

Baker continued from p. 3

courts and the quality of their experience there. In 2012, Judge Baker was appointed by the Indiana Supreme Court to a task force evaluating operations and procedures in Marion County Small Claims Courts. The task force's report to the Supreme Court will form the basis of pending reforms.

Judge Baker received his LL.M. from the University of Virginia in 1995 and is a member of the American, Indiana State, Monroe County, Boone County, and Indianapolis Bar Associations. He served on the Indiana Judges' Association Board of Managers from 1979 through 2011 and was its president from January 1987 through June 1989.

Judge Baker was a Captain in the U.S. Army Reserves and remains active in his community, his church, and the Boy Scouts of America, where he attained the rank of Eagle Scout as a youth.

In 2011 he joined the Board of Trustees of Garrett-Evangelical Theological Seminary in Evanston, IL, where he serves on the Academic Affairs Committee.

Judge Baker was retained on the Court of Appeals by election in 1992, 2002 and 2012. He and his wife have five children and, so far, ten grandchildren.

Riley continued from p. 3

the Washington, D.C.-based International Judicial Academy to The Hague, Netherlands, to observe the International Criminal Court and two International Criminal Tribunals that are hearing cases from Sierra Leone and the former Yugoslavia. And in 2012 she participated in the 3rd Sino-U.S. Law Conference, which was held in Beijing at the National Judges College of the People's Republic of China, which oversees all aspects of that country's judicial training, placement and promotion. In 2013 Judge Riley attended the Justice Academy of Turkey where she presented her paper about Ethic Rules in the U.S.

Judge Riley has two sons and two grandsons. She was retained on the Court by election in 1996 and 2006.

Robb continued from p. 3

the American Bar Foundation, American Judicature Society, a Master Fellow of the Indiana State Bar Foundation and a Senior Distinguished Fellow of the Indianapolis Bar Foundation. She is a frequent speaker on legal topics for attorneys, other judges, and professional, civic and community organizations.

Judge Robb was Founding Chair of Governor Bowen's Commission on the Status of Women; was a recipient of a 1993 Indiana State Bar Association's "Celebrating 100 Years of Women in the Legal Profession" award; the 2001 Maynard K. Hine distinguished alumni award given in recognition of support and service to IUPUI and Indiana University; the 2004 Bernadette Perham "Indiana Women of Achievement" Award, bestowed by Ball State University to honor one of their outstanding professors; the 2005 Indiana State Bar Association's Women in the Law Recognition Award; the 2006 Tippecanoe County YWCA Salute to Women "Women of Distinction" Award; the 2007 Warren G. Harding High School, Warren, Ohio, Distinguished Alumni Award; the 2010 Indiana University Alumni Association President's Award, a 2010 Indiana Lawyer Distinguished Barrister Award, the 2011 Indianapolis Bar Association Women and the Law Committee's Antoinette Dakin Leach Award and the 2011 David Hamacher Award from the Appellate Practice Section of the Indiana State Bar Association.

Judge Robb chairs the Supreme Court Task Force on Family Courts and is involved in several projects to benefit the Indiana legal system. She also chaired the Supreme Court task force for the development of Trial Court Local Rules, has also served as a member of the Indiana Board of Law Examiners, the Governance Committee of the Supreme Court IOLTA (Interest on Lawyer Trust Account) Committee; the Federal Advisory Committee on Local Rules for the Federal Court for the Northern District of Indiana; and the Federal Advisory Committee for the Expediting of Federal Litigation.

Judge Robb authored "Reflections of Baseball, Life and the Law" in the Indiana State Bar Association's journal, *Res Gestae* and "Running Bases, Winning Cases: Why the Grand Old Game of Baseball is like the legal profession" in the ABA's journal. She also authored a chapter on Supreme Court Justice Leonard Hackney in, *Indiana Supreme Court Justices*, and co-authored a chapter, "From Juvenile Courts to Family Courts," in *Essays on Indiana Legal History*.

In addition, she serves on the ABA Committee that accredits law schools and Chaired the 2010 ABA's Appellate Judges Council - Appellate Judges Education Institute's national Summit for Judges, lawyers and Staff attorneys. Chief Judge Robb is an elected member of the American Law Institute (ALI).

Judge Robb was retained on the Court of Appeals in 2000 and 2010, is married to a professor at Purdue University. Their son, a graduate of the United States Naval Academy, is a Lieutenant Commander on active duty in the United States Navy.

Appeals on Wheels

The Court of Appeals hears oral arguments across Indiana to enable Hoosiers to learn more about the judiciary's indispensable role in Indiana government. Since its 2000-2001 centennial, the court has held more than 400 "traveling oral arguments" at high schools, colleges, law schools and other venues. This will be the court's 27th Appeals on Wheels event this year. The opinion in today's case will be posted under "appellate opinions" on the court's website.

