

**Judicial Conference of Indiana  
Board of Directors**

**June 19, 2015  
Minutes**

The Judicial Conference of Indiana Board of Directors met at the Renaissance North Hotel in Carmel, Indiana, on June 19, 2015. Chief Justice Loretta Rush presided and Jennifer Weber acted as secretary.

1. **Members present.** The following members of the Board were present: Robert R. Aylsworth, Sally A. McLaughlin, Vicki L. Carmichael, Wendy Williams Davis, Darrin M. Dolehanty, Cynthia S. Emkes, Thomas J. Felts, Peter R. Foley, Kurtis G. Fouts, Christopher M. Goff, Michael G. Gotsch, Maria D. Granger, Steven L. Hostetler, Robert E. Hunley, Matthew C. Kincaid, Jeryl F. Leach, Peggy Quint Lohorn, Rick Maughmer, Gary Miller, Sheila M. Moss, John R. Pera, John A. Rader, Terry C. Shewmaker, Michael A. Shurn, Timothy P. Spahr, Thomas P. Stefaniak, Mark D. Stoner, Wayne A. Sturtevant, Melissa S. May (proxy for Nancy Harris Vaidik), Marianne L. Vorhees, Mary G. Willis, Bob A. Witham, and Loretta H. Rush, chair.
2. **Staff present.** The following Judicial Center staff members were present: Jane Seigel, Jennifer Weber, Jennifer Bauer, Vicki Davis, Mary Kay Hudson, Michelle Tennell, Jeff Bercovitz, Michelle Goodman, Anne Jordan, Jenny Kidwell and Jan Smith. Justice Brent Dickson was also present.
3. **Guests.** Judge Mark Loyd attended the meeting on behalf of the ADR Committee.
4. **Welcome.** Chief Justice Rush welcomed the board members and the meeting commenced. Chief Justice Rush encouraged them to keep communication lines open between the courts to let the members of the Indiana Supreme Court know what the trial court needs are at the local level to ensure they are being met. The Chief Justice also introduced the new members to the Board in attendance at the meeting – Judges Emkes, Foley, Hunley, and Hostetler.
5. **Approval of minutes.** A motion was made by Judge Carmichael to approve the minutes from the meeting held on December 11, 2014. The motion was seconded by Judge Granger and the minutes were approved as submitted.
6. **Indiana Judges Association report.** Judge John Pera reported that this would be his last report to the Board, as his term concludes as President of the IJA. Judge Mary Willis will begin her appointment as President of the IJA on June 30, 2015, and begin reporting to the Board in that capacity. Judge Pera also reported that after finishing a long session in the general assembly, the bail issue continued to be an issue that was raised along with the issue of eliminating judges - specifically there was a bill concerning Pulaski county. He reported that the legislation on examining the appropriate number of judges in Pulaski

county was moved to a study commission. Judge Pera stated that the IJA will continue to explore building their collaborative relationship with the general assembly - and cited Kansas as an example it wished to avoid, where if the court rules a bill unconstitutional, the legislature defunds the courts. Chief Justice Rush thanked Judge Pera for his service.

7. **Indiana Council of Juvenile and Family Court Judges report.** Judge Mary Willis reported that since the last meeting, the Indiana Council of Juvenile and Family Court Judges (ICJFCJ) was active in the legislative session and testified in support of two bills – HB 1304 (various criminal law matters) and 1196 (CHINS and delinquent child dual determinations). Judge Willis further explained that under the new legislation, effective July 1, 2015, there will be a designated procedure for effectively managing dual status youth through a screening tool, permit the formation of a dual status team, and allow for an assessment and recommendations regarding the lead agency and services for dual status youth. She also stated that several pilot sites are navigating the draft forms and processes for further reporting of best practices. Additionally, under the juvenile code reform, Judge Willis explained that significant changes to the code relating to restraining youth in court, custodial interrogations of youth, and the elimination of the VCO (valid court order exception) for securely confining juveniles who have received the written warning of runaway and truancy were enacted. Lastly, Judge Willis reported that the ICJFCJ continues to work closely with counties implementing the expansion of JDAI statewide, serving as pilots for the dual status legislation, and the Judicial Engagement Teams utilizing resources through Casey. She concluded her remarks thanking everyone for their support. Chief Justice Rush thanked Judge Willis for assuming her duties as ICJFCJ President due to the Chief's appointment to the Court, and she appreciated her continued work with Judge Willis in completing her own term as President. Judge Vicki Carmichael will be the next President of the ICJFCJ.
  
