



Protection Order Committee

Judicial Conference of Indiana

Meeting Minutes from 2023

January 27, 2023

12:15 p.m. – 2:00 p.m.

Remote Mtg. via Teams

Attendance:

Hon. Marshelle Broadwell; Mag. Alexis Dedelow; Mag. Michael Douglass; Mag. Melinda Jackman-Hanlin; Hon. Kristina Kantar; Hon. Mary Margaret Lloyd, Chair; Hon. Kristen McVey; Christopher Nancarrow; Mag. Frank Nardi; Mag. Julie Verheye

Language in 34-26-5-10 regarding hearing timing:

Several forms/orders and the instructions on the PO website will need to be updated with new language to reflect the new statute. Magistrate Douglass will start on updating the forms.

Benchbook update:

Final changes were approved and will be updated. Then final language of the book will be forwarded for formatting and accessibility changes.

Forms in Odyssey update and question:

Petition with school language and lifetime registry changes will be done and forwarded to court technology for updating. The Protection Order Registry will be updated to match the language of Form NC-0102.

2023 Legislation:

There are currently three (3) bills related to protection orders and they will be followed by the committee. None have a hearing set at this time.

Explanation on the flow of paper for protection order:

Strategic planning flow chart on protection orders will be sent to committee. Since each county handles their protection order caseload differently, it would be difficult to delineate one best way to move protection orders through the system.

Next Meetings:

February 24, 2023	12:15 p.m. – 2:00 p.m.	Remote via Teams
April 28, 2023	12:15 p.m. – 2:00 p.m.	Remote via Teams
May 26, 2023	12:15 p.m. – 2:00 p.m.	Remote via Teams

April 28, 2023

12:15 p.m. – 2:00 p.m.

Remote via Teams

January 2023 minutes approved.

Senate Bill 161:

- Magistrate Douglass will start work on amending the forms to comply with the new statute.
- How to Improve Electronic Filing: Committee had a discussion on what improvements they would like to see with the electronic filing system:
- Quicker connectivity with INcite and Odyssey
- Better instructions for Petitioners
- Better information on the county systems
- Information with warnings on respondent information such as what would happen if they did not have enough information to locate respondent for service
- Need entire petitioner information

Amending PO Forms:

Committee is in favor of reviewing and streamlining the forms. The committee can break up into workgroups to consolidate. At next meeting, we will break down and get a time frame for the work to be completed.

Updates:

Hearing request forms amended by Magistrate Douglass. The forms were approved and submitted to IOCT for implementation.

Next Meetings:

Meeting dates and times (usually 4th Friday of month):

June 23, 2023	12:15 p.m. – 2:00 p.m.	Remote via Teams
October 27, 2023	12:15p.m – 2:00 p.m.	In-Person
January 26, 2024	12:15 p.m. - 2:00 p.m.	

June 23, 2023

12:15 p.m. – 2:00 p.m.

Remote via Teams

Attendance:

Hon. Marshelle Broadwell; Mag. Michael Douglass; Hon. Danielle Gaughan; Hon. Mary Margaret Lloyd, Chair; Mag. Patricia McMath; Hon. Darren Murphy; Christopher Nancarrow; Mag. Frank Nardi; Mag. Julie Verheye

Staff: Melissa Arvin, Carl Cowan, Tom Jones, Annette Page

April minutes were approved.

Updates:

1. New form for device tracking per new statute: Language was drafted by Magistrate Douglass. Language was approved by the committee and instructions need to be updated to include GPS language as well.
2. Juvenile NCO issues: The Committee received a number of questions from judges regarding the lack of a form for juvenile delinquency proceedings. The Committee discussed the need for a juvenile form and the ability to make it confidential. Magistrate McMath will work on the forms.
3. Amending PO Forms to streamline the forms: As this is the last meeting for 3 members and 3 new members will be starting in October, this issue was tabled to the October in person meeting.
4. New Case: S.D. v. G.D.: Protection order case which was presented at oral argument before the Supreme Court in May. The Committee will be taking note when a decision is issued to see if there is a new standard created for the decisions on these cases.
5. Clerk's Conference on Protection Orders: Protection Orders updates will be a session at the Clerk's Conference during the week of 6/26/23. The Committee was asked if there were any issues they wanted addressed at the session and there were none. Expungements were discussed and a possible new form may be necessary to allow the original petitioner in the protection order to waive the hearing and agree to the expungement.

Next Meetings:

Meeting dates and times (usually 4th Friday of month):

Oct. 27, 2023—IN PERSON

Jan. 26, 2024

Feb. 23, 2024

April 26, 2024

May 31, 2024

Oct. 25, 2024

October 27, 2023

12:15 p.m. – 2:00 p.m.

In-Person at IOCS Offices

251 N. Illinois, Indianapolis 46237

Fuse Conference Room East

Attendance:

Hon. Jonathan Brown; Hon. Mary Margaret Lloyd, Chair; Hon. Danielle Gaughan; Hon. Kristen McVey; Mag. Michael Douglass; Mag. Patricia McMath; Mag. Katie Melnick

Staff: Tom Jones, Erskine Reeves, Melissa Arvin

June Minutes are approved.

Firearm Surrender Procedures:

Discussion was had amongst the committee members regarding procedures for holding respondents accountable when the respondent fails to comply with the court ordered surrender of any firearms. Two different protocols were outlined by the committee. The first was to refer the situation to the county prosecutor's office for indirect criminal contempt proceedings. The second was to order respondent into court for an explanation as to why they had not surrendered the firearms as ordered. At that time, the situation can be managed by the court either with a warrant for failure to appear, a contempt order or compliance with the original order.

Updating and Streamlining of Forms:

With consultation from the clerks, records managers and the committee, the decision was made to take a large number of forms off of the publicly available website and to consolidate other forms. Specifically, the following orders will be removed from the website: PO-105, PO-109, PO-110, PO-113, PO-122, PO-129, PO-130, PO-132, PO-133, PO-134, PO-135 and PO-136.

Additionally, the following forms were determined to also be unnecessary to be on the website: PO-117, PO-118, PO-120 and PO-131. The entirety of the no contact order forms and CHPO forms will be removed as well as WV-106.

Further, forms PO-121, PO-124, PO-125, PO-127, that were necessary when protection orders were filed only on paper, were determined to be obsolete in the current protection order system and will be deleted from the website.

Next Meetings:

Meeting dates and times (usually 4th Friday of month):

Jan. 26, 2024

Feb. 23, 2024—IN PERSON

April 26, 2024

May 31, 2024

Oct. 25, 2024