

In the Indiana Supreme Court

Cause No. 24S-MS-116



Order on Interim Recommendations Made by the Commission on Indiana’s Legal Future

On April 4, 2024, this Court [established](#) the Commission on Indiana’s Legal Future and appointed its members. Those twenty-three members— lawyers from all aspects of the profession, including practitioners, judges, academics, and legislators—were divided into five work groups and tasked to explore options for addressing Indiana’s attorney shortage. The Commission was directed to provide the Court with a set of interim recommendations by August 1, 2024.

On July 30, 2024, the Commission submitted [twenty-seven interim recommendations](#) focused on funding needs, legislative recommendations, and amendments to Court rules. The Court commends the Commission’s members and work-group volunteers for their exceptional efforts in such a short period of time.

The Commission’s recommendations were posted for public comment from August 9, 2024, through September 13, 2024. The Court has reviewed the recommendations and public comments, discussed the recommendations with the Commission’s co-chairs and Court staff, and makes the following determinations on each of the twenty-seven recommendations:

I. Funding Recommendations

- a. **Legal Practice Startup Subsidy.** The Court [approves](#) Recommendation I(a) as a future grant program administered by the Office of Judicial Administration (OJA). The Commission’s Rural Practice work group, in collaboration with OJA, is directed to develop program parameters with the aim to launch the program by January 1, 2025. OJA is directed to allocate funds for the grant from the Court’s Attorney Services Fund.
- b. **Public Interest Scholarship Program.** The Court [supports](#) Recommendation I(b) and invites the General Assembly to support the program’s funding. The Commission’s Pathways to Admission work group, in collaboration with OJA, is directed to develop initial parameters of a “practice-ready” model that aligns with this program by January 1, 2025.
- c. **Regulatory Sandbox Program.** The Court [approves](#) Recommendation I(c). The Court’s Innovation Committee, established by [Administrative Rule 4\(A\)\(8\)](#), was created to “identify innovative strategies to improve judicial and legal process.” The

Court therefore directs the Innovation Committee to develop initial parameters for a legal regulatory sandbox and provide those parameters to the Court for approval by March 1, 2025.

- d. Non-Profit Law Firm Model.** The Court appreciates the access-to-justice challenges for individuals of “modest means” articulated in Recommendation I(d) and directs the Innovation Committee, through its regulatory sandbox program, to develop parameters for a pilot grant for non-traditional legal business models aimed at addressing this issue. OJA is directed to allocate funds for this grant from the Court’s Attorney Services Fund.
- e. Statewide Legal Incubator Program.** The Court supports Recommendation I(e) and endorses the development of legal incubator programs across the state. The Court encourages the Indiana State Bar Association, local bar associations, and law schools to collaborate with the Commission in establishing legal incubators.
- f. Student Loan Debt Assistance in Legal Deserts.** The Court approves Recommendation I(f) as a grant program administered by OJA. The Commission’s Rural Practice work group, in collaboration with OJA, is directed to develop grant program parameters with the aim to launch the program by January 1, 2025. OJA is directed to allocates funds for the grant from the Court’s Attorney Services Fund.
- g. Supplement Civil Legal Aid Funding.** The Court supports Recommendation I(g) and encourages civil legal aid organizations and stakeholders from across the state to work with the General Assembly on increasing the Civil Legal Aid Fund appropriation.
- h. Rural Community Development Matching Grants.** The Court agrees with the ideas in Recommendation I(h). Just as Indiana’s courts are engines of economic development for our state, private legal professionals need an adequate business climate to make the practice of law a successful endeavor. The Court directs the Commission to collaborate with economic development and business partners to assess the viability of this recommendation and to identify potential avenues for implementation in the final report.
- i. State Court Technology Funding.** The Court agrees with Recommendation I(i) and is seeking additional funding for its technology efforts in the upcoming legislative session. The Court looks forward to those discussions with the General Assembly.
- j. Local Technology Funding.** The Court approves Recommendation I(j) and directs OJA, in collaboration with the Commission’s Technology Applications work group, to develop a grant program that provides support for local court technology needs, assuming funds are available, to launch by July 1, 2025.
- k. Funding for Technology in Detention Facilities.** The Court approves Recommendation I(k) and directs OJA, in collaboration with the Commission’s Technology Applications work group, to develop a local remote facility grant package as a component of implementing the local technology grant program in Recommendation I(j).

