

Minutes
Judicial Education Committee
Friday, January 18, 2013
Via Conference Call

Members participating: Bill Hughes, Chair; David Ault; Steve David; Tom Felts; Terry Harper; Mick Jensen; Kathleen Lang; Earl Penrod; Jay Toney; Mary Willis.

Staff present at the Indiana Judicial Center: Vicki Davis, Barbara Harcourt, Anne Jordan, Julie McDonald.

1. The members approved the minutes from the October 12, 2012 meeting.
2. Staff reported the generally good reviews from the December conference. The evaluations reflected a few complaints about parking at the J.W. Marriott, although staff reported that parking will always be a problem in Indianapolis in December. The Chair suggested that more advance notice of parking difficulties and a map with additional parking options could help matters. Committee members commented that the program was unique and interesting, providing different perspectives that were pulled together by the reaction panel.
3. Staff reported that 35 judicial officers are registered for the General Jurisdiction Orientation program, and that there will be a breakout room for spouses on Friday afternoon.
4. Staff reported that 44 people had registered for the Juvenile Orientation scheduled for February 11-13 at the Renaissance Hotel in Carmel.
5. Staff reported that the Distance Learning Workshop is scheduled for February 19-21 at 30 South Meridian Street. Faculty will be from the National Judicial College.
6. The Committee discussed the 2013 Spring Judicial College and agreed to go ahead with the staff proposal for courses, including evidence, family law, management, and humanities.
7. Staff reported that the planning committee of the Bench Bar Conference met and decided on a theme – the future of the courts and the legal profession. The planning committee is still pursuing a keynote speaker, and hopes to ask Justice O'Connor of the U.S. Supreme Court. The Young Lawyers committee will host a reception the night before the conference. The Committee also discussed sponsorship at the conference, with the understanding that the ISBA secures sponsors for most of its conferences. Court Call has offered to increase its sponsorship if representatives from the company can be involved in an education session, but committee members expressed concern about whether more than one vendor would need to present to avoid the appearance of impropriety. Staff will discuss sponsorship with Jane Seigel and the Chief Justice. The members of the committee suggested the following as possible education topics: ethics, judicial independence, merit selection, reforms in systems, funding of the courts, generational communication differences, demise of civil trials, technology and privacy, press and the media, civility, alternative dispute resolution, and diversity and bias.
8. Staff reported on the core curriculum project. The membership of the core curriculum subcommittees was revised to reflect the current membership of the committee. Bill Hughes

and Nancy Vaidik will work on an evidence course proposal for the committee, and Terry Harper and David Ault will work on the criminal sentencing proposal.

9. The Committee discussed the proposal for the 2014 Spring Judicial College. Staff reported that there have been some complaints about a lack of statewide camaraderie, and committee members suggested that more information about the 2014 plan may help with transition to the new regional format. Committee members suggested the following topic ideas: search and seizure, sentencing and IRAS, evidence, ethics and social media, jury trials and management, writing, domestic relations, and court personnel. Kathleen Lang offered to assist with the ethics program, and the committee suggested Fred Cate as possible faculty.
10. Staff received two proposals from outside instructors that may be used for Spring 2013: real property valuation for family law, and law and literature. Staff also received a public health law and science proposal, which the committee referred to Angie Hensley and State Court Administration.
11. The Committee discussed entertainment for the September 2013 conference in Fort Wayne, and elected to have Judge Heath's band perform.
12. Barbara Harcourt suggested the need for training for supervisors in the court system, including court staff or judges.
13. Mick Jensen offered to teach a course on computer search and seizure.
14. Future 2013 meeting dates (from 11am to 3pm at IJC: March 15, May 17, July 19, and October 25.
15. The Chair adjourned the meeting.

Respectfully submitted,

Julie C.S. McDonald
Education Attorney
Indiana Judicial Center

Minutes
Judicial Education Committee
Friday, March 15, 2013, 11:00 A.M. – 3:00 P.M.
Indiana Judicial Center