8. **Court Technology report.** Judge Michael Gotsch reported that in order to support technology needs, the General Assembly raised the ARK (automated record keeping) fee to \$19, and the clerk's document storage fee was increased from \$2 to \$5. He also reported that the E-filing project has coordinated three committees to facilitate its work: the Executive committee (Justice David and Judge Mathias oversee); the Technical committee, and the Business Committee. Participation on the Business and Technical Committees involve representatives from CSI, Quest, IPAC, DCS, Public Defenders, and the State Bar. A judge and a clerk from the pilot counties will also serve on the Business committee. Tyler Technologies has also been selected as the EFM (E-filing manager) for this project. He further explained the five phases to the e-filing project: deployment of e-filing in an Odyssey County is the first phase. Hamilton County has agreed to begin e-filing on July 22, 2015. This pilot will last 2-3 months before e-filing begins in other counties. Phase 2 will be the deployment of e-filing in the appellate courts. Phase 3 will be the addition of one or more EFSPs (Electronic Filing Service Providers) that will interface with the EFM. Phase 4 is the deployment of e-filing to a CSI county – Wells county has volunteered. Phase 5 is still being discussed by the Business and Technical Committees, but may involve an interface to Quest or CourtView for Lake county.

Judge Gotsch also reported that Odyssey has been deployed in 2015 in the following counties: Peru City Court in Miami County; Marion City Court in Grant County;

Fountain County; Gibson County; and Jasper County Probation. Vigo County will deploy in December. Judge Gotsch explained that an important goal is to expedite the deployment of Odyssey scanning (RDS) to all counties using Odyssey in order to prepare for e-filing. 12 Odyssey counties have implemented scanning to date, and the goal is to have all Odyssey counties have scanning by early 2016. Lastly, Judge Gotsch noted that the MAYSI (Massachusetts Youth Screening Instrument) mental health screening tool has been deployed to Marion County as a pilot. Court Technology received permission to build the MAYSI tool into the risk assessment application in INCite. Other new INCite applications include: Judicial Center conference materials; CIP Timeliness Application for tracking CHINS and Parental Termination cases; Guardianship Registry; PSC performance measures – annual report; and, Odyssey Court Measures – a new application being piloted by a few judges that contains three CourTool measures from NCSC. He thanked members for their attention. Chief Justice Rush encouraged judges to seek funding for technology if they need hardware to prepare for the upcoming technology for e-filing.

9. **ADR Committee recommendation – Parenting Coordination Guidelines and ADR Rules.** Judge Loyd explained that he was speaking to the Board on behalf of the Chair of the ADR Committee, Judge Avery, who could not attend. He then reported that the ADR committee is requesting that the Board review the submitted Parenting Coordination Guidelines for approval at its next meeting in September. He explained that the Guidelines first went to the Board in September of 2012 in a proposal to revise the Parenting Time Guidelines, with revisions that included parallel parenting rules and other parenting time revisions. That proposal was a joint collaboration with the Domestic Relations committee. After review and comments received by the Supreme Court Rules Committee it was determined that additional review was needed and the Parenting Coordination Guidelines were held from that proposal. Judge Loyd then explained that since that time, the current proposed Guidelines are a result of a working sub-committee of the ADR committee, and the review of the full ADR committee and are prepared for resubmission and approval at this time. Judge Loyd then explained that he was advising the Board of the proposed revisions to the ADR Rules currently being reviewed by the Supreme Court Rules Committee, and welcomed any comments. He explained this proposal was a result of a joint collaboration between the ADR Committee and Indiana State Bar Dispute Resolution Committee. No additional comments were provided and the Guidelines were held for vote at the next meeting.
10. **Evidence-Based Decision Making Project.** Mary Kay Hudson reported that Indiana received a technical assistance award from the National Institute of Corrections. The technical assistance includes a consultant to help review state and local decision-making processes, recommendations for areas of improvement, and assistance with designing a data collection system. The project is being overseen by a statewide collaborative committee chaired by Justice David and David Powell of the Prosecuting Attorney Council. A kick-off meeting was held in June 2015 with the six local jurisdictions who are participating in the project to review their decision-making processes: Jefferson, Hamilton, Porter, Bartholomew, Hendricks, and Tipton.

