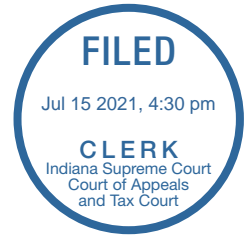


# Supplement

| <u>Issue Date</u> | <u>Eff. Date(s)</u> |   |
|-------------------|---------------------|---|
| 7-15-2021         | 7-15-2021           | Order Amending Administrative Rules   |
| 7-15-2021         | 7-15-2021           | Order Amending Rules of Trial Procedure   |
| 7-15-2021         | 7-15-2021           | Order Amending Rules of Appellate Procedure                                     |
| 7-15-2021         | 1-1-2022            | Order Amending Rules of Small Claims  |
| 2-24-2021         | 2-24-2021           | Order Amending Rules of Admission to the Bar<br>and the Discipline of Attorneys |
| 1-20-2021         | 1-20-2021           | Order Amending Commercial Court Rules   |

# In the Indiana Supreme Court

Cause No. 21S-MS-19



## Order Amending Administrative 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, the Administrative Rules are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

...

### Rule 6. Court Case Records Media Storage Standards

...

**(K) Disposal of Records.** Court records which have been preserved in accordance with the standards set out in this rule may be destroyed or otherwise disposed but only after the court or its clerk files a "Destruction Certificate" with the Division certifying that the records have been microfilmed or digitized in accordance with the standards set out in this rule, and the Division issues a written authorization for the destruction of such records. The Division shall make available a form "Destruction Certificate" for this purpose. It is not necessary for a clerk or court to file a "Destruction Certificate" when a clerk or court converts a conventionally filed document into an electronic record as required by Trial Rule ~~87(D)~~86(F).

...

The amendment is effective as of the date of this order.

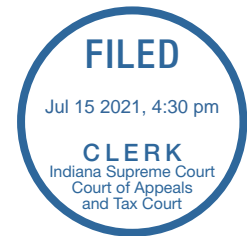
Done at Indianapolis, Indiana, on 7/15/2021.

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

Loretta H. Rush  
Chief Justice of Indiana

All Justices Concur.

# In the Indiana Supreme Court



Cause No. 21S-MS-19

## Order Amending Rules of Trial 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, the Rules of Trial Procedure are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

...

### **Rule 3.1 Appearance**

(A) **Initiating party.** At the time an action is commenced, the attorney representing the party initiating the proceeding or the party, if not represented by an attorney, shall file with the clerk of the court an appearance form setting forth the following information:

...

(4) Unless required by Trial Rule 86(~~BG~~), a statement that the party will or will not accept service by FAX or by e-mail from other parties;

...

### **Rule 5. Service and Filing of Pleadings, Documents, and Other Papers**

...

(F) **Filing With the Court Defined.** The filing of pleadings, motions, and other papers with the court as required by these rules shall be made by one of the following methods:

...

(6) Electronic filing, as approved by the Indiana Office of Judicial Administration (IOJA) pursuant to Trial Rule ~~8786~~.

...

### **Rule 9.2. Pleading and proof of written instruments**

(A) **When instrument or copy, or an Affidavit of Debt shall be filed.** When any pleading allowed by these rules is founded on a written instrument, the original, or a copy thereof, shall be included in or filed with the pleading. Such instrument, whether copied in the pleadings or not, shall be taken as part of the record. Further,

...

(2) in addition to the requirements set forth above in subsection (1), if the claim is on an account, the plaintiff is not the original creditor, and the claim arises from a debt that is primarily for personal, family, or household purposes, the plaintiff shall provide

an Affidavit of Debt that shall have attached as one or more Exhibits which shall include:

...

(d) Subsection (2) does not apply to mortgage foreclosures.

...

### **Rule 53.3. Motion to correct error: time limitation for ruling**

...

**(B) Exceptions.** The time limitation for ruling on a motion to correct error established under Section (A) of this rule ~~doesshall~~ not apply where:

~~(1) The party has failed to serve the judge personally; or~~

~~(12)~~ The parties who have appeared or their counsel stipulate or agree on record that the time limitation for ruling set forth under Section (A) ~~doesshall~~ not apply; or

~~(23)~~ The time limitation for ruling has been extended by Section (D) of this rule.