Court of Appeals Mission Statement

"To serve all people by providing equal justice under law"

SYNOPSIS

M.E. was involuntarily committed to the Veterans Affairs Hospital in Marion after the VA Hospital filed a petition for a regular commitment against him. M.E. argues that he or his counsel should have been served with the documents the VA filed with the trial court, that his waiver of his right to attend his commitment proceeding was invalid, and that he did not exhibit a grave disability or dangerousness to self that warranted his commitment. The VA argues that M.E.'s proceedings complied with due process and all statutory requirements, that M.E. waived his right to attend his commitment proceeding, and that M.E. showed grave disability and dangerousness to self. The trial court issued an Order of Regular Commitment, and M.E. now appeals.

Court of Appeals of Indiana

Hearing oral argument at
Lawrence North High School
Thursday, October 27, 2016 @ 10 a.m.



M.E. v. Dept. of Veterans Affairs
27A02-1605-MH-987

Indiana Bicentennial 1816 - 2016

Attorneys For The Parties

Appellee Attorney

Danielle Kalivoda is from Erie, Pennsylvania, where she attended Gannon University. She graduated from Gannon in 2011 with bachelor's degrees in Legal Studies and Criminal Justice. After completing her undergraduate work, Danielle attended the Robert H. McKinney School of Law in Indianapolis. While in law school, she was a member of the Indiana Law Review and served on the Editorial Board as a Note Development Editor. Danielle worked as an extern for the Indiana Supreme Court and the Department of Veterans Affairs Regional Counsel Office during her second and third years of law school, respectively. Danielle's career began as an intern for the U.S. Customs and Border Protection (CBP) Assistant Chief Counsel Office during her second and third years of law school. After passing the bar exam in Virginia, Danielle worked as a law clerk at CBP for one year following graduation. During that time, she took and passed the Indiana bar exam. In June 2015, Danielle began working for the Department of Veterans Affairs Regional Counsel Office where she mainly handles employment law matters. Danielle is also a Special Assistant United States Attorney, allowing her to work on behalf of both the Department of Veterans Affairs and the Department of Justice.

Appellant Attorney

Joel Schumm was raised just across the Indiana border in Rockford, Ohio. He earned a B.A. with a double major in politics & government and accounting from Ohio Wesleyan University in 1992, an M.A. in political science from the University of Cincinnati in 1994, and a J.D. from the Indiana University Robert H. McKinney School of Law in Indianapolis in 1998 as a part-time evening student while he worked for a criminal court judge during the day. After law school Joel spent two years clerking for Justice Ted Boehm of the Indiana Supreme Court followed by a year clerking for Judge Paul Mathias at the Court of Appeals. Since 2001, Joel has taught full-time at the law school in Indianapolis and litigated several appeals each year from the Marion County Public Defender Agency or on a pro bono basis, including as part of an Appellate Clinic that allows law students to write briefs and argue cases under his supervision. Joel enjoys running and travel, having most recently visited Cuba earlier this month.

*The ultimate touch stone of
constitutionality is the Constitution itself
and not what we have said about it.*

- Justice Felix Frankfurter

To the Judge

by James Whitcomb Riley, 1849-1916

A Voice From the Interior of Old Hoop-Pole
Township

Friend of my earliest youth,
Can't you arrange to come down
And visit a fellow out here in the woods--
Out of the dust of the town?
Can't you forget you're a Judge
And put by your dolorous frown
And tan your wan face in the smile of a friend--
Can't you arrange to come down?

Can't you forget for a while
The arguments prosy and drear,--
To lean at full-length in indefinite rest
In the lap of the greenery here?
Can't you kick over 'the Bench,'
And 'husk' yourself out of your gown
To dangle your legs where the fishing is good--
Can't you arrange to come down?

Bah! for your office of State!
And bah! for its technical lore!
What does our President, high in his chair,
But wish himself low as before!
Pick between peasant and king,--
Poke your bald head through a crown
Or shadow it here with the laurels of Spring!--
Can't you arrange to come down?

'Judge it' out _here_, if you will,--
The birds are in session by dawn;
You can draw, not _complaints_, but a sketch of the
hill
And a breath that your betters have drawn;
You can open your heart, like a case,
To a jury of kine, white and brown,
And their verdict of 'Moo' will just satisfy you!--
Can't you arrange to come down?