11. **Probation Committee recommendation – probation exam.** Judge Wendy Davis, on behalf of the Probation Committee, reported that based on the Board discussion at the last meeting, the Probation Committee determined to leave the examination provisions on who could take the exam as they currently are. She requested the Board authorize the Probation Committee and the Judicial Center to revise the probation officer examination to incorporate sections on evidence-based community supervision practices, officer skills, and general knowledge of probation and the criminal and juvenile justice systems. She also requested the Board authorize the Probation Committee and the Judicial Center to develop a probation officer skills academy for new probation officers to attend after completion of the general orientation program. Lastly, Judge Davis requested that Probation Standard 2.5 be amended to agree with the statutory language in IC 11-13-1-1-(b) and include language permitting remedial training for probation officers who do not pass the probation officer examination. Chief Justice Rush noted that there is some funding available in the new budget for these probation training initiatives. A motion to approve these three probation recommendations was made by Judge Sturtevant and seconded by Judge Kincaid. The motion passed by a voice vote unanimously.
12. **Indiana Judicial Center report.** Jane Seigel reported that the Justice Reinvestment Advisory Council will have its first meeting on July 1, 2015, and includes representatives from ICJI, IJC, DOC, DMHA, Prosecuting Attorneys Council, Public Defenders Council, Sheriff's Association, Probation, and Community Corrections. She explained that funding under H.E.A. 1006 came in divided at \$5 million for DOC, \$10 million for DMHA this year; \$20 million for next year and will be distributed through the CC grant system under DOC and likely a voucher system through DMHA. The funding focus is on the mental health and substance abuse criminal justice population – and the DMHA money goes to felons or those with prior felonies where the voucher follows the felon. Ms. Seigel emphasized that judges need to be involved in their community corrections advisory boards, as the new statute requires collaboration between probation and community corrections, and funding will be granted through amendments to original community corrections grants.
13. **Other Business.** No other new business was reported. Chief Justice Rush concluded the meeting by remarking that the Supreme Court will be visiting Porter County for a Veteran's court graduation and oral argument, and then Harrison County. She encouraged judges to let the Court know if they wanted oral argument in their county. Chief Justice Rush also thanked Judge Miller and Judge Goff for their applications for the appellate court vacancy. The meeting was adjourned.
14. **Next Meeting.** The next meeting of the Judicial Conference Board of Directors is September 11, 2015, at 12:00pm (EDT) at the Westin Hotel, Indianapolis.

Respectfully submitted,

Jennifer L. Weber  
Staff Attorney

# JUDICIAL CONFERENCE OF INDIANA BOARD OF DIRECTORS

September 11, 2015  
Minutes

The Judicial Conference of Indiana Board of Directors met at the Westin Hotel in Indianapolis, Indiana, on September 11, 2015. Chief Justice Loretta Rush presided and Jennifer Weber acted as Secretary.

- Members Present.** The following members of the Board were present: S. Brent Almon, Clayton Graham, Sally A. McLaughlin, Vicki L. Carmichael, Dean A. Colvin, Wendy Williams Davis, William E. Davis, Darrin M. Dolehanty, Cynthia S. Emkes, John T. Evans, Thomas J. Felts, Peter R. Foley, Kurtis G. Fouts, Christopher M. Goff, Michael G. Gotsch, Steven L. Hostetler, Robert E. Hunley, Matthew C. Kincaid, Michael J. Kramer, Jeryl F. Leach, Helen W. Marchal, Rick Maughmer, Gary L. Miller, Sheila M. Moss, Thomas Newman, John A. Rader, Jose D. Salinas, Terry C. Shewmaker, Michael A. Shurn, William G. Sleva, Gary L. Smith, Gregory A. Smith, Timothy P. Spahr, Thomas P. Stefaniak, Wayne A. Sturtevant, Nancy Harris Vaidik, Marianne Vorhees, Mary G. Willis, and Bob A. Witham.
- Staff Present.** The following Judicial Center staff members were present: Jane Seigel, Jennifer Weber, Jennifer Bauer, Mike McMahon, Jeff Bercovitz, Michelle Tennell, Mary Kay Hudson, Michelle Goodman, Anne Jordan, Jan Smith, Jenny Kidwell, Jason Bennett, Diane Haver, Diane Mains, Julie McDonald, and Matthew Hagenbush. David Remondini and Kathryn Dolan from State Court Administration also were in attendance. Justice Brent E. Dickson, Justice Steven H. David, and Justice Mark S. Massa attended from the Indiana Supreme Court.
- Guests.** David Avery, K. Mark Loyd, Lynn Murray, William J. Hughes, Brett J. Niemeier, and Brian F. McLane were present.
- Welcome.** Chief Justice Rush welcomed the board members and the meeting commenced. Chief Justice Rush encouraged members to bring ideas for judicial conference speakers and ideas for education session topics. The Chief Justice also reported on the record number of scholarships for judicial trainings being requested and encouraged continued judicial educational opportunities and supported the use of senior judge days for those needs, noting that requests for additional senior judge days are generally being approved if needed. She additionally reported that the Supreme Court will be holding Justice Dickson's last oral argument in Harrison County, and also be traveling to Porter County to attend a veterans court graduation. The Chief Justice further announced that the State of the Judiciary will be January 13, 2016, and requested that any ideas or local stories of interest about local courts to be highlighted should be sent to her. She also recognized new members on the board, Judges Brent Almon and Clayton Graham.

