Rule 9. Initiation Of The Appeal**

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**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; ~~and~~
- (c) Certification that the contact information listed on the Indiana Supreme Court Roll of Attorneys for each attorney is current and accurate as of the date of the Notice of Appeal (Attorneys can review and update their Roll of Attorneys contact information on the Clerk of Courts Portal at <http://appealsclerk.in.gov>);
- (e) Acknowledgement that all orders, opinions, and notices in the matter will be sent to the email address(es) specified by the attorney on the Roll of Attorneys regardless of the contact information listed on the Notice of Appeal; and
- (f) Acknowledgment that each attorney listed on the Notice of Appeal is solely responsible for keeping his/her Roll of Attorneys contact information accurate per Ind. Admis. Disc. R. 2(A).

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## **Rule 16. Appearances**

**A. Initiating Parties.** The filing of a Notice of Appeal pursuant to Rule 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 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; ~~and~~
- (3) If it is a civil case, whether Appellee is willing to participate in Appellate ADR;
- (4) Certification that the contact information listed on the Indiana Supreme Court Roll of Attorneys for each attorney is current and accurate as of the date of the Notice of Appeal (Attorneys can review and update their Roll of Attorneys contact information on the Clerk of Courts Portal at <http://appealsclerk.in.gov>);
- (5) Acknowledgement that all orders, opinions, and notices in the matter will be sent to the email address(es) specified by the attorney on the Roll of Attorneys regardless of the contact information listed on the Notice of Appeal; and
- (6) Acknowledgment that each attorney listed on the Notice of Appeal is solely responsible for keeping his/her Roll of Attorneys contact information accurate per Ind. Admis. Disc. R. 2(A).

**C. Parties to Certified Federal Questions.** If the Supreme Court decides to answer a question of law certified by a federal court under Rule 64, parties to the federal proceeding shall file an appearance form with the Clerk setting forth the same information identified in Section (B) of this Rule. Appearance forms shall be filed within thirty (30) days following the order of the Supreme Court granting the federal court's request for an opinion, or contemporaneously with the first document filed by the appearing party, whichever comes first.

...

IN THE INDIANA [SUPREME COURT/COURT OF APPEALS/TAX COURT]  
CAUSE NO. \_\_\_\_\_

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

**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 party represented by attorney):**

Attorney Name: \_\_\_\_\_

Indiana Attorney #: \_\_\_\_\_

Address: \_\_\_\_\_  
 \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Attorney Name: \_\_\_\_\_

Indiana Attorney #: \_\_\_\_\_

Address: \_\_\_\_\_  
 \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Attorney Name: \_\_\_\_\_

Indiana Attorney #: \_\_\_\_\_

Address: \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Attorney Name: \_\_\_\_\_

Indiana Attorney #: \_\_\_\_\_

Address: \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**IMPORTANT:** Each attorney specified above:

- (a) certifies that the contact information listed for him/her on the Indiana Supreme Court Roll of Attorneys is current and accurate as of the date of this Appearance;
- (b) acknowledges that all orders, opinions, and notices in this matter will be sent to the attorney at the email address(es) specified by the attorney on the Roll of Attorneys *regardless of the contact information listed above for the attorney*; and
- (c) understands that he/she is solely responsible for keeping his/her Roll of Attorneys contact information current and accurate, *see Ind. Admis. Disc. R. 2(A)*.

Attorneys can review and update their Roll of Attorneys contact information on the Clerk of Courts Portal at <http://appealsclerk.in.gov>.

**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) (circle one)**

Appellee  is  is not willing to participate in Appellate ADR.

Respectfully submitted,

Signed: \_\_\_\_\_

Printed: \_\_\_\_\_

[Insert Name of Attorney or pro se party]

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Attorney Number (if applicable): \_\_\_\_\_

**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 as of the date of this order.

DONE at Indianapolis, on January 16, 2015.

/s/Loretta H. Rush  
Loretta H. Rush  
Chief Justice of Indiana