1. Members present: David Ault, Vicki Carmichael, Steven David, Tom Felts, Terry Harper, Bill Hughes (chair), Kathleen Lang, Earl Penrod (via conference call), Jay Toney, Mary Willis.
2. Staff present: Vicki Davis, Anne Jordan, Barbara Harcourt, Julie McDonald. Visitor: Lindsey Borchel of State Court Administration.
3. The members approved the minutes from the January 2013 meeting.
4. Lindsey Borchel demonstrated the INcite application for distributing benchbooks online. The benchbook application is ready to launch. Because each benchbook is put online as a single document, it is searchable. Judges may need teaching on how to search in .pdf documents. Forms are in Word when available. For benchbooks and forms that are already available online elsewhere (on the public in.gov/judiciary website), the application has a link to that online location. The committee recommended that the benchbooks be uniformly formatted with hyperlinks and bookmarks for consistently easy readability. Justice David suggested that a small group of judges pilot test the application and that this topic be mentioned at the district meetings. Staff will discuss these recommendations with Jane Seigel. Staff will also work on the email to judicial officers about the new application and its replacement of the Benchbook CD. Staff will also inform users when a benchbook is updated so that if they used downloaded or printed versions of the benchbooks, they can download or print an updated version.
5. Ms. Borchel also demonstrated the INcite application for distributing conference materials online. She showed the list of upcoming conferences, how to search for future or past conferences, and how the application will look. The committee also discussed potential issues with searching for past documents, including inaccuracies based on changes in the law. Ms. Borchel therefore recommended that the header for each document list the date, presentation, and presenter. Registration hyperlinks will also be included in the application. Likewise, wufoo registration confirmation will also include hyperlinks to the materials in the INcite application.
6. The committee discussed material distribution policy. They discussed that they need staff to be able to access and print conference materials for the judicial officers. The committee recognized the expenditure of money for printed materials, the problem of storing materials in their offices, and the environmental impact. Justice David recommended a short paragraph justifying the new policy, coming from the Chief Justice. The committee also discussed the need for technological literacy for all judicial officers. Judge Harper emphasized the need to inform conferees that they need to access and print or download materials before the conference. The committee strongly recommended that IJC not provide printers to print materials at the conferences. Judge Hughes suggested that, before we take a recommendation to the Board of Directors, the committee needs a cost comparison for the cost of the development of the online materials application and the cost of printed materials, including paper, binders, copier depreciation, staff time, and transportation. He also suggested that we pilot test this for one conference or one audience, such as probation officers, before implementing it across the board. Judge Harcourt also suggested that IJC consider giving faculty guidelines on how to create materials. Staff stated that we can post some materials on the public website now, but that not all faculty will agree to posting outside of the secure INcite application. The committee also supported having paper copies

of materials for the first conference at which materials will be available online, so that the conferees don't have to give up paper copies "cold turkey." The committee will revisit this issue at the next committee meeting.

7. Staff reviewed the January orientation program. The January General Jurisdiction Orientation program was very well received by the 36 conferees. The conferees did ask for more time on some of the topics, such as evidence. They also asked whether JTAC should be a topic for orientation, and whether litigants with language barriers could be included in other topics, instead of a separate session. Each day ended with a debriefing session, and the entire conference ended with a diversity program. Two hours without a break was too long. Staff discussed whether the orientation should be broken into two parts, separated by a few months, like Ohio's orientation program. Judge Hughes suggested creating a separate track at the Spring Judicial College for new judges, because they have difficulty leaving the bench more than once in the first year. Justice David suggested sending out background information before the orientation and considering hosting the conference during the second week of January. Judge Hughes also suggested presenting part of the information via webconferences. Judge Ault suggested hosting part of this conference over a weekend. Justice David also suggested making the mentoring program mandatory. Judge Hughes stated that the new judges want more nuts and bolts.
8. Staff also reviewed the February Juvenile Orientation. The schedule of this orientation meant that they had only about five or six days between the January and February orientations. A total of 42 judicial officers attended, including 16 new judges and three senior judges with juvenile orientation. Three days for orientation may be a little too long for the new judges to be out of the office. A federal grant paid for the program. Overall, it was a good program.
9. Staff reviewed the February Distance Learning Faculty Development Program. Staff also discussed Indiana's Distance Learning Project. Judge Lang stated that, while distance learning is attractive, it is difficult to block out the time when you are in your office with other work to do. The committee said this would be good for probation officers, court staff, and new judicial officers. The committee also recommended considering the best days and times for distance learning opportunities. Justice David suggested doing a cost comparison of how we can augment our programs at reduced cost. Judge Felts mentioned that the modality offered teaching opportunities that you can't use in live teaching. The National Judicial College faculty did an excellent job.
10. Staff provided a status report on three upcoming spring conferences. The Spring Judicial College will be held from April 17-19 at the Marriott East Hotel. The Senior Judge Workshop will be held on May 14 at 30 South Meridian in Indianapolis. This conference came out of the strategic planning committee's recommendation of more training for senior judges. The Recent Legislation Seminar will be held on May 31, also at 30 South Meridian. It will be repeated once in the afternoon on that same day, and each session can accommodate 200 attendees.
11. Staff and the committee discussed the 2013 Annual Meeting. Jane Seigel would like to include more formalities in the opening session, such as the National Anthem, the Pledge of Allegiance, and inviting the mayor of Ft. Wayne. Judge Felts suggested inviting Governor Pence to the opening session. The closing plenary has also been moved to the final session of the conference. Judge Ault suggested tours of the courthouse, and Justice David suggested considering ways to encourage active involvement from the local bar in the evening activity. The committee discussed the following topics for sessions:
 - a. Criminal law update;