Can't you arrange it, old Pard?--
Pigeonhole Blackstone and Kent!--
Here we have 'Breitmann,' and Ward,
Twain, Burdette, Nye, and content!
Can't you forget you're a Judge
And put by your dolorous frown
And tan your wan face in the smile of a friend--
Can't you arrange to come down?

Today's Panel of Judges



The Honorable
John G. Baker

Monroe County

John G. Baker was named to the Court of Appeals in 1989, which makes him the longest-serving member on the current Court. He served as Chief Judge of the Court of Appeals from 2007-2010 and in 2012 was Presiding Judge of the Court's First District, which covers all of southern Indiana.

Judge Baker is a southern Indiana native who grew up along the Ohio River in Aurora, but attended high school at Culver Military Academy in northern Indiana. He earned a B.A. in history from Indiana University in 1968 and his J.D. from Indiana University School of Law-Bloomington in 1971.

He then practiced law in Bloomington as a partner in Baker, Barnhart and Andrews, and later served for 13.5 years as judge of Monroe County and Monroe Superior Courts. In that time, he disposed of more than 15,000 cases – solid preparation for the more than 5,000 majority opinions he has written for the Court of Appeals.

In 2013, Judge Baker retired after 33 years of teaching at the School of Public and Environmental Affairs, Indiana University-Bloomington. He retired in 2015 after teaching a class for foreign lawyers at Indiana University McKinney School of Law for over 10 years. He has also served on the faculties of the Indiana Judicial College, Indiana Continuing Legal Education Forum and the National Institute of Trial Advocacy.

Judge Baker has long been interested in court and judicial reform and history. He's been a member since its inception of the Strategic Planning Committee of the Judicial Conference of Indiana, which is charged with improving people's access to Indiana

continued on p. 4



The Honorable
Patricia A. Riley

Jasper County

Patricia A. Riley was named to the Court of Appeals of Indiana by Governor Evan Bayh in January of 1994. A native of Rensselaer, Indiana, Judge Riley earned her bachelor's degree from Indiana University-Bloomington in 1971 and her law degree from the Indiana University School of Law-Indianapolis in 1974. Early in her career she served as a Deputy Prosecutor in Marion County and a public defender in Marion and Jasper counties before entering into private practice in Jasper County. She served as a judge of the Jasper Superior Court from 1990 to 1993. She is a former associate professor at St. Joseph's College in Rensselaer and the Indiana University School of Law-Indianapolis.

Judge Riley's legal memberships include the Indianapolis Bar Association, the Marion County Bar Association, and the Indiana State Bar Association. Judge Riley is the former chair of the Appellate Practice Section of the Indiana State Bar Association, and is a member of the ABA's Judicial Division. She is a member of the Indiana Judges Association and the National Association of Women Judges.

Judge Riley's civic associations include being on the Board of Directors of Recycle Force. She serves on the Board of Visitors of the Robert H. McKinney School of Law – Alumni Association, and is a member of the Indianapolis Metro Rotary Club.

She also has extensive international legal experience. In 2008, she co-founded the Legal Aid Centre of Eldoret, Kenya (LACE), which provides legal access to justice for HIV/AIDS patients in the AMPATH medical center.

In 2011, Judge Riley traveled with

continued on p. 4



The Honorable
Margret G. Robb

Tippecanoe County

Margret G. Robb was appointed to the Court of Appeals of Indiana in July 1998 by Governor Frank O'Bannon. She holds a B.S. and an M.S. in Business Economics from Purdue University, a Magna Cum Laude J.D. from Indiana University Robert H. McKinney School of Law and is a graduate of the Graduate Program for Indiana Judges. In 2011 she began a three year term as Chief Judge; the first woman to hold that position in the Court's more than 100 year history.

Prior to her appointment to the Court, Judge Robb was, for 20 years, engaged in the general practice of law in Lafayette, and served as a Chapter 11, 12 and a standing Chapter 7 Bankruptcy trustee for the Northern District of Indiana. She was a registered family and civil mediator and served as a Tippecanoe County Deputy Public Defender.

She has been an officer of the Indiana State Bar Association, the Fellows of the Indiana State Bar Foundation, Tippecanoe County Bar Association, National Association of Women Judges, the Indiana University School of Law- Indianapolis Alumni Association and the Bankruptcy Section of the Indiana State Bar Association. She has also been a Board member of the Appellate Judges Council of the American Bar Association, the Indianapolis Bar Association, the Indianapolis Bar Foundation, the Senior Council Section of the Indianapolis Bar Association, the Appellate Practice Section of the Indiana State Bar Association and the Appellate Judges Education Institute. She was the moderator for the 2005-2006 and Chair for the 2006-2007 Indianapolis Bar Association's Bar Leader Series, and is a member of

continued on p. 4