



Ethics and Professionalism Committee  
Meeting Minutes  
March 6, 2015

- I. Judge Welch called the meeting to order at 1:03 p.m.  
  
Members in attendance: Judge Heather Welch, Magistrate Larry Bradley, Ms. Adrienne Meiring, and Judge Daniel Pflieger  
  
Members participating via teleconference: Judge Richard Culver, Judge John Potter, Judge Les Shively, Judge Terry Snow, and Judge Kevin Wallace  
  
Staff: Diane Mains, IJC
- II. The December 12, 2014, meeting minutes were unanimously approved as submitted.
- III. Discussion Items
  - A. Judicial Code of Conduct, Rule 2.11 Amendment update  
Judge Welch reported receiving an update from Justice Dickson that the Rules Committee has made a recommendation to the Supreme Court. The Court hopes to be able to consider this proposal in the near future. Judge Welch will contact Justice Dickson to offer the Committee's assistance as the Court considers this proposal.
  - B. Ex Parte Communications with CASA/GAL and Receivers update  
Judge Oakes was not able to attend the meeting. Judge Welch will contact him to obtain a copy of his article for distribution to the Committee.
  - C. Campaign Dos and Don'ts Guide for Judicial Candidates  
Committee members are to draft a one-page document per subject matter as follows: Judge Welch - advertising, Judge Oakes - raising money, Judge Pflieger - utilizing court resources, Judge Spencer Craney - political party committee activities restrictions, and Judge Potter - social media guidelines. The Committee decided on a FAQs format for this project. Committee members were instructed to send their draft materials to Diane by May 1<sup>st</sup> for compiling. The Committee would like to distribute this document at the 2015 Annual Meeting.
- IV. Other Business
  - A. 2015 Annual Meeting – Demeanor Session  
The Committee would like to offer a demeanor session at the upcoming annual meeting. Suggested format for this session is small group scenarios (5-6) in which judges will get to role play the different parties in the courtroom. Ms. Meiring will assist by pulling actual court transcripts for use as the scenarios. Diane will contact

the Education Department to let them know of the Committee's interest in presenting at the Annual Meeting.

- B. The Committee discussed the contents of the Committee's web page (<http://www.in.gov/judiciary/center/2389.htm>). Members would like to make this page a resource on ethics issues, including helpful links (AJS, election division, etc.) Members were asked to review the site and come to the next meeting with ideas for improvement.
  - C. Members expressed concern about practices in which judges routinely refuse to hear special judge cases. Members would like to address this through a "duty to decide" resource. Judges Potter and Welch will bring ideas back to the Committee.
  - D. Members expressed a desire to provide guidance to judges on dealing with pro se litigants. Judge Welch will have her law clerk research case law on this topic and report back to the Committee.
- V. Judge Welch adjourned the meeting at 2:00 p.m.

2015 Committee Meeting Schedule

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.



Ethics and Professionalism Committee  
Meeting Minutes  
September 10, 2015  
Indiana Convention Center

- I. Judge Welch called the meeting to order at 4:35 p.m. New members were welcomed and members leaving the committee were thanked for their service.

Members in attendance: Judge Heather Welch, Magistrate Larry Bradley, Ms. Adrienne Meiring, Judge Bruce Parent, Judge Daniel Pflieger, Judge John Potter, Judge Michael Robbins, Judge Les Shively, Judge Gary Smith, Judge Terry Snow, and Judge Kevin Wallace

Staff: Diane Mains, IJC

- II. The March 6, 2015, meeting minutes were approved as submitted.

- III. Discussion Items

- A. "The Art of Courtroom Demeanor" – Annual Meeting Session Recap

Judge Welch reported that the session was well attended and well received. Other members who attended the session had positive comments about the session.

- B. Campaign Dos and Don'ts FAQs for Judicial Candidates

Members reiterated the need for this material. Judge Potter's FAQs on social media were distributed for discussion and minor edits were suggested. Other material for the guide were previously assigned as follows: Judge Welch - advertising, Judge Oakes - raising money, Judge Pflieger - utilizing court resources, and Judge Spencer Craney - political party committee activities restrictions. Members were asked to have their material to Diane no later than November 20, 2015 for compiling. Diane will seek assistance with formatting the material into a brochure from Lindsey Borschel.

- C. INcite Application on Ethics issues for Indiana Judicial Officers

Diane reported discussions with State Court Administration staff and informed the members that expansion of the Committee's web site was not an option at this time. However, the Committee could consider developing an INcite application on ethics and professionalism issues. This application would be a non-public web-based program requiring judicial officers to access it with a password and INcite permission. The Committee decided to table this project and revisit it in 2016.

- D. Special Judge Case Assignment and the Duty to Decide

Members continued discussion on practices in which judges routinely refuse to hear special judge cases. Members decided to bring this issue to the Supreme Court's

attention and seek guidance on how or if the Committee can assist the Court with addressing this issue. Judges Potter and Oakes will draft a white paper to the Supreme Court.

E. Dealing with Pro Se Litigants

Judge Welch reported that judicial officers need guidance on how to avoid violating CJC Rule 2.8. Judge Welch provided members with a case and memo drafted by her law clerk on dealing with pro se litigants. The Committee determined it will defer to the Pro Se Committee on these issues but offer assist to the Committee on Unrepresented Litigants on ethical issues. If the Committee on Unrepresented Litigants is interested in having a liaison from this Committee, Judge Robbins will serve in that capacity. Judge Snow agreed to contact the Judge Dowling, Chair of the Committee on Unrepresented Litigants.

IV. Other Business

Next Meeting:

December 4, 2015, Hyatt Indianapolis

V. Judge Welch adjourned the meeting at 5:35 p.m.