- b. Family law update;
 - c. Real property valuation in dissolution, guardianship cases, and elder cases;
 - d. Eye witness testimony;
 - e. A prosecutor's reign of terror (Maricopa County and judicial independence);
 - f. Creating criminals by declining to use risk assessment levels (Judge Hughes's idea);
 - g. Sentencing roundtable discussions, with scenarios (or real cases), or with responder polling to create bracketology (Justice David's idea);
 - h. Pretrial release and bond (although this could be controversial, and faculty should include an Indiana judge to ensure that it's tailored for the audience);
 - i. Professionalism, civility and the rule of law, and how trial judges can impact these (Justice David's idea);
 - j. Pro bono, and what judges can ethically do to create a culture where pro bono is favored (Justice David's idea);
 - k. Original actions (only about 7-12 per year);
 - l. The role of GALs and other external experts, like parenting time coordinators;
 - m. (For 2014?) Innovations, like Judge Lang's stipend for law clerks;
12. Staff reported on the 2013 Bench/Bar Conference. The committee discussed options for the keynote speaker. Fred Cate will be the speaker for the closing plenary.
13. Staff reported on the 2014 Spring Regional Seminars, which will be held on Tuesday, April 22, 2014 (French Lick); Friday, April 25, 2014 (Merrillville Radisson); Tuesday, April 29, 2014 (Indianapolis Hilton North); and two dates in July and August 2014 (two programs each, at 30 South Meridian). Search & Seizure has been confirmed. Staff will develop three other programs based on committee suggestions.
14. The next meeting will be held on May 17, 2013 at the IJC offices. At that meeting, we will discuss the core curriculum project subcommittee work on the evidence and sentencing course plans.
15. The chair adjourned the meeting.

**Judicial Education Committee
Friday, May 17, 2013
Indiana Judicial Center**

Minutes

1. Members present: David Ault (via conference call), Vicki Carmichael, Bill Hughes (chair), Jay Toney, Mary Willis.
2. Guests present: John Krauss, Dr. Sam Nunn, and Dr. Doug Noonan from the Indiana University Public Policy Institute
3. Staff present: Vicki Davis, Jane Seigel, Barbara Harcourt, Julie McDonald.
4. The members approved the minutes from the March 15, 2013 meeting.
5. John Krauss, Director of the IU Public Policy Institute/IU School of Public and Environmental Affairs and two of his colleagues (Sam Nunn and Doug Noonan) discussed options for collaboration with the Public Policy Institute on judicial education programs. Topics discussed included economic and community development, OWI interventions, recidivism rates of and treatment for offenders with traumatic brain injuries, disproportionate minority contact, minor felony sentencing, public finance, collaborative management, law and economics, environmental justice, management of employees and organizations, management skills for mid-level court staff, creative funding and financing mechanisms for government programs, collaborative working relationships among judges within a county or a district, technology aspects of management and court operations, court security, and the effect of foreclosures on crime. Other (non-educational) topics included evaluation of court programs and community-based resources for alternatively-sentenced defendants. John Krauss said that the faculty would be glad to teach judicial education programs as a way to show SPEA's expertise in the area, and that they are a revenue-generating organization for evaluations of programs. The committee discussed the importance of informing judicial audiences of the practical impact of collecting data.
6. Staff reported that the curriculum subcommittee has developed ten sample course plans in the areas of evidence and criminal sentencing. The subcommittee requested comments on the plans and committee volunteers to develop more plans in the areas identified by the judicial education needs assessment. Members of the committee volunteered to draft one-page course plans for the following topics: evaluating evidence and the credibility of witnesses (Ault), self-represented litigants (Toney), judicial integrity and independence (Hughes and Willis), difficult attorneys (Harcourt), emotional well-being (Harcourt), general court management principles and philosophies (Willis), and succession planning (Harcourt). The committee also suggested that staff contact Anne Jordan for judicial balance and Ollie Schierholtz for change management. Members of the committee suggested that we also ask prior committee members, judges who attended the faculty development workshop, and judges who have expressed an interest in judicial educations to draft course plans.
7. The committee reviewed and discussed the September Annual Meeting schedule. The conference will begin with the opening session (instead of early birds), and the late birds have been removed from the schedule on Thursday to accommodate the Board of Directors meeting and the Allen County Bar Association reception. The tentative topic for the Thursday plenary session is bias and decision making, from the neuroscience point of view.

