

SUPREME COURT OF ARKANSAS

Opinion Delivered June 21, 2018

IN RE RECOMMENDATIONS OF
THE COMMITTEE ON CIVIL
PRACTICE; ARK. RULES OF CIVIL
PROCEDURE 7, 10 & 11; AND
ADMINISTRATIVE ORDER NO. 2

PER CURIAM

The court published for comment recommendations of the Arkansas Supreme Court Committee on Civil Practice to amend Ark. R. Civ. P. 7, 10 and 11 and Administrative Order No. 2. The proposals relate to addresses, other contact information, and space for the clerk's file mark in pleadings and other court papers. They were published for comment. *In re Recommendation of the Committee on Civil Practice*. 2016 Ark. 29 (per curiam).

We adopt the amendments and republish the rules as set out below. These amendments shall be effective September 1, 2018.

A. Addresses and Contact Information on Pleadings

1. Ark. R. Civ. P. 7. Pleadings and motions.

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(b) *Motions and Other Papers*.

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(3) The rules applicable to captions, signings, and other matters of form of pleadings by Rules 10(a) and 11(a) apply to all motions and other papers provided for by these rules.

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Reporter’s Notes (2018 Amendment). Rule 7(b)(3) has been amended to make clear that the requirements of Rules 10(a) and 11(a) in regard to captions, signings, and other matters of the form of pleadings also apply to motions and other papers allowed under the rules.

2. Ark. R. Civ. P. 10. Form of pleadings.

(a) *Caption; Names of Parties; Contact Information.* Every pleading shall contain a caption setting forth the name of the court, the title of the action, the case number and a designation as in Rule 7(a). In the complaint, the title of the action shall include the names of all the parties, but in other pleadings, it is sufficient to state the name of the first party on each side with an appropriate indication of other parties. To the extent the following information is available, all pleadings shall contain the name, bar number, mailing address, telephone number, fax number and email address of the attorney signing the pleading, or of the party if self-represented.

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Reporter’s Notes (2018 Amendment). Rule 10(a) was amended by adding a new final sentence specifying that to the extent the information is available, all pleadings are to contain the name, bar number, mailing address, telephone number, fax number and email address of the attorney or the self-represented party signing the pleading. The rule does not apply to information the attorney or self-represented party may not have, for example a fax number, email address, or bar number (self-represented). The same information requirement also applies to motions and other papers. See Ark. R. Civ. P. 7(b)(3).

3. Ark. R. Civ. P. 11. Signing of pleadings, motions, and other papers; sanctions.

(a) *Signature.* Except as provided in Rule 87 of these rules, every pleading, written motion, and other paper of a party represented by an attorney shall be signed by at least one attorney of record in his or her individual name. A self-represented person shall sign his or her pleading, motion, or other paper. Except when otherwise specifically provided by rule or statute, pleadings need not be verified or accompanied by affidavit.

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Reporter’s Notes (2018 Amendment). Rule 11(a) was amended to delete references to addresses. Addresses and other contact information that are required to be stated in pleadings, motions and other papers are more appropriately addressed in Rule 10. See Ark. R. Civ. P. 10(a).

B. Space for File Marks

Administrative Order No. 2.

...

(g) *File Mark.* (1) There shall be a two inch (2) top margin on the first page of each document submitted for filing to accommodate the court’s file mark. If the pleading or document must be filed in multi-parts because of size or for other reasons, the first page of each part must include the file name and file mark and shall clearly indicate the part number and number of parts (example, part 1 of 2).

(2) If a document is such that the first page cannot be drafted to provide sufficient space to satisfy the file-mark requirement, the document must include the uniform cover page developed by the Administrative Office of the Courts and found under Forms and Publications at courts.arkansas.gov.

Reporter’s Notes (2018 Amendments). Subdivision (g) was added to ensure that file marks are legible and is especially needed at this time to accommodate electronic-filing software.

UNIFORM COVER PAGE

[To be used when required by Administrative Order No. 2 (g)*]

COURT: _____ COURT OF _____ COUNTY
Docket/Case Number: _____

CASE NAME:
PLAINTIFF/
PETITIONER: _____

DEFENDANT/
RESPONDENT: _____

TITLE OF PLEADING OR
DOCUMENT BEING FILED
(If a multi-part file,
the designation “part _ of _”

(example, part 1 of 2)): _____

*Administrative Order No 2.

(g) *File Mark.* (1) There shall be a two inch (2") top margin on the first page of each document submitted for filing to accommodate the court's file mark. If the pleading or document must be filed in multi-parts because of size or for other reasons, the first page of each part must include the file name and file mark and shall clearly indicate the part number and number of parts (example, part 1 of 2).

(2) If a document is such that the first page cannot be drafted to provide sufficient space to satisfy the file-mark requirement, the document must include the uniform cover page developed by the Administrative Office of the Courts and found under Forms and Publications at courts.arkansas.gov.