...

### **Rule 59. Motion to correct error**

...

**(C) Time for filing: ~~Service on judge~~.** The motion to correct error, if any, ~~must~~shall be filed not later than thirty (30) days after the entry of a final judgment is noted in the Chronological Case Summary. ~~A copy of the motion to correct error shall be served, when filed, upon the judge before whom the case is pending pursuant to Trial Rule 5.~~ The time at which the court is deemed to have ruled on the motion is set forth in T.R. 53.3.

...

### **Rule 63. Disability and Unavailability of Judge**

**(A) Disability and unavailability after the trial or hearing.** The judge who presides at the trial of a cause or a hearing at which evidence is received shall, if available, hear motions and make all decisions and rulings required to be made by the court relating to the evidence and the conduct of the trial or hearing after the trial or hearing is concluded. If the judge before whom the trial or hearing was held is not available by reason of death, sickness, absence or unwillingness to act, then any other judge regularly sitting in the judicial circuit or assigned to the cause may perform any of the duties to be performed by the court ~~after the verdict is returned or the findings or decision of the court is filed~~; but if he is satisfied that he cannot perform those duties because he did not preside at the trial or for any other reason, he may in his discretion grant a new trial or new hearing, in whole or in part. The unavailability of any such trial or hearing judge shall be determined and shown by a court order made by the successor judge at any time.

...

**Rule 84. Effective Date [Vacated]**

~~These rules will take effect on January 1, 1970. They govern all proceedings in actions brought after they take effect and also all further proceedings in actions then pending, except to the extent that in the opinion of the court their application in a particular action pending when the rules take effect would not be feasible or would work injustice, in which event the former procedure applies.~~

...

**Rule 86. General Electronic Filing and Electronic Service**

**(A) Definitions. For purpose of Trial Rules 86, 87, 88:**

...

- (12) *User.* ~~User is a Registered User or Filing User.~~ A User is a person or entity with a user ID and password assigned by the IEFS or its designee who is authorized to use the IEFS for the electronic filing or service of documents. A User must execute a User Agreement with one or more EFSP before that User may utilize the IEFS.

**(B) Service of Pleadings, Documents, and Other Papers.**

...

- (3) *Service of Subsequent ~~Documents and Other Papers~~Pleadings*

...

The amendments are effective as of the date of this order.

Done at Indianapolis, Indiana, on 7/15/2021.

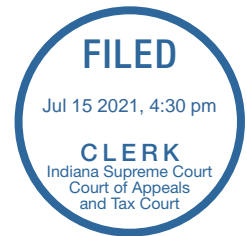


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Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.

# In the Indiana Supreme Court



Cause No. 21S-MS-19

## Order Amending 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, the Rules of Appellate Procedure are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

...

### Rule 28. Preparation of Transcript By Court Reporter

...

#### C. Submission of Electronic Transcript.

(1) Following certification of the Transcript, the Court Reporter shall submit the electronic Transcript using one of the following methods:

- (a) *Submission by E-Filing.* If e-filing is required in the trial court by Trial Rule ~~87(B)(1) & (D)(1)~~ and the documentary exhibits are in electronic form, then the Court Reporter shall transmit the electronic Transcript to the trial court clerk through the IEFS.

...

The amendment is effective as of the date of this order.

Done at Indianapolis, Indiana, on 7/15/2021.

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

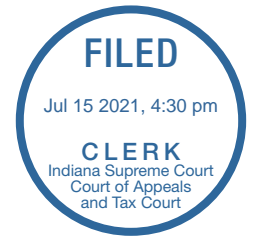
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Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.

# In the Indiana Supreme Court

Cause No. 21S-MS-19



## Order Amending Rules for Small Claims

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, the Rules for Small Claims are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

...

### **Rule 2. Commencement of Action**

#### **(A) In General.**

(1) An action under these rules shall be commenced by the filing of an unverified notice of claim in a court of competent jurisdiction and by payment of the prescribed filing fee or filing an order waiving the filing fee.