5. **Approval of minutes.** The minutes of the meeting held June 19, 2015, were unanimously approved.
6. **Indiana Judges Association report.** Judge Mary Willis reported that the IJA was preparing to launch a website that would include the civil and criminal jury instructions. Access would include a copy of the instructions without commentary available for the general public. The IJA is currently in contract negotiations with West. She also stated that the IJA is encouraging full participation in the weighted caseload system time study.
7. **Indiana Council of Juvenile and Family Court Judges report.** Judge Vicki Carmichael reported that HB1196 (CHINS and delinquent child dual determination) passed and went into effect July 1, 2015. There are several pilot TEACH counties working on cross-over youth issues – Marion county will now be included with Tippecanoe, Elkhart, Allen, Clark, and Henry. The pilots visited sites in Austin, Tx, and Mahoning County, in Youngstown, OH.
8. **Court Technology report.** Judge Michael Gotsch reported that Odyssey Court Measures was piloted by a few judges and is now ready to be released to all Odyssey judges. The application contains three CourTool measures from the National Center for State Courts: time to disposition, average age of pending cases, and clearance rate for cases closed in last thirty (30) days. Judge Gotsch further reported that Odyssey has been deployed in 2015 in the following counties: Peru City Court in Miami County; Marion City Court in Grant County; Fountain County; Gibson County; Jasper County Probation; and the Appellate Courts. Vigo County will be deployed in December. He said seven counties are in the pipeline: Starke, Crawford, Perry, Tippecanoe, Delaware, Boone, and Marshall.

Judge Gotsch reported that the e-filing initiative is moving forward with Tyler Technologies, Inc. selected as the EFM (E-filing manager). In anticipation of the e-filing, he said the Court is offering a competitive grant of \$800,000 to assist in the implementation of document scanning. He also reported that there will be five phases of e-filing: phase 1 is the deployment of e-filing in an Odyssey county (Hamilton County volunteered); phase 2 is deployment in the Appellate courts (in progress); phase 3 is the addition of one or more EFSP's (E-filing service provider) that will interface with an EFM (expect to add in Oct); Phase 4 is deployment of e-filing to a CSI county (Wells County has volunteered); and Phase 5 deployment between an EFM and Quest.

Lastly, Judge Gotsch reported that there will be an independent assessment of Odyssey through a third-party provider to conduct a technical assessment of its performance at various locations. The team will work with local IT, judges, and clerks to evaluate local IT configurations and security, bandwidths, and connectivity to operations at Indiana Office of Technology – the data center that houses Odyssey servers.

9. **Interim Study Committee on Courts and the Judiciary.** Judge Felts reported that questions being considered by the committee were whether the medical malpractice procedures should be streamlined and whether the statute of limitations should be extended for liability claims against the state. They had also considered one request for a

new magistrate in Marion superior court. Judge Felts stated there were two upcoming meetings – September 24, 2015, and October 20, 2015.