A potential presenter is Kimberly Papillion from California. For the Friday plenary, the committee considered using the speaker from the probation annual meeting or speakers on eyewitness testimony. The committee discussed the sentencing roundtable session as an opportunity to explore bias. The committee also requested that Judge McClure spend 15 minutes of her Criminal Law Update session on the broad brushstrokes of HB 1006.

8. The committee discussed the 2013 Spring Judicial College. They recommended that, in the future, the presenter from the probation sanctions and incentives session (and perhaps other outside presenters) be paired with an Indiana judge moderator.
9. The committee discussed the plan for the 2014 Spring programs, which will include three one-day conferences with four programs each, and four 2014 workshops of one program each. Every program will be limited to 50 students. Topics will include search and seizure, law and literature, and HB 1006. Faculty for 1006 could include Vicki Carmichael, Terry Harper, and Mark Spitzer. Staff mentioned the importance of communicating and explaining the schedule change to the judges at large, with a letter from the committee chair and a two-minute "public service announcement" (perhaps a video) at a plenary session at the September Annual Meeting.
10. The committee discussed the cost of conference materials. For September of 2012, the cost of paper = \$1212, binders = \$2275, tabs = \$146, courier = \$2100, which totaled \$5733. Staff spent 41 hours copying. Staff earned 57 hours of compensation time. For Spring of 2013, paper = \$547, folders = \$1588, courier = \$250, which totaled \$2385. Staff spent 23 hours copying. These numbers do not include other costs, such as wear and tear on the copier, the cost of toner, etc. The committee recommended that materials be marked with a date and a caveat be posted that the materials were only up-to-date as of the date of the presentation. JTAC will develop the conference materials INCite application, but JTAC is also working on other priorities for IJC. The timeline for the completion of the application is not yet known. This topic will be continued until the next meeting.
11. Staff provided written reports on the following upcoming conferences:
 - Annual Meeting of Juvenile Court Judicial Officers: June 13-14
 - City & Town Court Judges Conference: October 16-17
 - Domestic Relations Conference: November 14
 - Bench/Bar Program: December 4
12. Barbara Harcourt reported on court staff education, including an opportunity for blended learning on management techniques.
13. The next meeting is tentatively scheduled for July 19 at 11am at the IJC offices.
14. The chair adjourned the meeting.

Minutes
Judicial Education Committee Meeting
October 25, 2013
11:00 a.m. – 3:00 p.m.
Indiana Judicial Center

1. Members present: David Ault, Vicki Carmichael, Kimberly Dowling, Thomas Felts, Terry Harper, Kathleen Lang, Rebecca McClure, Earl Penrod, Margret Robb, Jay Toney, Nancy Vaidik, and Mary Willis. Staff present: Vicki Davis, Anne Jordan, Julie McDonald.
2. The committee and staff introduced themselves.
3. The members approved the minutes from the May 17, 2013 meeting.
4. The members discussed the September 18-20, 2013 Annual Meeting. Staff reported that 540 judicial officers attended. Of those required to attend the conference (appellate and trial court judges & magistrates), only 13 did not attend. The committee loved the Fort Wayne location. They agreed that the Governor's presence was good for the event and the relationship between branches, that the neuroscience session was thought-provoking, that the real property valuation session may have been too attorney-focused, and that the civil law update topic was good, but a new presenter is needed. Other sessions were described as very well done.
5. The committee discussed the 2014 Annual Meeting. Staff presented two options for the conference: (1) a two-day program with optional workshops on day three, and (2) the standard two-and-a-half-day program. Committee members suggested the exercise of caution in changing September in the same year that the Spring Judicial College is changed to regional workshops. The committee discussed moving the Friday plenary agenda items to another place (such as lunch), and then adding two sets of breakouts on Friday -focusing on big-draw sessions, including ethics sessions, recent legislation, and the update sessions. The committee also recommended moving the inspirational speaker at the opening plenary session. Staff requested ideas for keynote speakers. Chief Judge Robb suggested post- decision reflections such as Posner.
6. Staff reported on the October 16-17, 2013 City and Town Court Conference. Fifty-seven judges attended (out of 73 eligible). The mock bench trial will be continued next year. Staff reported that the City and Town Court judges have requested additional education. Ideas include permitting them to attend programs for general jurisdiction judges, starting a week-long "law school" for non-lawyer judges, and distance education. The committee expressed support of the work that IJC staff does in this area. Judge Penrod suggested forming a subcommittee that would provide guidance. Judge Carmichael will chair the subcommittee. Judge Felts and Judge Dowling will also serve on the subcommittee.
7. Staff reported on Senior Judge Workshop scheduled for October 29, 2013. Thirty-seven senior judges are preregistered (out of 101 senior judges). Thirty-six attended the May 2013 workshop.