(2) A plaintiff filing an action under these rules waives the excess of the plaintiff's claim over the jurisdictional maximum of the small claims court or docket in which the case is decided, and the plaintiff may not later bring a separate action for the remainder of such claim.

#### **(B) Form of Notice of Claim.** The notice of claim shall contain:

...

(2) The name, mailing address, email address, or filing a petition for an order granting an exemption as to the e-mail address, and telephone number of the plaintiff ~~claimant~~ and the name, mailing address, and if available, telephone number of the defendant(s);

...

(4) A brief statement of the nature and amount of the claim; and

...

(c) in addition to the requirements set forth above in subsection 4(a) and (b), if the plaintiff is not the original creditor, and the claim arises from a debt that is primarily for personal, family, or household purposes, the plaintiff shall provide an Affidavit of Debt that shall have attached as one or more Exhibits which shall include:

i. 1)—a copy of the contract or other writing evidencing the original debt, which shall contain a signature of the defendant. If a claim is based on credit card or other debt and no such signed writing evidencing the original debt ever existed, then copies of documents generated when

the debt was incurred or the credit card was actually used shall be attached; and

~~ii. 2)~~—a chronological listing of the names of all prior owners of the debt and the date of each transfer of ownership of the debt, beginning with the name of the original creditor; and

~~iii. 3)~~—a certified or other properly authenticated copy of the bill of sale or other document that transferred ownership of the debt to the plaintiff.

(5) A statement that ~~the parties may appear either in person or by an attorney~~ S.C. 8(C) governs who may represent the parties; and a statement that before an employee who is designated pursuant to that rule to represent a corporate entity, sole proprietorship, partnership, LLC, LLP, or a trustee who is designated to represent a Trust may act on behalf of a party in a small claims case, the designated employee or trustee must file in each case the certificate of compliance and affidavit required by S.C. 8(C);

...

(10) Notice of the defendant's right to a jury trial and that such right is waived unless a jury trial is requested within ten (10) days after receipt of the notice of claim; that once a jury trial request has been granted, it may not be withdrawn without the consent of the other party or parties; and within ten (10) days after the jury trial request has been granted, the party requesting a jury trial shall pay the clerk the additional amount required by statute to transfer the claim to the plenary docket or, in the Marion Small Claims Court, the filing fee necessary to file a case in the appropriate court of the county; otherwise, the party requesting a jury trial shall be deemed to have waived the request; ~~and~~

(11) A statement that a court may sanction a designated employee or trustee and the entity the employee or trustee represents for failure to comply with these rules or local rules of court. Sanctions may include assessment of costs or reasonable attorney's fees, the entry of a default judgment, the dismissal of a claim with or without prejudice, fines, and/or incarceration; and

~~(12)~~ Any additional information which may facilitate proper service.

...

#### **Rule 4. Responsive pleadings**

...

**(B) Entry of Appearance.** For the purpose of administrative convenience the court may request that the defendant enter an appearance prior to trial. Such appearance may be made in person, by telephone or by mail but the fact that no appearance is entered by the defendant shall not be grounds for default judgment. Whether or not an appearance is required, a party that wishes to be represented by a designated employee or trustee must file a certificate of compliance and affidavit required by S.C. 8(C)(5).

...



## Rule 8. Informality of Hearing

...

