

### **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:
- (1) Name, address, telephone number, FAX number, and e-mail address of the initiating party or parties filing the appearance form;
  - (2) Name, address, attorney number, telephone number, FAX number, and e-mail address of any attorney representing the party, as applicable;
  - (3) The case type of the proceeding [Administrative Rule 8(B)(3)];
  - (4) Unless required by Trial Rule 86(G), a statement that the party will or will not accept service by FAX or by e-mail from other parties;
  - (5) In domestic relations, Uniform Reciprocal Enforcement of Support (URESAs), paternity, delinquency, Child in Need of Services (CHINS), guardianship, and any other proceedings in which support may be an issue, the Social Security Identification Number of all family members;
  - (6) The caption and case number of all related cases;
  - (7) Such additional matters specified by state or local rule required to maintain the information management system employed by the court;
  - (8) In a proceeding involving a protection from abuse order, a workplace violence restraining order, or a no-contact order, the initiating party shall provide to the clerk a public mailing address for purposes of legal service. The initiating party may use the Attorney General Address Confidentiality program established by statute; and
  - (9) In a proceeding involving a mental health commitment, except 72 hour emergency detentions, the initiating party shall provide the full name of the person with respect to whom commitment is sought and the person's state of residence. In addition, the initiating party shall provide at least one of the following identifiers for the person:
    - (a) Date of birth;
    - (b) Social Security Number;
    - (c) Driver's license number with state of issue and date of expiration;
    - (d) Department of Correction number;
    - (e) State ID number with state of issue and date of expiration; or
    - (f) FBI number.
  - (10) In a proceeding involving a petition for guardianship, the initiating party shall provide a completed Guardianship Information Sheet in the form set out in Appendix C. The information sheet is a confidential Court Record excluded from public access under Administrative Rule 9.
- (B) Responding parties.** At the time the responding party or parties first appears in a case, the attorney representing such party or parties, or the party or parties, if not represented by an attorney, shall file an appearance form setting forth the information set out in Section (A) above.
- (C) Intervening Parties.** At the time the first matter is submitted to the court seeking to intervene in a proceeding, the attorney representing the intervening party or parties, or the intervening party or parties, if not represented by an attorney, shall file an appearance form setting forth the information set out in Section (A) above.

- (D) Confidentiality of Court Record Excluded from Public Access.** Any appearance form or Court Record defined as not accessible to the public pursuant to Administrative Rule 9(G) shall be filed in the manner required by Administrative Rule 9(G)(5).
- (E) Completion and correction of information.** In the event matters must be filed before the information required by this rule is available, the appearance form shall be submitted with available information and supplemented when the absent information is acquired. Parties shall promptly advise the clerk of the court of any change in the information previously supplied to the court.
- (F) Forms.** The Indiana Office of Judicial Administration (IOJA) shall prepare and publish a standard format for compliance with the provisions of this rule.
- (G) Service.** The Clerk of the Court shall use the information set forth in the appearance form for service by mail, FAX, and e-mail under Trial Rule 5(B).
- (H) Withdrawal of Representation.** An attorney representing a party may file a motion to withdraw representation of the party upon a showing that the attorney has sent written notice of intent to withdraw to the party at least ten (10) days before filing a motion to withdraw representation, and either:
- (1) the terms and conditions of the attorney's agreement with the party regarding the scope of the representation have been satisfied, or
  - (2) withdrawal is required by Professional Conduct Rule 1.16(a), or is otherwise permitted by Professional Conduct Rule 1.16(b).

An attorney filing a motion to withdraw from representation shall certify the last known address and telephone number of the party, subject to the confidentiality provisions of Sections (A)(8) and (D) above, and shall attach to the motion a copy of the notice of intent to withdraw that was sent to the party.

A motion for withdrawal of representation shall be granted by the court unless the court specifically finds that withdrawal is not reasonable or consistent with the efficient administration of justice.

- (I) Temporary or Limited Representation.** If an attorney seeks to represent a party in a proceeding before the court on a temporary basis or a basis that is limited in scope, the attorney shall file a notice of temporary or limited representation. The notice shall contain the information set out in Section (A) (1) and (2) above and a description of the temporary or limited status, including the date the temporary status ends or the scope of the limited representation. The court shall not be required to act on the temporary or limited representation. At the completion of the temporary or limited representation, the attorney shall file a notice of completion of representation with the clerk of the court.