

# In the Indiana Supreme Court

Cause No. 23S-MS-10



## Order Amending Rules of Trial Procedure

Under the authority vested in this Court to provide by rule for the procedures employed in all courts of this state and this Court’s inherent authority to supervise the administration of all courts in this state, the Indiana Rules of Trial Procedure are amended as follows (deletions shown by ~~strike through~~ and new text shown by underlining):

...

### **Rule 30. Depositions Upon Oral Examination**

...

#### **(C) Examination and cross-examination--Record of examination--Oath--Objections.**

Examination and cross-examination of witnesses may proceed as permitted at the trial ~~under the provisions of Rule 43(B)~~. The officer before whom the deposition is to be taken shall put the witness on oath and shall personally, or by someone acting under his direction and in his presence, record the testimony of the witness. The testimony shall be taken stenographically or recorded by any other means designated in accordance with subdivision (B)(4) of this rule. If requested by one of the parties, the testimony shall be transcribed. ...

...

#### **(F) Certification and Filing--Exhibits--Copies.**

(1) The officer shall certify on the deposition that the witness was duly sworn by ~~him~~ the officer and that the deposition is a true record of the testimony given by the witness. ~~He~~ The officer shall then securely seal the deposition in an envelope endorsed with the title of the action and marked “Deposition of (here insert name of witness)” and shall promptly deliver it to the party taking the deposition.

If each party participating in the deposition agrees to the original deposition being certified electronically, the officer shall send the electronic certified original transcript endorsed with the title of the action and marked “Original Deposition of (here insert name of witness)” and shall promptly electronically deliver it to the party taking the deposition.

Documents and things, unless objection is made to their production for inspection during the examination of the witness, shall be marked for identification and annexed to and returned with the deposition, and may be inspected and copied by any party, except that:

(a) the person producing the materials may substitute copies to be marked for identification, if ~~he~~the person affords to all parties fair opportunity to verify the copies by comparison with the originals; and

...

These amendments are effective January 1, 2024.

Done at Indianapolis, Indiana, on 10/4/2023.



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Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.