- (C) **Party Representation Appearance.** Any assigned or purchased claim, or any debt acquired from the real party in interest by a third party cannot be presented or defended by said third party unless this third party is represented by counsel. In all other cases, the following rules shall apply:
- (1) *Natural Persons.* A natural person may represent him/herself appear pro se or may be represented by counsel in any small claims proceeding.
  - (2) *Sole Proprietorship and Partnerships.* A sole proprietorship or partnership may be represented appear by the sole proprietor or partner, owner, counsel, or by a designated full-time employee of the business in the presentation or defense of claims arising out of the business, if the claim does not exceed six thousand one thousand five hundred dollars ~~(\$6,000) (\$1,500.00)~~. However, claims exceeding six thousand one thousand five hundred dollars ~~(\$6,000)(\$1,500.00)~~ must either be defended or presented by counsel or *pro se* by the sole proprietor, ~~or a partner, or owner.~~
  - (3) *Corporate Entities, Limited Liability Companies (LLC's), Limited Liability Partnerships (LLP's), Trusts.* All corporate entities, Limited Liability Companies (LLC's), and Limited Liability Partnerships (LLP's), and Trusts may be represented by counsel, owner, or appear by a designated full-time employee of the corporate entity, or, in the case of a trust by a trustee, in the presentation or defense of claims arising out of the business if the claim does not exceed six thousand one thousand five hundred dollars ~~(\$6,000)(\$1,500.00)~~. However, claims exceeding six thousand one thousand five hundred dollars ~~(\$6,000)(\$1,500.00)~~ must be defended or presented by counsel.
  - (4) *Full-Time Employee Designations--Binding Effect of Designations and Requirements.*
    - (a) ~~In the event~~ If a corporate entity, sole proprietorship, partnership, LLC, LLP, or trust designates a full-time employee or trustee to represent it appear in its stead, the corporate entity, sole proprietorship, partnership, LLC, LLP, or trust will be bound by any and all agreements and acts relating to the small claims proceedings entered into by the designated employee or trustee and will be liable for any and all costs, including those assessed by reason of contempt, levied by a court against the designated employee.
    - (b) By authorizing a designated full-time employee or trustee to appear under this Rule, the corporate entity, sole proprietorship, partnership, LLC, LLP, or trust waives any present or future claim in this or any other forum in excess of six thousand one thousand five hundred dollars ~~(\$6,000)(\$1,500.00)~~.
    - (c) No person who is disbarred or suspended from the practice of law in Indiana or any other jurisdiction may appear as counsel for a corporate entity or on behalf of a sole proprietorship, partnership, LLC, LLP, or trust under this rule, but may appear as a designated full-time employee of a corporate entity, LLC, or LLP, if employed in a non-legal capacity, or as sole proprietor, partner, trustee, or owner.
  - (5) *Full-Time Employee or Trustee Designations--Contents.* ~~Before a designated employee or trustee is allowed to appear in a small claims proceeding, the corporate entity, sole proprietorship, partnership, LLC, LLP, or trust must have on file with the~~

~~court exercising jurisdiction of the proceedings, a certificate of compliance with the provisions of this rule, wherein the~~ A corporate entity, sole proprietorship, partnership, LLC, LLP, or trust that wishes to designate an employee or trustee to represent it must execute a certificate of compliance in each case expressly ~~accept,~~ appointing the person as its representative and must state by a duly adopted resolution in the case of a corporate entity, LLC or LLP; or a document signed under oath by the sole proprietor or managing partner of a partnership, or trustee that the entity shall be bound by the binding character of the designated employee's or trustee's acts and agreements relating to the small claims proceeding, and shall be liable the liability of the corporate entity, sole proprietorship, partnership, LLC, LLP, or trust for assessments and costs levied by a court relating to the small claims proceeding, and that the corporate entity, sole proprietorship, partnership, LLC, LLP, or trust waives any claim for damages in excess of ~~six thousand~~ one thousand five hundred dollars ~~(\$6,000)~~(\$1,500.00) associated with the facts and circumstances alleged in the notice of claim.

Additionally, the designated employee or trustee must file in each case ~~have on file with the court exercising jurisdiction of the proceedings~~ an affidavit stating that he/she is not disbarred or suspended from the practice of law in Indiana or any other jurisdiction.

(6) Any party represented by a designated employee or trustee who fails to comply with these rules or local rules of court may be ordered by the court to appear by counsel and subject to sanctions, including the assessment of costs or reasonable attorney's fees, the entry of a default judgment, and the dismissal of a claim with or without prejudice. Anyone who engages in conduct that is uncivil or disruptive to the proceeding may be found in contempt of court, which is punishable by a fine, incarceration, or both.

## Rule 9. Continuances

...

**(B) Court Designating Employee.** The court may, by a duly executed order recorded in the Record of Judgments and Orders, designate a specifically named employee to be responsible for scheduling hearings under specific directions ~~spelled out by~~ of the court in said order.

