

## **Rule 21. Pleading and Motions**

### **(A) Form of pleading.**

All pleadings and motions shall be typewritten or legibly printed on paper 8 1/2 x 11 inches, securely bound at the top and unfolded. The caption in every complaint shall state the name and address, if known, of each party. Subsequent pleadings and motions shall state the number of the case, the name of the jurist, the name of the first party plaintiff and the first party defendant on each side. Every pleading, motion and other paper filed in the cause shall be identified by title and shall bear the name, address, telephone number and fax number of the attorney or, if there is no counsel, the party filing the papers. If the filing is made by an attorney, the Supreme Court registry number of the attorney and the name of the firm with which the attorney is affiliated, if any, must be included. In all cases, a blank space of at least two and a half (2 1/2) inches shall be left at the top of the first page for endorsements thereon.

In accordance with Criminal Rule 47, Civil Rule 7, and Juvenile Rule 19, a motion, other than one made during trial, shall be in writing unless the Court permits it to be made orally. A written motion may be ruled upon by the Court without an oral hearing. The motion shall be supported by a memorandum containing citations of authority and may also be supported by an affidavit. All motions shall be accompanied by a proposed order.

### **(B) Fact sheet.**

A fact sheet shall be completed and filed with all original complaints and petitions.

### **(C) Temporary restraining orders.**

Requests for temporary restraining orders may be made by separate motion. Any request for such an order shall be supported by an affidavit signed by the party stating the reasons for requesting the restraining order. Such orders may be granted on an ex parte basis and shall be directed only against a party to the action. Motions requesting restraining orders and a separate journal entry granting the relief requested under the motion shall be filed with the Clerk of Court. A party against whom an ex parte restraining order was granted may file a motion, supported by an affidavit, requesting that such order be dissolved, either in part or in full.

### **(D) Citations of authority.**

Every brief, motion or other pleading shall include photocopies of any unreported opinions and the disposition by a superior appellate court of any appeal from that case discovered after diligent search. Upon request of the Court, the attorney will supply the Court with a copy of any case cited in the pleading.