



# UNITED STATES DISTRICT COURT

## Southern District of Indiana

Laura A. Briggs, Clerk  
Gregory M. Barnes, Chief Deputy Clerk

Birch Bayh Federal Building  
& U.S. Courthouse  
46 East Ohio Street, Room 105  
Indianapolis, IN 46204  
(317) 229-3700

104 U.S. Courthouse  
921 Ohio Street  
Terre Haute, IN 47807  
(812) 231-1840

304 U. S. Courthouse  
101 NW Martin Luther King Blvd.  
Evansville, IN 47708  
(812) 434-6410

Lee H. Hamilton Federal Building  
& U.S. Courthouse  
121 West Spring Street  
New Albany, IN 47150  
(812) 542-4510

### MEMORANDUM

*Office of the Clerk*

**December 1, 2013**

Congress has taken no action on the amendments to the Federal Rules of Appellate, Bankruptcy, Civil, and Criminal Procedure, and the Federal Rules of Evidence approved by the Supreme Court and transmitted to Congress on April 16, 2013. Under the Rules Enabling Act, 28 U.S.C. §§ 2071-75, the following amendments take effect on December 1, 2013:

- Appellate Rules 13, 14, 24, 28, and 28.1, and Form 4
- Bankruptcy Rules 1007(b)(7), 4004(c)(1), 5009(b), 9006(d), 9013, and 9014
- Civil Rules 37 and 45
- Criminal Rules 11 and 16
- Evidence Rule 803(10)

Under 28 U.S.C. § 2074(a) and the Supreme Court orders dated April 13, 2013, and April 16, 2013, the amendments will govern all proceedings commenced on or after December 1, 2013, and all proceedings then pending “insofar as just and practicable.”

The text of the amended rules as well as extensive supporting documentation – including excerpts from the report of the Judicial Conference containing the Committee Notes, which are part of House Documents 113-25, 113-26, 113-27, 113-28, and 113-29 – can be found on the Judiciary’s Federal Rules of Practice & Procedure website at: <http://www.uscourts.gov/RulesAndPolicies/rules.aspx>. Pamphlets containing the rules as amended will be sent to you as soon as they become available from the Office of the Law Revision Counsel and the Government Printing Office.

In addition, several civil forms were revised to conform with the rules amendments, and also take effect on December 1, 2013:

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|--------|--|
| AO 88  | Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action                                       |
| AO 88A | Subpoena to Testify at a Deposition in a Civil Action  |
| AO 88B | Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action |
| AO 239 | Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)                         |

The primary change to the subpoena forms was the revised text of Civil Rule 45 as well as new advisories at the bottom of the first and third pages of each form. These forms can be accessed at the U.S. Courts website - <http://www.uscourts.gov/FormsAndFees/Forms/CourtForms.aspx>