...

This amendment is effective January 1, 2022.

Done at Indianapolis, Indiana, on 7/15/2021.



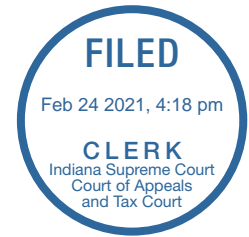
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Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.

# In the Indiana Supreme Court

Cause No. 21S-MS-19



## Order Amending Rules of Admission to the Bar and the Discipline of Attorneys

Under the authority vested in this Court pursuant to Article 7, Section 4 of the Indiana Constitution providing for the admission and discipline of attorneys in this state, the Indiana Rules for Admission to the Bar and the Discipline of Attorneys are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

...

### **Rule 6. Admission on Foreign License**

#### **Section 1. Provisional License**

A person who has been admitted to practice law in the highest court of law in any other state (herein defined as state or territory of the United States or the District of Columbia), may be granted a provisional license to practice law in Indiana upon a finding by the State Board of Law Examiners that said person has met each of the following conditions:

...

- (g) The applicant has not failed the Indiana ~~B~~bar examination or scored below 264 on the Uniform Bar Examination (whether administered in Indiana or another jurisdiction) within five (5) years of the date of application.

...

#### **Section 2. Business Counsel License**

A person who establishes an office or other systematic and continuous presence in Indiana in order to accept or continue employment by a person or entity engaged in business in Indiana other than the practice of law may be granted a business counsel license to practice law in Indiana without examination so long as granting the license is in the public interest and such person:

- (f) has not failed the Indiana ~~B~~bar examination or scored below 264 on the Uniform Bar Examination (whether administered in Indiana or another jurisdiction) within five (5) years of the date of the application.

...

**Rule 6.1 Temporary License for Clinical Faculty, Legal Services, Public Defender, and Pro Bono Representation**

...

**Section 2. Conditions and Limitations on Practice Under Temporary License**

...

(c) The temporary license issued under this rule shall expire on the earliest of the following dates:

...

(2) the date the person's application for the Indiana bar is denied for any reason, including but not limited to failing to achieve a passing score on a qualifying the bar examination or failing to satisfy character and fitness or other eligibility requirements;

...

**Rule 14. Review**

~~Review of final action by the State Board of Law Examiners shall be as follows:~~

~~**Section 1.** The State Board of Law Examiners shall adopt such procedure for review of an applicant, aggrieved by failure of said board to award said applicant a satisfactory grade upon the bar examination, as shall be approved by the Supreme Court of Indiana. All applicants who have achieved a combined scaled score of 255 to 263 shall be eligible to appeal. The eligible examinees must make a written request to appeal on forms provided by the Board within fourteen (14) days of the issuance by the Board of the eligible examinee's results. No response other than the written request to appeal is permitted. The President of the Board shall designate certain of the Board's members as Appeals Reviewers. The Appeals Reviewers shall consider and decide all appeals of bar examination results. In the appeals process, all of an eligible examinee's responses shall be subject to review by the Appeals Reviewers. Multistate Bar Examination scores will also be available to the Appeals Reviewers. Eligible examinees that are deemed to have passed after review shall be treated as having passed that administration of the Indiana Bar Examination. No change in score shall be effectuated. Before the release of the results of the Indiana bar examination, the Board of Law Examiners shall review the written answers of all applicants who are within five (5) points of achieving a passing score of 264 on the examination to confirm that the written answers have been graded correctly. Applicants may not appeal the results of the examination. The determination by the Appeals Reviewers Board of Law Examiners whether to treat an **appealing** applicant as having passed the bar examination shall be final, subject to general principles of procedural due process.~~

**Section 2.** Any applicant aggrieved by the final action of the State Board of Law Examiners in refusing to recommend to the Supreme Court of Indiana the admission of the applicant to practice law in Indiana for any reason other than the failure to pass any examination ~~as set forth~~