10. **ADR Committee report.** Judge Avery, Chair of the ADR Committee, and Judge Loyd (former ADR Chair), presented the draft Parenting Coordination Guidelines for submission and approval by the Board. Judge Avery reminded members that Judge Loyd initially presented the Guidelines at the June meeting, and summarized their development at that time. Several members raised questions concerning the Guidelines, pertaining to whether the Guidelines addressed domestic violence situations; competency and continuing education of Parenting Coordinators; whether the Guidelines were creating a new industry of regulation; whether Guidelines were necessary; and, whether Parenting Coordinator's would exclude CASA's. Judge Avery and Judge Loyd addressed the issues raised and an amendment was proposed in section C(5) of the Guidelines to clarify that in cases where domestic abuse or violence is alleged, parenting coordination may be contraindicated. This amendment was proposed by Judge Gotsch, seconded by Judge Kramer, and the motion to amend passed unanimously. A motion was then made to adopt the Guidelines as amended by Judge Shewmaker, seconded by Judge Moss, and the amended Guidelines passed unanimously.
11. **Domestic Relations Committee report.** Judge Murray, chair of the committee presented the Child Support Guidelines for approval as revised by the Domestic Relations Committee. She began by explaining that an economic basis was the primary reason for the review of the Guidelines – along with an overall review of caselaw and general experience of using the Guidelines, and that the process began in early 2014, including a comment period and public hearing in May 2014 and comment period June and July of 2015. Judge Murray then recognized the assistance received by the committee from Notre Dame professor Dr. David Betsen in reviewing the economic basis of the Guidelines. Providing a brief overview of the amended Guidelines, Judge Murray proceeded to explain that generally, a health insurance adjustment for the ACA was made; a high income math adjustment occurred; the age of emancipation was changed from 21 to 19; and judicial discretion was maintained whether to credit social security dependent benefits. Upon this review of the Guidelines, Judge Murray requested Board approval to move forward with the Guideline amendment process. She noted that there is a Domestic Relations conference which will present the proposed revised Guidelines planned for November 20, 2015. Chief Justice Rush asked if the public comments were favorable and if changes were made based on the public comments. Judge Murray responded that yes, the Committee did consider the public comments, and that they were generally positive from practitioners in the related field. A motion was then made by Judge Rader for the Domestic Relations Committee to move forward with the revised Guidelines, and was seconded by Judge Kincaid; the motion unanimously was approved.
12. **Judicial Education Committee report.** Judge Hughes reported that the education department provided 34 days of teaching, including 246 hours, and over 2045 participants. He explained that these educational offerings included an evidence workshop; pre-bench orientation; juvenile jurisdiction orientation; seven webinars; and the spring, winter and annual judicial conferences. Judge Hughes also explained that the judicial candidate e-school was being developed for broadcast by webinar, with one live session and a total of

5 sessions. He noted that the e-school topics covered will include employment issues, Secretary of State election issues, and ethical issues. It is scheduled for release in the Spring of 2016, with collaboration with the National Center for State Courts and was developed in response to feedback received at judicial orientation programs.

13. **Problem-solving Courts Committee report.** Judge Niemeier reported that there were three firsts for problem solving courts: the first certified domestic violence court, in Lawrence county; the first combined alcohol and drug program and problem-solving court annual conference being held October 1-2, 2015; and the first mandatory problem-solving court performance measures. He further explained that performance measures are necessary so problem-solving court judges will have the statistics necessary to prove the performance level of their courts. He additionally noted that by collecting the performance data, it is anticipated that problem-solving courts will be able to grow and demonstrate their need for funding at the legislative level. Lastly, to assist programs in data reporting, he said the performance measures are on the INCite application. Judge Niemeier also explained that the PSC committee is examining National Association of Drug Court best practices and how to include those in the problem-solving court rules.
14. **State Court Administration report.** Dave Remondini reported on behalf of Lilia Judson, who he explained was absent due to a personal injury. Mr. Remondini reported that the Indiana judicial service report should be out within the month, and that the case statistics should be out by the end of the year so that they can be more useful for judges to demonstrate their work. He also explained they are trying to find ways to make IRAS and IYAS data to be useful, but also protect it. He noted that the court reform grants this year focused on interpreters and serving unrepresented litigants and that their newest staff attorney, LaKeshia Triggs, will focus on language/access issues and unrepresented litigants. Mr. Remondini further reported that STAD is in the process of awarding adult guardianship grants modeled after the CASA program – they will be given in December. Chief Justice Rush noted that there was a guardianship conference for the first time this year. She also reported that there is a transition team working on an overview of court processing, court governance, and includes an examination of STAD and IJC.
15. **Staff Agency report.** Jane Seigel reported that the Indiana Judicial Center has several new employees, including: research attorney Jason Bennett; Court Improvement Project attorney Matthew Hagenbush; Court Services program coordinator Diane Haver; and administrative support staff, Carmen Knowles. She also announced the upcoming Veterans Court Summit on October 19, 2015. Justice David further stated that it was the objective to ensure that every veteran has the opportunity to participate in a veterans court with the consent of the prosecutor. Ms. Seigel then reported on the Justice Reinvestment Advisory Council and encouraged judges to participate with their community corrections boards in assembling their grant applications, as the application process is being completed and they are due September 18, 2015. Funding decisions will be made October 13, 2015.
16. **Other Business.** Judge Vaidik complimented the work of the judges and reported that Judge Friedlander retired; Judge Robert Altice has joined the court; and their court

administrator, Steve Lancaster, will be retiring at the end of the month after twenty years of service. The new Court of Appeals administrator, Larry Morris, is Judge Friedlander's former senior law clerk. An issue was raised concerning the timeline for transcripts for court reporters and procedural issues related to orders sending transcripts back that have confidential information incorrectly filed – Judge Vaidik said if these issues occur, please contact her directly.

