

**Judicial Administration Committee**  
Judicial Conference of Indiana

**Meeting Minutes**  
**January 12, 2024**

The Judicial Administration Committee of the Judicial Conference of Indiana met via Teams on Friday, January 12, 2024 from 12:00 noon to 1:30 p.m.

1. Members present. Jon Brown, Amy Jones, Clay Kellerman, Dena A. Martin, Shaun T. Olsen, Timothy Ormes, Thomas Pulley, Matthew E. Sarber, Jason Thompson, and Vicki L. Carmichael, Chair
2. Staff present. Jeffrey Bercovitz, James Diller, Michelle Goodman, Tom Jones, Ashley Moise and Jeff Wiese, Indiana Office of Court Services.
3. Guests. Suzanne Tallarico, National Center for State Courts (NCSC); Judge Stephenie LeMay-Luken, Christopher Nancarrow, and Emily VanOsdol attended the meeting.
4. Minutes approved. The committee minutes for November 17, 2023 were approved.
5. Judicial Weighted caseload.
  - a. Suzanne Tallarico gave an overview of the judicial weighted caseload study framework including the four week time study, adequacy of time survey, focus groups and annualizing time study information to determine case weights.
  - b. Committee members discussed the Daily Time Log (DTL) and the NCSC portal used to enter times including:
    - Use of the two letter case type
    - Uploading information from the DTL to the NCSC portal
    - Making sure the DTL wording “pretrial” matches “prejudgment” wording in the drop down menu on the portal. Committee liked the use of prejudgment throughout
    - Lack of space on the DTL to fill in times
    - Agreed by consensus a remote hearing by a judge should be counted as “in court” even if not physically in the courtroom
    - Agreed by consensus DP, LWOP and MR should be placed in the drop down menu after Level 6 felonies
    - Agreed all actions for new Protection Order Harassment (PH) case type should be in the case type, even if no hearing is conducted – if the box on the petition is checked for Protection Order Harassment, then the time should be counted for that case type.
    - Time involving grandparent visitation should be counted, even if it now occurring in a MI< DC or JP case type
  - c. Members of the committee discussed the proposed revised MC case type instructions, and in particular, how to count time for probable cause affidavits before the criminal charge in the case is filed. The remaining language for the MC case type instruction was also

reviewed. Committee members agreed by consensus to adopt this new language. See Attachment 1.

d. NCSC will conduct training via Zoom the week of January 22 – 26, 2024. The training would be via Zoom and during the noon hour. All will be live and one training will be recorded and placed at the portal. Staff indicated CLE may be available for this training.

e. It was reported a letter from the Chief Justice of Indiana and Justin Forkner would be distributed before the Jan. 17, 2024 Wednesday message urging judges to participate in the weighted caseload study. NCSC would distribute Portal, Login, and password information to all judicial officers after the Jan. 17 Wednesday message. A reminder to participate in the weighted caseload study would be distributed with the Jan. 31, 2024 Wednesday message.

f. Committee members agreed by consensus any last minute changes/decisions would be made by Judge Vicki Carmichael, Chair.

g. Members of the committee agreed to give an update on the weighted caseload study at the Spring Judicial College.

6. Future meeting dates. The committee members agreed to meet in 2024 remote and/or in person on May 10 (in person), July 12 (remote), August 9 (in person), and October 11, 2024 (remote), all on the second ~~Tuesday~~ Friday of the month.

Respectfully submitted,

Jeffrey Bercovitz, Director  
Juvenile and Family Law

# Judicial Administration Committee

## Judicial Conference of Indiana

May 10, 2024  
Meeting Minutes

The Judicial Administration Committee of the Judicial Conference of Indiana met in person in Indianapolis on Friday, May 10, 2024, from 10:00 a.m. to 2:40 p.m.