~~in section (1)~~ may, within twenty (20) days of receipt of notification setting forth the reason for refusal, file a petition with the Supreme Court of Indiana requesting review by this Court of such final determination. The notification referenced herein shall be sent to the applicant by certified mail with return receipt requested. In the petition the applicant shall set forth specifically the reasons, in fact or law, assigned as error in the Board's determination. The Court may order further consideration of the application, in which event the State Board of Law Examiners shall promptly transmit to the Court the complete file relating to such applicant and his or her application, including the transcript of the record of any hearing held by the State Board of Law Examiners relating thereto. The Court shall enter such order as in its judgment is proper, which shall thereupon become final. The petition for review must be accompanied by a fifty dollar (\$50.00) filing fee unless the petitioner previously paid an application fee to the State Board of Law Examiners as provided in these rules.

...

### **Rule 17. Admission Upon Examinations**

**Section 1.** The Indiana bar examination shall consist of the Uniform Bar Examination (UBE) developed by the National Conference of Bar Examiners. To qualify for admission upon examination, an applicant must achieve a scaled score of at least 264 on the Indiana bar examination.

**Section 2.** No person shall be licensed to practice law in this state who has not taken and passed a the Indiana Bbar examination as provided in these rules, except applicants admitted on a transferred UBE score under these rules or attorneys who are licensed in another jurisdiction and who qualify for admission without examination under the provisions of Admission and Discipline Rule 6.

**Section 3.** Any applicant for admission upon examination on any Indiana bar examination administered after July 1, 2021, shall be required to complete the Indiana Law Course, a jurisdiction-specific component on Indiana law, not later than six (6) months after the date of the applicant's admission to the Indiana bar. If an applicant fails to complete the Indiana Law Course within the required time period, the Board of Law Examiners may certify such fact to the Supreme Court with the recommendation that the applicant's license be suspended pending completion of the course.

**Section 24.** In addition, each applicant for admission upon examination, before being admitted, must pass the Multistate Professional Responsibility Examination (MPRE). The passing score for the MPRE shall be a scaled score of eighty (80) and must be achieved no earlier than two (2) years before the date the applicant successfully ~~takes sits for~~ the Indiana ~~two-day-essay~~ bar examination.

**Section 35.** An applicant who successfully passes the Indiana Bbar examination must complete all requirements for, and receive, a law degree and be admitted to the practice of law before the

Court within ~~two~~ five (25) years of the last date of the applicant's bar examination, or the bar examination must be repeated.

**Section 46.** The bar examination shall be administered with the identity of the applicant remaining anonymous throughout the examination, grading and review. The Executive Director shall adopt such procedures necessary for the identity of all applicants by number only. It shall be a violation of these Rules for the applicant, or anyone upon the applicant's behalf, to attempt to reveal the identity, ~~origin, gender or race~~ any identifying characteristics of the applicant at any time throughout the examination and review process.

~~**Section 5.** The Executive Director of the Board of Law Examiners shall notify each applicant, promptly after request for application, of the subject matter which the applicants may expect to be covered in the bar examination interrogatories.~~

~~Since the bar examination attempts to establish the applicant's ability to practice law in the State of Indiana, questions requiring answers determining an understanding of Indiana law will be expected. From time to time, the Board shall publish a listing of subject matters to be covered on examinations~~

...

### **Rule 17.1. Admission by Transferred Uniform Bar Examination Score**

**Section 1.** An applicant who has taken the UBE in a jurisdiction other than Indiana and achieved a scaled score of at least 264 may be admitted to the Indiana bar if he or she satisfies the following conditions:

- (a) The scaled score was attained on a UBE administered within five (5) years preceding the date of application;
- (b) The applicant received a scaled score of eighty (80) on the MPRE no earlier than two (2) years before the applicant sat for the UBE on which he or she achieved a scaled score of 264;
- (c) The applicant is a member in good standing of the bar(s) of admission;
- (d) The applicant meets the character and fitness requirements of Indiana; and
- (e) The applicant graduated from an ABA accredited law school.

**Section 2.** Any applicant for admission by a transferred UBE score shall be required to complete the Indiana Law Course, a jurisdiction-specific component on Indiana law, not later than six (6) months after the date of the applicant's admission to the Indiana bar. If an applicant fails to complete the Indiana Law Course within the required time period, the Board of Law Examiners may certify such fact to the Supreme Court with the recommendation that the applicant's license be suspended pending completion of the course.