17. **Next meeting.** December 3, 2015, Hyatt Regency—3:00 p.m.

Respectfully submitted,

Jennifer L. Weber  
Staff Attorney

# JUDICIAL CONFERENCE OF INDIANA BOARD OF DIRECTORS

December 3, 2015  
Minutes

The Judicial Conference of Indiana Board of Directors met at the Hyatt Hotel in Indianapolis, Indiana, on December 3, 2015. Chief Justice Loretta Rush presided and Jennifer Weber acted as Secretary.

- 1. Members Present.** The following members of the Board were present: Vicki L. Carmichael, William E. Davis, Marla K. Clark (proxy for Cynthia S. Emkes), Darrin M. Dolehanty, John T. Evans, Thomas J. Felts, Peter R. Foley, Kurtis G. Fouts, Christopher M. Goff (proxy for Judge Timothy P. Spahr), Clayton A. Graham, Maria D. Granger, Steven L. Hostetler, Robert E. Hunley, Matthew C. Kincaid, Michael J. Kramer, Jeryl F. Leach, Stanley A. Levine (proxy for Wendy Williams Davis), Peggy Quint Lohorn, Rick Maughmer, Sally A. McLaughlin, Gary L. Miller, Sheila M. Moss, John A. Rader, Diane Kavadias Schneider (proxy for Thomas P. Stefaniak), Michael A. Shurn, William G. Sleva, Mark D. Stoner, Wayne A. Sturtevant, Nancy Harris Vaidik, Marianne Vorhees, Mary G. Willis, and Bob A. Witham.
- 2. Staff Present.** The following Judicial Center staff members were present: Jane Seigel, Jennifer Weber, Jeff Bercovitz, Michelle Tennell, Mary Kay Hudson, Michelle Goodman, Anne Jordan, Jan Smith, Jenny Kidwell, and Jenny Young. David Remondini and Kathryn Dolan from State Court Administration also were in attendance.
- 3. Welcome.** Chief Justice Rush welcomed the board members and the meeting commenced. Chief Justice Rush began by thanking members on the overwhelming 99% participation rate for the weighted caseload study. She then explained that because the data collection phase of the study is completed, the National Center for State Courts will begin analyzing the information. The Chief Justice further reminded members that the State of the Judiciary will be January 13, 2016, and she would like to highlight local court stories of interest, and educate the Assembly about the heroin problems the courts are dealing with. The Chief Justice also reported on the distribution of funds through the Justice Reinvestment grants to assist with mental health treatment for offenders. The Chief Justice then turned to the topic of e-filing and noted that the appellate courts are e-filing cases, as well as civil cases in Hamilton county with Clark county beginning soon. She then explained that commercial court pilot projects are projected to begin next year as well, headed by a committee chaired by Judge Bobay. Speaking to the administration of the Supreme Court, the Chief Justice explained that the National Center for State Courts is assisting the Court with transition planning, emphasizing this will not affect trial courts. She additionally commented the Court will have a Chief Administrative Officer to assist the Court. The Chief Justice announced that Justice Dickson's last oral argument will be in Harrison County in the spring, due to the announcement of his spring retirement as well. Lastly, she announced there would be several educational court initiatives in

conjunction with Indiana's Bicentennial celebration next year and noted that over 4000 students were reached this year with traveling oral arguments and classroom visits.

