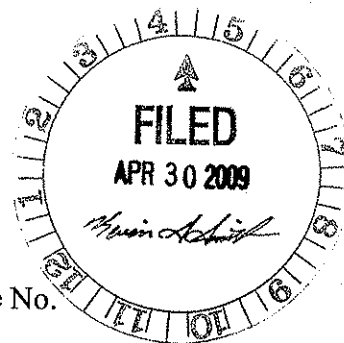


In the
Indiana Supreme Court



In the Matter of Compliance with)
Indiana Administrative Rule 9(G)(4)(a)(i)) Supreme Court Cause No.
) 94S00-0901-MS-4
)

ORDER

Indiana Administrative Rule 9(G)(4)(a)(i), which we added to the Indiana Administrative Rules effective January 1, 2009, states in relevant part:

(4) *Appellate Proceedings.* In appellate proceedings, parties, counsel, the courts on appeal, and the Clerk of the Supreme Court, Court of Appeals, and Tax Court (“Clerk”) shall have the following obligations.

(a) *Cases in which the entire record is excluded from public access by statute or by rule.* In any case in which all case records are excluded from public access by statute or by rule of the Supreme Court,

(i) the Clerk shall make the appellate chronological case summary for the case publicly accessible but shall identify the names of the parties and affected persons in a manner reasonably calculated to provide anonymity and privacy;

We interpret the requirements of Administrative Rule 9(G)(4)(a)(i) to apply only to appeals that were pending as of or filed after January 1, 2009, and not to appeals that were final before January 1, 2009. We will issue an order in due course amending Administrative Rule 9(G)(4) to clarify this interpretation. Until that time, however, the Clerk of this Court shall apply the requirements of Administrative Rule 9(G)(4)(a)(i) only to cases pending as of or filed after January 1, 2009. In appeals final before January 1, 2009 in which all case records are excluded from public access by statute or by rule of the Supreme Court, the Clerk shall continue to keep the chronological case summaries excluded from public access.

The Clerk is directed to send a copy of this order to the Hon. John Baker, Chief Judge of the Indiana Court of Appeals; the Hon. Thomas Fisher, Judge of the Indiana Tax Court; Kevin Smith, Indiana Supreme Court Clerk/Administrator; Steve Lancaster, Indiana Court of Appeals Administrator; Karyn Graves, Indiana Tax Court Administrator; Lilia Judson, Executive Director of the Indiana Supreme Court’s Division of State Court Administration; and Kathryn Dolan, Indiana Supreme Court Public Information Officer.

Done at Indianapolis, Indiana, this 30th day of April, 2009.

R. T. Shepard
Randall T. Shepard
Chief Justice of Indiana