1. Members Present: Matthew E. Sarber, Acting Chair; Jon Brown, Amy Jones, Clay Kellerman, Dena A. Martin, Shaun T. Olsen, Timothy Ormes, Thomas Pulley, and Jason Thompson.
2. Guests: John Douglas (NCSC), Amy Kehner (NCSC), Anthony Kim (NCSC), Suzanne Tallarico (NCSC), Catherine Haines, Chris Nancarrow, and Emily VanOsdol.
3. Staff Present: Jim Diller, Michelle Goodman, Tom Jones, Diane Mains, and Jeff Wiese.
4. Minutes: The January 12, 2024, meeting minutes were approved.
5. Review of the Judicial Weighted Caseload time study data  
Suzanne Tallarico gave an overview of Indiana's weighted caseload study data.  
Discussion included:
  - a. Judicial Annual Availability Calculation: President's Day (May 19<sup>th</sup>) data (about 10% of judges worked on this day) – 213 days/year with an 8-hour day, but not all courts observe all holidays, will use 13 holidays in calculation; the data equals out over the year
  - b. 98% participation rate in the time study
  - c. Superior/ Circuit Courts and Referees/ Commissioners labels are transposed in the data
  - d. Filings per year by case type ('21-'23); before COVID the count was higher, roughly 1M; recommended including 2023 data in the report eliminating 2020 data
  - e. Specific case types discussed:
    - i. Life Without Parole (LWOP) and Death Penalty (DP) – compared case weights between 2016 and 2024. The time reported was all pretrial time, and nothing for actual trial time
    - ii. Evictions (EV), commercial and residential cases are reported as one number; waiting on the breakdown between commercial v. residential evictions (tentatively 3.5% are commercial evictions)
    - iii. Small Claims (SC) cases increased 100% from the last study. The following changes in small claims dockets since the last study may be contributing to the increase: (1) increased dollar amount jurisdiction recently, (2) expansion in the ability to represent a party in the case without an attorney, and (3) people are generally unrepresented. Also, the 2016 study did not include the small claims courts in Marion County.
    - iv. Protection Orders (PO) (harassment v. general) cases, generally data shows that harassment PO cases take less time than a regular PO; recommend that all orders be entered as one total with the knowledge that the petitioner is choosing the case type; add a footnote in the report to explain why cases were not broken out.

- v. Juvenile Termination of Parental Rights (JT) went down, which may be accounted for by (1) new DCS policies; (2) more cases ending in agreement, and (3) fewer cases reaching the TPR stage; look at both CHINS and TPR together to obtain a solid number. The committee members believe that more time is now being spent on the JC case.
  - vi. Murder case number is solid vs. LWOP and DP cases that are not being entirely captured; suggest sticking with current case weights, as rarely do these cases progress to trial. The committee decided to use the current DP and Murder numbers but maintain the 2016 LWOP number.
  - vii. Grandparent Visitation – JP, MI, and DC case types are all used for these cases, case type is dependent on the filer. NCSC will assess the Grandparent Visitation time proportionately to the JP and DC case types. Note: The new case management system will have a list of questions to help narrow down the appropriate case sub-types; JAC would like to request a new case type (GP) for these cases.
  - viii. Miscellaneous (MI) case type decreased, which may be attributed, in part, to the recent change in the law that individuals subject to emergency detentions can be held for up to 14 days resulting in fewer regular commitment filings (more treatment time vs. more court time).
  - ix. Commercial Courts – the Commercial Courts Committee is advocating for a new case type and suggested that law clerks (non-judicial time) not be included in judicial minutes, nowhere else is non-judicial time included in the WCL; need to include law clerks in the report with narrative as without their assistance significantly more judicial time would be needed; data will be further reviewed and discussed at the next meeting.
  - f. Non-case related time – a fair number of comments indicated that judges did not track this category; always reported as a statewide average; time most likely underreported as it is hard to count; the committee discussed this and decided to maintain the 2016 study value for non-case related time. Data is now showing there is a need for additional judicial officers. The committee will review the data along with the information from the focus groups and court observation to finalize the numbers.
6. Discussion of 2023 data – The 2023 ICOR data was recently finalized by IOCS and the numbers for 2023 filings are available for this work.
  7. Judicial Officer Workload Assessment – Adequacy of Time Survey – There were 359 participants and the results showed an average of 18 years on the bench. The most reported area of need is staff and many comments reflected unreported after-hours work time.
  8. Focus Groups – Commercial Courts, Marion County, medium and small jurisdictions (5-8 participants, 2 sessions per group) – counties vary in judicial tasks based on local practices and staff availability; Committee recommends gathering data on commercial court staff for further study; it was suggested that a primer be provided before sessions to prepare participants for the meetings; each session will be a minimum of an hour in length.

NCSC's observation sessions will be held in July.

9. Upcoming meetings: July 12, 2024 @ 12:00 – 2:00 pm via Teams  
August 9, 2024 @ 10:00 am – 3:00 pm, Fuse West

October 11, 2024 @ 12:00 – 2:00 pm via Teams

10. The Committee would like to present the study findings at the Annual Meeting for a joint presentation between the Judicial Administration Committee and the Indiana Judges Association, Technical Assistance Subgroup on the weighted caseload study.