4. **Approval of minutes.** A motion was made by Judge Felts, and seconded by Judge Davis, to approve the minutes of the meeting held September 11, 2015. The minutes, as submitted, were unanimously approved.
5. **Indiana Judges Association report.** Judge Mary Willis reported that the IJA is nearing completion of the contract to publish the unannotated civil and criminal jury instructions with West publishing and will be seeking the Board of Managers approval. She explained that this will allow the IJA website to go live – a press release has been prepared for the launch of the website. She further noted that the IJA continues to be represented on the Judicial Technology Oversight Committee and receives updates on the work of the Pretrial Release Committee from Judge Robert Freese. Judge Willis reminded members that the legislative session reconvenes on January 5, 2016, and that the State of the Judiciary is on January 13, 2016. She said the IJA will be hosting the Judiciary Committee dinner and encouraged all judicial officers to attend the State of the Judiciary and luncheon if possible, as it is a good opportunity to network with the legislators.
6. **Indiana Council of Juvenile and Family Court Judges report.** Judge Vicki Carmichael reported that the Council is working on several proposed rule and legislative changes with DCS. She also commented that the Juvenile Justice Improvement Committee is working with the Council for possible rule changes. Judge Carmichael lastly noted that the Council wants to begin examining juvenile sex trafficking issues as well.
7. **Court Technology report.** Judge Mary Willis reported on behalf of Judge Michael Gotsch. Judge Willis reported that several new INCite applications were deployed or made available including: The MAYSI mental health screening tool has been deployed to all detention centers participating in the MAYSI project; the Guardianship registry continues to be deployed to additional courts; Odyssey Court Measures is a new application available to all judges who use Odyssey (the application contains three CourTool measures from the National Center for State Courts); and, the Abstract of Judgment Application will be accessible to DOC via INCite so all courts can begin going paperless January 1, 2016.

Judge Willis then reported that Odyssey deployments in 2015 included the following counties: Peru City Court in Miami County; Marion City Court in Grant County; Fountain County; Gibson County; Frankfort City Court in Clinton County; Brownsburg Town Court in Hendricks County; Versailles Town Court in Ripley County; and the Appellate Courts. Vigo County will be deployed in December. She said nine counties are in the pipeline: Starke, Crawford, Fulton, Tippecanoe, Delaware, Bartholomew, Boone, Marshall, and Lake. By statute, two remaining small claims courts are being worked with in Marion County as well – Pike and Decatur.

Judge Willis next reported that an important goal at this time is to expedite deployment of remote document storage to all counties using Odyssey to prepare for e-filing. She reported that the majority of Odyssey courts are now scanning documents or are preparing to begin by obtaining software and hardware. She noted, for instance, that Clark county is paperless, and Henry county began in April, to begin internally working with paperless documents.

Judge Willis then reported that the e-filing initiative is moving forward with Tyler Technologies, Inc. selected as the EFM (E-filing manager). She reported that there are five phases of implementing e-filing, which are proceeding: phase 1 is the deployment of e-filing in an Odyssey county (Hamilton county began in July, Clark county will be next in 2016); phase 2 is deployment in the Appellate courts (began in November); phase 3 is the addition of one or more EFSP's (E-filing service provider) that will interface with an EFM (GreenFiling began in November); Phase 4 is deployment of e-filing to a CSI county (Wells county is scheduled in the coming months); and Phase 5 is deployment between an EFM and Quest (St. Joseph county is identified as the pilot site).

Judge Willis commented that it is important for trial courts to assess their technology to determine whether their computers are fast enough, and that they have appropriate hardware and software for scanning and electronic filing capabilities. Chief Justice Rush explained that it is a goal of the Court to offer financial grants again for technology upgrades and encouraged members to be watchful for them. She also noted that there has been a shift to use more in-house resources and less consultants when possible for Court technology needs. The Chief Justice encouraged members to know who to talk to in their IT departments, and how to plan their budgets for both current and future technology needs. Judge Stoner raised an issue if, with e-filing and scanning, whether courts will need computers or tablets so that they could view electronic file information and the litigants simultaneously, since currently most computers are installed on the side of the bench where the court is looking away from litigants. Judge Willis cautioned members to look at the requirements and compatibility of Odyssey before purchasing electronic equipment or hardware.

8. **Interim Study Committee on Courts and the Judiciary.** Judge Felts reported that four meetings were held examining four issues. There was one request for a new magistrate (converting a commissioner to a magistrate) in Marion superior court, which passed. Another issue pertained to authorizing legislation to release adoption records between 1941-1994, passed. The third issue, whether the statute of limitations should be extended for liability claims against the state failed when a motion to endorse the proposal was not received. Lastly, Judge Felts reported the Committee declined to move forward a proposal to consider whether the medical malpractice procedures should be streamlined so further issues could be addressed.
9. **Probate Committee report.** Judge Diane Schneider explained that there are federal statutes and regulations that outline instances that prohibit an individual from having access to a firearm. She further noted that the federal authorities make sure the states are complying with these mandates and have found that Indiana has been deficient in