1. **Funding for Dual Enrollment Courses.** The Court supports Recommendation I(1). The Commission’s Pathways to Admission work group is directed to work with high school educators and secondary educational professionals to identify ways to mitigate the cost of dual enrollment programs and include specific implementation steps in the final report.

II. Legislative Recommendations

- a. **Amend Indiana Code § 33-43-2-1.** The Court supports Recommendation II(a).
- b. **Amend Indiana Code § 36-4-9-11.** The Court supports Recommendation II(b).
- c. **Amend Small Claims Limits for Businesses.** The Court encourages the Commission to explore and decide on a reasonable limit for Recommendation II(c).
- d. **Data Breach Immunity.** The Court directs the Commission to engage with local government partners, such as the Association of Indiana Counties and Accelerate Indiana Municipalities, to further explore Recommendation II(d) and include findings in the final report.

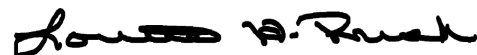
III. Court Rule Recommendations

- a. **Amend Alternative Dispute Resolution Rule 1.4.** The Court, in accordance with the rule amendment process, directs OJA to post this proposed amendment for public comment during the next comment period and to provide the Court with any responses for its review before potential adoption.
- b. **Amend Small Claims Rule 8.** The Court, in accordance with the rule amendment process, directs OJA to post this proposed amendment for public comment during the next comment period and provide the Court with any responses for its review before potential adoption.
- c. **Amend Alternative Dispute Resolution 2.5.** The Court directs the Commission’s Pathways to Admission and Business & Licensure Models work groups, in collaboration with the ADR Committee of the Judicial Conference of Indiana and ADR practitioners, to draft a proposed amendment and include it in the final report.
- d. **Finalize Administrative Rule 14.** The Court directs OJA to present the Court with a proposed final rule amendment for Administrative Rule 14 for the Court’s review and comment process by January 1, 2025.
- e. **Amend Admission & Discipline Rule 6.** The Court approves this recommendation and amends Rule 6 by separate order issued today.
- f. **Define Areas of High Legal Need.** The Court approves this recommendation and adopts a new Rule 1.2 by separate order issued today.
- g. **Allow for AI in Court Interpretation.** The Court’s Language Access Advisory Committee, established by [Administrative Rule 4\(A\)\(3\)](#), was created to “address the issue of providing effective, fair, and efficient language access in Indiana courts, and to present findings and recommendations to the Supreme Court on the best method to meet that challenge within Indiana’s judicial system.” The Court therefore directs the

Language Access Advisory Committee to review Recommendation III(g) and, in collaboration with the Commission’s Technology Applications work group, develop parameters for a pilot project to responsibly implement AI in court interpretation and present those parameters to the Court by March 1, 2025.

- h. Require Electronic Device Access in Court Facilities.** The Court’s Committee on Rules of Practice and Procedure, [established by Administrative Rule 4\(A\)\(9\)](#), is tasked with providing the Court with recommendations that "promote the just determination of litigation, simplicity in procedure, and the elimination of unjustified expense and delay." The Court therefore directs the Rules Committee to review Recommendation III(h), study the issue of electronic device issues in court facilities, and make a recommendation on whether a rule amendment is appropriate and necessary.
- i. Amend Judicial Conduct Rule 2.17.** The Court directs OJA to review Recommendation III(i) and present a recommendation on amending this rule by January 1, 2025.
- j. Amend Admission & Discipline Rule 23.** The Court directs OJA to review Recommendation III(j) and present a recommendation on amending this rule by January 1, 2025.
- k. Facilitate Liability Insurance for Pro Bono Lawyers.** The Court supports Recommendation III(k) and invites the Coalition for Court Access, established by [Administrative Rule 4\(A\)\(10\)](#), to review this proposal and recruit civil legal aid providers to participate. OJA is directed to work with those civil legal aid providers and Indiana’s bar associations to develop a statewide marketing plan for this opportunity.

Done at Indianapolis, Indiana, on 10/3/2024 .



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.