

In the Indiana Supreme Court

CAUSE NUMBER: 94S00-0909-MS-

ORDER AMENDING RULES OF PROCEDURE FOR ORIGINAL ACTIONS

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, Original Action Form 4 is amended to read as follows (deletions shown by ~~striking~~ and new text shown by underlining):

...

FORM 4. EMERGENCY WRIT OF MANDAMUS AND PROHIBITION FORM

IN THE SUPREME COURT OF INDIANA

NO. _____

STATE OF INDIANA ON THE
RELATION OF JOHN J. JONES,

RELATOR,

v.

THE _____ COURT AND THE
HONORABLE _____, AS
JUDGE THEREOF,

RESPONDENTS.

EMERGENCY WRIT

This original action comes before the Supreme Court on the application of Relator for a writ of mandamus and prohibition against Respondents.

Relator alleges Relator will be irreparably harmed if this Court does not stay all proceedings in cause number [*insert cause number of underlying action*] until the Court may conduct a hearing on Relator's original action.

Accordingly, it is ordered that Respondents, the _____ Court and the Honorable _____, as Judge thereof, stay all proceedings in cause number _____ until such time as the Court may rule upon Relator's request for writ of mandamus and prohibition.

It is further ordered that the Clerk shall serve a certified copy of this ~~emergency~~ permanent writ of mandamus and prohibition on Respondents, the _____ Court and the Honorable _____, as Judge thereof, . . . [*here Relator shall insert the complete address of the respondent judge for mailing purposes*]; . . . [*here Relator shall insert the name and complete address for mailing purposes of each party opposing Relator in the respondent court*]; and . . . [*here Relator shall insert the name, capacity, and complete address for mailing purposes of the Attorney General, if service on the Attorney General is required by Orig. Act. R. 6(D)(1)*].

So ordered this _____ day of _____, 20____.

Chief Justice

...

These amendments shall take effect January 1, 2010.

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.

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 15th day of September, 2009.

/s/ Randall T. Shepard
Chief Justice of Indiana

All Justices concur.

