



Ethics and Professionalism Committee
Meeting Minutes
March 12, 2014

I. Judge Welch called the meeting to order at 1:34 p.m.

Members participating: Judge Heather Welch, Chair, Magistrate Larry Bradley, Judge Richard Culver, Judge John Potter, Judge John Sedia, Judge Leslie Shively, and Judge Terry Snow

Staff: Diane Mains, IJC

II. The December 4, 2013 meeting minutes were approved.

III. Discussion Items

A. Judicial Code of Conduct, Rule 2.11 amendment update

Judge Welch reported that the Judicial Conference Board of Directors approved the Committee's proposal to amend Rule 2.11 at the December 3, 2013 meeting. The proposed amendment and supporting documentation will be provided to the Supreme Court within in the next couple of days. Judge Welch also reported that the Rules Committee is questioning why this proposal was sent directly to the Supreme Court. Judge Welch will continue to keep the Committee updated as the proposal progresses through the approval process.

B. Application of Rule 2.17 and AR 9 – best practices guidelines and sample form

Judge Potter led the discussion and stated that he did not believe that this was a problem requiring action from the Committee. He reported that he is aware of only one situation in which this issue arose and recommends that the court issue an order when an audio copy of a court proceeding is provided pursuant to AR 9 to advise the recipient not to republish the audio recording to avoid a violation of the CJC Rule 2.17. The Committee determined that no further action was needed on this issue.

C. Ex Parte Communications with CASA/GAL and receivers - best practice guidelines

This issue was tabled until the next meeting.

D. Campaign Dos and Don'ts Guide for judicial candidates

The Committee agreed to create a one-page quick reference guide on judicial campaign issues. Judge Welch will consult with Ms. Meiring to obtain a list of the 10-15 most commonly asked campaign questions and distribute these questions to the Committee at the next meeting. The Committee members will draft answers to the questions for further review and discussion.

E. Contempt Bookmark

The Committee agreed to create a one-page, double-sided worksheet on contempt to serve as reference guidelines for judicial officers. The worksheet will contain the procedural requirements for holding a person in direct and indirect contempt. Judge Potter agreed to draft the worksheet and present it to the Committee at the next meeting.

IV. Judge Welch adjourned the meeting at 2:00 p.m.

Next Meeting: Monday, July 14, 2014 at 1:30 pm
Indiana Judicial Center



Ethics and Professionalism Committee
Meeting Minutes
September 10, 2014

I. Judge Welch called the meeting to order at 5:00 p.m.

Members in attendance: Judge Heather Welch, Chair, Magistrate Larry Bradley, Judge Jane Craney, Judge Richard Culver, Judge Timothy Oakes, Judge Daniel Pflieger, Judge John Potter, Judge John Sedia, Judge Leslie Shively, Judge Gary Smith, Judge Terry Snow, and Judge Kevin Wallace.

Staff: Diane Mains, IJC

Judge Welch thanked Judge Sedia for his service on the Committee as this will be his last meeting. The Committee welcomed new member, Judge Wallace.

II. The March 12, 2014, meeting minutes were approved.

III. Discussion Items

A. Judicial Code of Conduct, Rule 2.11 Amendment update

Judge Welch provided a brief status report indicating that the rule amendment was submitted to the Supreme Court in March 2014, and we are awaiting further communication from the Court. Judge Welch will continue to keep the Committee updated as the proposal progresses through the approval process.

B. Ex Parte Communications with CASA/GAL and Receivers update

Judge Oakes reported that he has completed a draft article. He will distribute the article to the Committee members for feedback. He is looking for suggestions for fact scenarios before discussing the technical aspects of this issue. He will submit the article to the Court Times for publication when it is finished.

C. Contempt Bookmark

Judge Potter provided a draft contempt bookmark to the Committee for review and discussion. Judge Potter will update the bookmark to instruct judicial officers to open a new miscellaneous case number for contempt proceedings as these are appealable orders. The finished bookmark will be submitted to IJC education staff for use at new judicial officer training.

