

Guardianship Committee

Minutes for Friday, September 5, 2025

- I. Call to Order
 - Present – Nugent, Bradley, Roesener, Meltzer
 - Staff – Parker
- II. Updates from OJA Staff
 - Court Monitor Pilot Project
 - Launched the State Advisory Board – made up of VASIA directors and attorneys
 - Currently have six (6) cases on review
 - Creating mechanisms for linking monitors to legal services through the advisory board
 - Indiana Legal Help – Guardianship Documents
 - Still waiting to hear back from Indiana Legal Help, who is hiring a new executive director
 - Will reach out to the Bar Foundation to re-kickstart the process
 - Guardianship Oversight Task Force
 - Continuing to meet in 2025 – working on final report for December
 - If you have any comments or questions, email Nick Parker
- III. Updates from Judicial Officers
 - APS Transition
 - Thoughts/concerns about the APS transition (from prosecutors council to PCG)
 - Veterans' Affairs – John Doe Petitions
 - The VA recently contacted the Adult Guardianship Office to ask about “John Doe” petitions for veterans in need of guardianship. The VA feels their federal policy does not allow sensitive health and other information to be sent to a court in a petition until they receive a subpoena by a trial court.
 - Discussion on petitions and whether they are being seen statewide (no comments)
- IV. Review of Cases, Trainings, and Resources
 - *J.F. v. St. Vincent Hosp. & Health Care Ctr., Inc.*, 256 N.E.3d 1260 (Ind. 2025)
 - About appeal of temporary civil commitments, which tend to expire while appeal is pending
 - Court held that timely temporary commitment appeals generally warrant a merits review
 - Collateral consequences can impose “onerous, long-lasting burdens on an individual”
 - Compares these to criminal and CHINS case (but not guardianship)
 - Factors weighed in the case include:
 - Temporary commitment remains on individual’s mental health record, which can be disclosed without their consent in some situations
 - Temporary commitment can make a future commitment more likely
 - Serious stigma and adverse social consequences
 - Lasting effects on marital, family dynamics, employment, and housing
 - Based on the factors weighed, could there be similar merit considerations for appeal of guardianships that might have expired during the appeal process?
 - Revisit next meeting about benchbook
 - Winter Symposium (December 18)
 - Judicial Panel was most popular Symposium session – email Nick if you want to be involved

- Judicial Conference (September 17-19)
 - Session on Guardianship – “Vulnerable Adults: Who’s Watching Whom” (Sept. 18)
 - Judge Bradley (Monroe), Judge Campbell (Fountain), and Judge Osterday (Elkhart)
 - Panel discussion with Adult Guardianship Office moderating

V. Action Items

- MyINA Termination
 - See attached Guardianship Accounting Form – intention is to provide it to the current MyINA counties and get feedback, eventually possibly hosting this online
 - Approved to send to pilot counties – update in October
- Benchbook Forms
 - The forms in our benchbook are outdated or have formatting issues – we would like to re-visit the forms and refresh them in 2026
- Approval of 2026 Meeting Dates
 - January 9
 - April 17
 - July 17
 - October 16

VI. Upcoming Agenda Items

- Please email ideas to Nick Parker or Judge Bradley

Minutes Approved – January 2026