

TABLE OF CONTENTS

	Page
CHAPTER 1. INDIANA APPELLATE COURTS	
Sec.	
1.1 Supreme Court	1
1.2 Supreme Court—Structure and History of the Supreme Court	1
1.3 Supreme Court—Selection and Retention of Justices	3
1.4 Supreme Court—Directory and Backgrounds of Justices and Staff	5
1.5 Supreme Court—Workload of the Supreme Court	7
1.6 Court of Appeals	8
1.7 Court of Appeals—Structure and History of the Court of Appeals	8
1.8 Court of Appeals—Selection and Retention of Judges	9
1.9 Court of Appeals—Directory and Backgrounds of Judges and Staff	10
1.10 Court of Appeals—Workload of the Court of Appeals	17
CHAPTER 2. SUMMARY OF 2001 RULES	
2.1 The New Rules	19
2.2 The New Rules—Scope, Definitions, and Forms	20
2.3 The New Rules—Jurisdiction	21
2.4 The New Rules—Initiation of Appeal	23
2.5 The New Rules—General Provisions	32
2.6 The New Rules—Record on Appeal	34
2.7 The New Rules—Motions	37
2.8 The New Rules—Briefs	42
2.9 The New Rules—Appendices	45
2.10 The New Rules—Oral Argument	47
2.11 The New Rules—Petitions for Rehearing	47
2.12 The New Rules—Supreme Court Proceedings	48
2.13 The New Rules—Court Procedures, Powers, and Decisions	51
CHAPTER 3. SCOPE, DEFINITION, AND FORMS	
3.1 Scope	53
3.2 Definitions	54
3.3 Use of Forms	58
CHAPTER 4. JURISDICTION	
4.1 Supreme Court Jurisdiction	59

TABLE OF CONTENTS

Sec.		Page
4.2	Supreme Court Jurisdiction—Appellate Jurisdiction	60
4.3	Supreme Court Jurisdiction—Other Jurisdiction	63
4.4	Court of Appeals Jurisdiction	64
4.5	Court of Appeals Jurisdiction—Appeals from Final Judgments	64
4.6	Court of Appeals Jurisdiction—Appeals from Interlocutory Orders.....	65
4.7	Court of Appeals Jurisdiction—Appeals from Agency Decisions	66
4.8	Appeal or Original Action in Wrong Court	67
4.9	Review of Sentences	68
4.10	Acquisition of Jurisdiction.....	68
4.11	Right to Appeal	69
4.12	Court Rules Trump Statutory Rules of Procedure.....	72

CHAPTER 5. INITIATION OF APPEALS

5.1	Considerations Before Appeal	75
5.2	Initiation of the Appeal	79
5.3	Duties of Trial Court Clerk or Administrative Agency	85
5.4	Duties of Court Reporter.....	88
5.5	Transmittal of the Record	90
5.6	Preparation of the Record in Administrative Agency Cases	92
5.7	Interlocutory Appeals	93
5.8	Appellant’s Case Summary.....	103
5.9	Appearances.....	105
5.10	Parties on Appeal.....	106
5.11	Appeals Bonds—Letters of Credit	107
5.12	Court of Appeals Preappeal Conference.....	108
5.13	Appellate Alternative Dispute Resolution	109

CHAPTER 6. GENERAL PROVISIONS

6.1	Order in Which Appeals are Considered	111
6.2	Citation Form	111
6.3	Filing.....	114
6.4	Service of Documents	116
6.5	Computation of Time	118
6.6	Fax Service by Clerk	119

CHAPTER 7. RECORD ON APPEAL

7.1	Overview of New Record	121
7.2	Preparation of Transcript in Paper Format by Court Reporter	123
7.3	Exhibits to the Transcript	126
7.4	Preparation of Transcript in Electronic Format	127
7.5	Statement of Evidence When No Transcript Is Available	129
7.6	Correction or Modification of Clerk’s Record or Transcript	131
7.7	Record on Agreed Statement	134

TABLE OF CONTENTS

	Page
CHAPTER 8. MOTIONS	
Sec.	
8.1 Motion Practice Generally	137
8.2 Motion For Extension Of Time	141
8.3 Motion To Dismiss	145
8.4 Motion To Remand	153
8.5 Motion To Consolidate Appeals	159
8.6 Motion To Stay	161
8.7 Motion To Proceed In <i>Forma Pauperis</i>	168
8.8 Motion To Appear As <i>Amicus Curiae</i>	171
8.9 Motion To Strike	173
CHAPTER 9. BRIEFS	
9.1 Briefs Generally	179
9.2 Brief and Petition Length Limitations	184
9.3 Time For Filing Briefs	186
9.4 Arrangement and Contents of Briefs	187
9.5 Arrangement and Contents of Briefs—Appellant’s Brief	188
9.6 Arrangement and Contents of Briefs—Appellee’s Brief	203
9.7 Arrangement and Contents of Briefs—Reply Brief of Appel- lant	204
9.8 Arrangement and Contents of Briefs—Cross—Appeals	204
9.9 Arrangement and Contents of Briefs—Brief of <i>Amicus Curiae</i>	205
9.10 Appendix	205
9.11 Cases with Multiple Appellants or Appellees	205
9.12 Amendment of Briefs and Petitions	205
9.13 Additional Authorities	206
CHAPTER 10. APPENDICES	
10.1 Filing of Appendices	207
10.2 Contents of Appendices	207
10.3 Form and Assembly of Appendices	209
CHAPTER 11. ORAL ARGUMENT	
11.1 Setting and Acknowledgment of Oral Argument	213
11.2 Procedures for Oral Argument	216
11.3 Oral Argument in the Indiana Supreme Court	220
CHAPTER 12. PETITIONS FOR REHEARING	
12.1 Rehearings	225
12.2 Transfer and Rehearing Sought by Different Parties	236
CHAPTER 13. SUPREME COURT PROCEEDINGS	
13.1 Transfer to the Supreme Court	237

TABLE OF CONTENTS

Sec.		Page
13.2	Petitions to Transfer, Responses and Replies	240
13.3	Effect of Supreme Court Ruling on Petition to Transfer	248
13.4	Mandatory Appellate Review	248
13.5	Original Actions	249
13.6	Mandate of Funds	253
13.7	Appeals Involving Waiver of Parental Consent to Abortion	253
13.8	Review of Tax Court Decisions	254
13.9	Certified Questions of State Law From Federal Courts	262

CHAPTER 14. COURT PROCEDURES, POWERS AND DECISIONS

14.1	Opinions and Memorandum Decisions	263
14.2	Relief Available on Appeal	264
14.3	Costs	269

APPENDICES

Appendix		
1.	Selected Constitutional Provisions	271
2.	Indiana Rules of Appellate Procedure	279
3.	Rules of Procedure for Original Actions (Writs of Mandate and Prohibition)	351
4.	Indiana Rules of Procedure for Post-Conviction Remedies	365
5.	Selected Rules of Trial Procedure	381
6.	Selected Rules of Criminal Procedure	399
7.	Selected Statutory Provisions	409
8.	1999-2000 Indiana Supreme Court Annual Report	469
9.	2000 Indiana Court Of Appeals Annual Report	497
10.	Cross-Reference Table From Prior Rules To Current Rules	513
Table of Statutes		521
Table of Rules		523
Table of Cases		539
Index		551