D. 2014 Annual Meeting, Ethics Session

Judge Welch provided an overview of her session, "Ethically Becoming Honorable" with panelists: Commissioner Kelsey Hanlon, Owen Circuit Court; Judge William Hughes, Hamilton Superior Court; and Judge Terry Shewmaker, Elkhart Superior

Court. The session will be held on Thursday, September 11, 2014 at 9:15 am with a focus on judicial campaign issues.

E. Campaign Dos and Don'ts Guide for Judicial Candidates

The Committee agreed to create a one-page quick reference guide on judicial campaign issues. The Committee agreed upon the following issues for inclusion in the guide: advertising, raising money, utilizing court resources, political party committee activities restrictions, and social media.

IV. Other Business

The Committee discussed ways of providing training on the Code of Judicial Conduct to judicial candidates, particularly those not on the bench to help avoid common problems and issues. The Committee would like to assist with the development of a short on-line training for all candidates. Judge Welch will refer this issue to the Education Committee for further discussion. The Committee also discussed ways of expediting action by the Judicial Qualifications Commission when judicial candidates violate the Code of Judicial Conduct.

V. Judge Welch adjourned the meeting at 5:55 p.m.

Next Meeting: Friday, December 12, 2014 (Winter Program, during lunch)
Renaissance Hotel, Carmel



Staff Agency for the Judicial Conference of Indiana

Ethics and Professionalism Committee
Meeting Minutes
December 12, 2014
Renaissance Hotel, Carmel

I. Judge Oakes called the meeting to order at 12:20 p.m.

Members in attendance: Judge Timothy Oakes, Acting Chair, Magistrate Larry Bradley, Judge Jane Craney, Judge Richard Culver, Judge Daniel Pflieger, Judge Gary Smith, and Judge Kevin Wallace.

Staff: Diane Mains, IJC

Judge Oakes reported that Justice Dickson has been appointed as the Committee's Supreme Court liaison.

II. The September 10, 2014, meeting minutes were approved.

III. Discussion Items

A. Judicial Code of Conduct, Rule 2.11 Amendment update

Judge Oakes reported that Judge Welch has been in contact with Justice Dickson to determine the status of the proposed rule amendment. Justice Dickson will make inquiries and contact Judge Welch with an update.

B. Ex Parte Communications with CASA/GAL and Receivers update

Judge Oakes reported that he has completed a draft article and will distribute the article to the Committee members.

C. Campaign Dos and Don'ts Guide for Judicial Candidates

Committee members volunteered to draft reference material on the previously agreed upon judicial campaign topics as follows: Judge Welch was nominated to work on advertising, Judge Oakes will take care of raising money, Judge Pflieger will draft material on utilizing court resources, Judge Spencer Craney will work on political party committee activities restrictions, and Judge Potter was nominated to work on social media guidelines. Committee members are asked to draft concise guidance on their assigned topics and bring their work to the next Committee meeting.

D. Contempt Bookmark

Diane reported that she sent the bookmark to Vicki Davis, Education Director for IJC, and that the bookmark will be incorporated into the courtroom demeanor session of the new judicial officer training. This session will be taught by Judge Vorhees and Judge Granger during the January 2015 training.

Judge Oakes suggested that the Committee members be involved in this training. Diane will convey this offer to the Education Division staff.

- E. 2014 Annual Meeting, Ethics Session report
A copy of the email from Anne Jordan, IJC, to the panelists Judge Welch, Commissioner Hanlon, Judge Hughes, and Judge Shewmaker summarizing the evaluation comments from this session was provided to the Committee.

IV. Other Business

Judge Wallace advised the Committee that there is a case pending before the US Supreme Court involving a judicial officer in Florida personally accepting money during her campaign. Diane was instructed distribute this case to the Committee members.

Judge Oakes discussed the Marion County election case currently in front of the 7th Circuit Court of Appeals. The Committee discussed the merits of the various election processes in Indiana.

2015 Committee Meeting Schedule

March 6, 2015

June 5, 2015

September 4, 2015

December 4, 2015

All meetings begin at 1:00 p.m. and will be held at the Indiana Judicial Center. Teleconferencing will be available.

- V. Judge Oakes adjourned the meeting at 1:00 p.m.