complying with reporting guardianship cases involving incapacitated individuals during their last two audits. Judge Schneider stated the next federal audit is in May of 2017, and the Committee believes that their proposed legislative changes will improve the reporting of guardianship cases to achieve compliance with the law, which is their goal. She then requested the Board endorse proposed amendments (distributed to members in written materials) – proposing new subsections in IC 29-3-5-3 and IC 33-23-15-1, explaining that the recommended amendments will clarify that permanent guardianship cases need to be reported to NICS (National Instant Criminal Background Check System). Judge Foley asked if the Committee looked at guardianships of juveniles and adults. Judge Schneider said the Committee was looking at permanent adult guardianships primarily. Judge Kincaid moved to endorse the Committee pursuing legislative changes to report permanent adult guardianships in compliance with federal law. The motion was seconded by Judge Foley. The Board approved the motion unanimously. Judge Rush commented that the Court is going to push for more funding to support courts handling issues with an aging population and noted that Indiana has received funding for the guardianship registry.

10. **State Court Administration report.** Dave Remondini reported that the court reform grants, totaling \$500,000 this year in requests, focused on interpreters and serving unrepresented litigants. He explained that \$350,000 was distributed for needs addressing unrepresented litigants, and approximately \$110,000 was distributed for court interpreter requests. Mr. Remondini also commented that several courts were designing pro bono programs to provide legal assistance at reduced rates (paying attorneys a fixed rate of \$50/hour, for instance), and setting up programs for cases involving domestic violence.
11. **Staff Agency report.** Jane Seigel reported that the Justice Reinvestment Advisory Council (JRAC) recommended grant funding in the amount of five million dollars to seventy-two (72) counties that will be distributed in lump sums by the Department of Correction (DOC). In preparation for new probation staff that will be hired as a result of additional local funding, Ms. Seigel announced that the Indiana Judicial Center has scheduled additional probation Staff Orientation and Indiana Risk Assessment trainings in 2016. She also reported that the Department of Mental Health and Addiction (DMHA) is currently re-working its Recovery Works program so that offenders can receive treatment through the program using DMHA funds with vouchers. Consequently, Ms. Seigel encouraged members to ensure that they have a Recovery Works program provider and speak to their treatment providers about participating if they are not currently a provider. She explained that Recovery Works providers need to be trained in forensic mental health to be eligible to participate. Ms. Seigel offered to assist courts with connecting their treatment providers to DMHA if needed, and explained that there is ten million dollars available in treatment funding until July 1, 2016. She further offered there will be another twenty million dollars available through a DOC grant beginning in late December 2015 for diversion programming and problem-solving courts to reduce recidivism (available for distribution in July 2016).

Judge Willis asked if JRAC rejected applications if programing that was requested for funding was related to mental health and Recovery Works was available for funding? Ms.

Seigel said JRAC did determine, when making awards, if alternative funding was available, to try to allocate funding to places where no funding was available first. She also noted that they received seventeen million dollars in requests, for five million dollars of available funds to distribute.

Turning to staff news, Ms. Seigel reported that the Indiana Judicial Center hired Ms. Jenny Young as a juvenile justice strategist in the JDAI division. She also reported that Mr. Bob Champion, Director of Court Security, retired in August of this year, and directed courts to call the Indiana Judicial Center if a security need arises or their local sheriff for an immediate need. Lastly, Ms. Seigel encouraged judicial officers to ensure that Abstracts are completed for all felons since they include helpful information, and reminded courts that they are required even if the defendant is not going to DOC. She also noted that the rule concerning disproportionate minority contact is still being worked on to address defining contact points and data collection.

12. **Other Business.** Judge Vaidik complimented the work of the trial courts and reported that Judge Robert Altice has joined the appellate court and their appellate court administrator, Larry Morris (Judge Friedlander's former senior law clerk) has begun his new position. She explained that e-filing began November 9, 2015, and includes case filings from the Attorney General's office, parties including the State and Public Defender's Office, and anyone else who volunteers. Judge Vaidik stated that the next phase will be volunteers for civil case filings. She said there has been some difficulty as the court adjusts to e-filing. At this time e-filing does not include case transcripts, but she does anticipate that occurring. As part of the upcoming bicentennial celebrations, she noted that the court will do traveling oral arguments with a goal of thirty (30) locations, but she encouraged local judges to extend the court invitations and involve their local bar associations, schools, or law schools to participate as well.

13. **Next meeting.** March 18, 2016, Indiana Judicial Center —1:30 p.m.  
8<sup>th</sup> floor meeting room

Respectfully submitted,

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Staff Attorney