**Section 3.** Applications for admission by a transferred UBE score shall be filed through the electronic application procedures prescribed by the Board of Law Examiners. The application shall be in such form and shall request such information as may be required by the Board of Law Examiners. The Board of Law Examiners may require additional information deemed by it to be necessary.

Section 4. An affidavit of the dean of the applicant's law school, or the dean's designee, to the effect that there is nothing in the school records or personal knowledge of the dean or faculty of such school to indicate that the applicant is not of good moral character or that the applicant is not fit for admission to the practice of law must be filed with the Board of Law Examiners. The Board shall provide forms for such certification.

Section 5. A certified transcript of the law school record of the applicant showing the date of graduation and the degree conferred must be filed with the Board of Law Examiners before the applicant can be admitted to the bar.

Section 6. Applications for admission by a transferred UBE score shall be accompanied by a filing fee of five hundred dollars (\$500).

...

#### **Rule 18. Report on Examinations**

**Section 1.** Unless otherwise ordered by the Court, there shall be two (2) bar examinations held annually, in February and July. The examination shall be supervised by the Board. ~~The number and form of the questions and the subject matter tested shall be determined by the Board of Law Examiners with the approval of the Supreme Court.~~

...

This amendment shall take immediate effect.  
Done at Indianapolis, Indiana, on 2/24/2021.



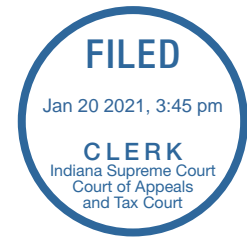
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Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.

# In the Indiana Supreme Court

Cause No. 21S-MS-19



## Order Amending Commercial Court Rules

Under the authority vested on 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, the Commercial Court Rules are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

...

### **Rule 7. Appointment of Commercial Court Judges.**

The Indiana Supreme Court has sole authority to appoint Commercial Court Judges.

(A). If a judicial vacancy occurs or is expected to occur in an existing Commercial Court, or if a request is made to establish a new Commercial Court, the Indiana Supreme Court will announce the open position and establish a deadline for filing applications.

(B). Any Judge in the Administrative District where the open position occurs or is expected to occur or where a new Commercial Court is sought to be established, may submit an application for the open position to the Commercial Court Committee. Applications must be submitted by the established deadline to be considered.

(C). The Commercial Court Committee, or a designated subcommittee thereof, must review each application. The Committee must solicit input from members of the bench, bar, and business community, and may conduct other due diligence concerning each applicant.

(D). Within forty-five (45) days after the application deadline, the Commercial Court Committee must provide the Indiana Supreme Court a list of up to three (3) applicants that the Commercial Court Committee considers to be best suited to fill the open position.

(E). The Indiana Supreme Court will appoint the new Commercial Court Judge from the list submitted by the Committee. If no applications are submitted to fill the open position or the Supreme Court is not satisfied with the applicant(s) recommended by the Committee, the Supreme Court may solicit additional applications or appoint the new Commercial Court Judge from:

a county in the Administrative District where the open position occurs; or,  
an Administrative District adjacent to the Administrative District where the open position occurs, after further input from the Committee.

(F). Upon the appointment of the new Commercial Court Judge, the Clerk must transfer and assign the Commercial Court Docket of the outgoing Commercial Court Judge to the new Judge's docket without assessing any fees that might otherwise apply. Unless agreed to by the




parties, all proceedings will occur in the county where the Commercial Court was first established, notwithstanding that the new Judge may be from a different county.

(G). Appointment of a new Commercial Court Judge does not affect the assignment of cases to that Judge's Commercial Court Docket. If the new Judge disqualifies or recuses himself/herself from a case, the parties may agree to have the case transferred to another Commercial Court Docket in the State, but if no agreement can be reached, the parties must seek the appointment of a Special Judge under Indiana Rule of Trial Procedure 79(D) and (H).

This amendment is effective as of the date of this order.

Done at Indianapolis, Indiana, on 1/20/2021.



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Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.