

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

ORDER OF ADOPTION

Supreme Court No. 20230029

**Amendments to North Dakota Rule of Appellate Procedure 30
Regarding References to the Record**

[¶1] The Court considered proposed amendments to North Dakota Rule of Appellate Procedure 30 regarding references to the record. The Court considered the matter, and

[¶2] IT IS HEREBY ORDERED that the amendments to North Dakota Rule of Appellate Procedure 30 are ADOPTED effective immediately.

[¶3] The Supreme Court of the State of North Dakota convened with the Honorable Jon J. Jensen, Chief Justice, and the Honorable Gerald W. VandeWalle, the Honorable Daniel J. Crothers, the Honorable Lisa Fair McEvers, the Honorable Jerod E. Tufte, Justices, directing the Clerk of the Supreme Court to enter the above order.

[¶4] Dated: January 25, 2023

/s/ Petra H. Mandigo Hulm
Clerk
North Dakota Supreme Court

RULE 30. REFERENCES TO THE RECORD

Effective Date: 3/1/2022

- (a) In General. In any document submitted to the supreme court, references to evidence or other parts of the record must include a citation to a register of actions index number or to the location in the recording where such evidence or other material appears. The reference must include, either in the document text or the citation itself, information identifying the item, for example “Statement of John Doe.”
- (b) Form of Citation.
- (1) Reference to any material that is contained in an item in the record and that is listed under a register of actions index number, including transcripts, must be made by setting forth in parentheses the capital letter “R” followed by the index number of the item followed by a colon and the specific page within the item where the information referred to is located, for example (R156:12). If applicable, paragraph or line numbers must be included after the page number, for example (R156:12:¶3) or (R156:12:3). Where more than one district court record must be cited, on first reference to the matter include the entire district court case number (54-2020-CV-00012 R19:2), and on subsequent references include only the last four digits (0012 R19:2).
- (2) References to a video or audio recording in the record must be made by identifying the recording and providing specific, time-coded locations of the relevant portions.

EXPLANATORY NOTE

Rule 30 was amended, effective September 1, 1983; January 1, 1988; March 1, 1994; March 1, 1996; March 1, 1998; March 1, 2003; March 1, 2005; March 1, 2011; October 1, 2014; November 1, 2020; March 1, 2022, January 25, 2023.

Rule 30 was amended, effective March 1, 2022, to provide standards for references to the record in documents filed with the supreme court and to eliminate the requirement to prepare an appendix. The entire record is available to the supreme court for reference and examination. Material in the record is listed in the register of actions and specific items are identified by index numbers. Material in the register of actions is accessible to attorneys through the Odyssey secure public access system and to judges under the events tab of the Odyssey dashboard.

Rule 30 was amended, effective January 25, 2023, to provide a format for citation to more than one district court record.

SOURCES: Joint Procedure Committee Minutes of September 30, 2021, pages 2-9; September 24, 2020, pages 2-3; September 26, 2013, page 25; April 29-30, 2010, page 20; January 24-25, 2002, pages 8-9; September 27-28, 2001, page 22; September 26-27, 1996, page 19; April 27-28, 1995, pages 4-5; January 26-27, 1995, pages 6-7; September 29-30, 1994, pages 14, 16-18; January 28-29, 1993, page 11; February 19-20, 1987, page 8; September 18-19, 1986, pages 8-10, 16-19; January 23, 1986, page 4; October 15-16, 1981, pages 2-5; May 25-26, 1978, pages

14-17; January 12-13, 1978, pages 19-20; September 15-16, 1977, pages 19-21. Rule 22, Rules of the 11th Circuit Court. Fed.R.App.P. 30.

CROSS REFERENCE: N.D.R.App.P. 10 (The Record on Appeal); N.D.R.App.P. 13 (Sanctions); N.D.R.App.P. 25 (Filing and Service) ; N.D.R.App.P. 31 (Serving and Filing Briefs) ; N.D.R.App.P. 32 (Form of Briefs and Other Documents); N.D.R.App.P. 39 (Costs).