

UNITED STATES DISTRICT COURT  
for the  
Southern District of Indiana

**Requirements for Indiana Attorney Surrogacy**

Once the Indiana Supreme Court has appointed an Attorney Surrogate, the Attorney Surrogate must notify the United States District Court for the Southern District of Indiana (INSD), as set forth in the administrative procedures<sup>1</sup> below. Note that while the Indiana state court system allows an automatic 120-day extension of time in each pending case (Indiana Admission and Discipline Rule 23 § 27(c)), there is no such automatic time extension in federal court. Each federal court of jurisdiction must therefore be individually notified of the changed circumstances and close attention must be paid to deadlines in each pending case.

- I. The appointed Attorney Surrogate must register for both a [PACER account](#) and a [CM/ECF account](#), if s/he does not already have them.
  
- II. The Attorney Surrogate must establish a list of pending case(s) by using a PACER account to query the attorney's name for open cases. This is accomplished using the Attorney Surrogate's PACER log in information.
  1. Go to PACER: <https://goo.gl/mtgjDo>
  2. Log into the "Case Locator" System using your PACER credentials.
  3. Click on the "All Courts" tab to search all federal jurisdictions.
  4. In the "Party Search" section, enter the attorney's name:
    - i. *Last, First Middle Initial.*
    - ii. *If the attorney has a common name, using the middle initial will help to narrow the search.*
    - iii. *Selecting the box for "exact Matches Only" will generate fewer search returns.*
  5. Click on the "Search" button.
  6. PACER will generate a listing of all cases, both pending and closed in all federal jurisdictions which are tied to the named attorney.
  7. Each column may be used to further sort through the data.
  8. A list is generated of the INSD case names and numbers.

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<sup>1</sup> These administrative procedures are informed by the *Local Rules of the United States for the Southern District of Indiana—Rules of Disciplinary Enforcement* (with Amendments through July 1, 2008) and therefore are not intended to supplant, modify, or supersede S.D. Ind. L.R. 5-2-(c) Filing with the Clerk: "Any document that is exempt from electronic filing must be filed directly with the clerk and served on other parties in the case as required by those Federal Rules of Civil Procedure and these rules that apply to the service of non-electronic documents."

- III. The Attorney Surrogate has the duty to apprise him/herself of the status of each case and to continue to do so until replacement counsel has been secured and entered in the record of each pending case.
- IV. The Attorney Surrogate must file a "[Notice to the Clerk – Indiana Attorney Surrogacy](#)" **listing all of the pending case(s)** within the INSD.
  1. Complete the form<sup>2</sup>.
  2. Save the form as a \*.pdf document.
  3. Email the form to: [surrogate@insd.uscourts.gov](mailto:surrogate@insd.uscourts.gov)
  4. The email will generate an automatic return receipt.
- V. The Clerk of Court will docket the notice in each civil and criminal matter that is listed on the Notice. This will electronically notify all parties of the change in circumstances.
- VI. For those cases in which the Attorney Surrogate needs to request additional relief, s/he must first file a [Limited Appearance](#) as an interested party.
  1. Complete the Appearance form.
  2. Save the completed form.
  3. Log into the CM/ECF system.
  4. Only for those cases where an appearance is necessary, electronically file the completed form in each pending case using the event "Notice of Appearance - Limited Appointment" located under the Notice category.
  5. Attach the completed form to your docket entry/entries.
  6. On the "Select the filer" screen, select "New Filer," enter your last name and first name, and select the role of "Interested Party."
  7. Review the Notice of Electronic Filing (NEF).
- VII. The Attorney Surrogate must electronically file any additional request for relief using the appropriate CM/ECF filing events.
- VIII. For further assistance during regular business hours, the Attorney Surrogate may contact INSD court services at 317-229-3700 and ask to speak with the attorney to the clerk.

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<sup>2</sup> The Attorney Surrogate provides her/his information only at the signature line. The attorney requiring surrogacy is named in the caption and body of the Notice, inclusive of other requested information.