8. Staff reported on the one-day Domestic Relations Workshop scheduled for November 14, 2013. Fifty-six judicial officers have pre-registered; there are 60 available seats.
9. Staff reported that there are still spots available to attend the three-hour Poverty Simulation scheduled for November 8, 2013 at 30 South Meridian Street in Indianapolis.
10. Staff reported on Bench-Bar Symposium, scheduled for December 3, 2014. Seventy-six judicial officers have pre-registered. In accordance with ISBA practices, materials for this conference will only be available online, and must be downloaded and printed in advance of the conference. The Wufoo registration for the conference has an acknowledgement of this change to the availability of materials. The cost of Wi-Fi for 200 devices is \$1,000, and staff is considering whether IJC and ISBA should incur this expense.
11. The committee discussed the 2014 Regional Workshops scheduled for April 22 (French Lick), April 25 (Merrillville), April 29 (Indianapolis). The programs from these conferences will also be repeated one additional time in July or August 2014. The programs are: (1) HEA 1006 and the Criminal Code Revision, (2) Family Violence, and (3) Law and Literature and Legal Writing (each one-half day). Judge Vaidik expressed concern about ensuring that there is enough room for all judges with criminal jurisdiction to attend the HEA 1006 and Criminal Code Revision session. Judge Robb suggested videotaping the session and posting it online in segments to avoid the large file size. The committee removed the Search and Seizure Session and Judge McClure will move to serve as faculty to the HEA 1006 and Criminal Code Revision session. Judge Felts will also join the faculty for that session.
12. Staff reported on the distance learning webinars that will take place in 2014 via the webex platform with assistance from the National Judicial College. Topics that were identified after the 2013 distance teaching course include: writing skills, bias, criminal contempt, child custody, and change management, and the following topics for probation officers or other court staff: case planning for probation officers, sex offender supervision, and risk control and risk reduction. Additional topics that may be developed include power point presentation skills, effective use of the internet, and word processing tricks. Finally, two presentations may be turned into static webcasts (rather than interactive webinars)-developing a law school for journalists and juvenile law 101 for non-juvenile judges. The Court Services Department has already begun to use webinars to train probation officers and court alcohol and drug program staff. To strengthen those efforts and the coming 2014 programs, staff is working with the National Judicial Center to develop a "production" script for the staff supporting the presenter in the WebEx platform, a refresher course for the 2014 webinar presenters, and practice sessions for presenters should they want additional preparation.
13. The committee discussed the increase in number of education programs over the past few years, and expressed concern about the strain on the staff. Staff discussed whether the increase may lead to diminishing returns.

14. Staff reported that judicial officers are submitting draft course plans for areas identified by the core curriculum needs assessment. Out of approximately 65 plans needed, 21 have been received. A procedure to review and revise the plans should be developed. Judge Lang, Judge Ault, and Judge Dowling volunteered to serve on the subcommittee.
15. The committee discussed whether to adopt some form of judicial officer recognition beyond the Master's Certificate. Judge Willis, Judge Penrod, and Judge Vaidik will serve on a subcommittee on this topic. Judge Vaidik suggested that these judges serve as scholars in residence to assist with judicial education. Judge Lang suggested that senior judges be permitted to participate in this project.
16. Staff reported that the 2014 National Association of State Judicial Educators Conference will take place on August 3-6, 2014 in Chicago. Members of the committee may be interested in attending this event.
17. The committee preliminarily discussed awarding CJE hours for mentoring or service on standing committees.
18. 2014 Meeting Dates: January 31, March 21, May 16, July 25, October 31

