

**Judicial Conference of Indiana
Probate Committee**

**Minutes
February 6, 2015**

1. Attendance: The following members attended the meeting: Terrence Cody (via conference call), Sherry Gregg Gilmore, Matthew Headley, Andrea McCord, Mary Wisehart Phillips, James Redwine (via conference call), Diane Kavadias Schneider, chair.
2. Guests: Erica Costello, State Court Administration.
3. Staff Assistance: The committee was provided staff assistance by Michelle Goodman.
4. Approval of Minutes: The committee unanimously approved the October 2014 minutes.
5. Probate Deskbook revisions: The committee reviewed and amended deskbook sections 2.24 to end, 2.40, 2.50, 2.60, and 4.00.
6. Future meetings: The committee's future meeting dates include:

July 24, 2015 1:30 to 3:30

October 30, 2015 1:30 to 3:30

All meetings are held at the Indiana Judicial Center

Respectfully submitted,

Michelle Goodman
Staff Attorney

**Probate Committee
Judicial Conference of Indiana**

**April 10, 2015
Minutes**

1. Attendance: The following members participated in the meeting: Steven Eichholtz, Sherry Gregg Gilmore, Phillip Houk (via conference call), Andrea McCord (via conference call), Jon Webster (via conference call), Gerald Zore, and Diane Kavadias Schneider, chair.
2. Guest: Erica Costello, Division of State Court Administration.
3. Staff Assistance: The committee was provided staff assistance by Michelle Goodman.
4. Approval of minutes: The committee unanimously approved the February 2015 minutes.
5. Mental Health Reporting to NICS and Guardianship cases: The committee reviewed the information previously circulated on this topic. The committee continued to discuss this topic and requested staff prepare additional summary information for consideration at the next meeting.
6. Legislative update: The committee discussed the following bills: SB 355, SB 65, and SB 291.
7. State Bar Section update: The committee received the January 2015 section meeting minutes.
8. Adult Guardianship Office update: Erica Costello reported on current proposals pending in the Legislature related to the Adult Guardianship Office. She also reported that the grant applications for the VASIA programs have been posted and the deadline for submission is June 5th. The committee was informed of the Adult Guardianship Symposium, which will be held on June 12th in Indianapolis. Finally, Indiana was selected as one of five sites to participate in the WINGS grant and the funding will be used to conduct a statewide needs assessment for guardianships.
9. Probate Deskbook: The committee agreed to review the remaining benchbook sections at the July 24th meeting, which is now 9:30 a.m. to 3:30 p.m. Any remaining revisions need to be to staff by July 9:30 a.m. to 3:30 p.m. Any remaining revisions need to be to staff by July 17th.
10. Other business: The committee received a report that there are 14 counties now on the Guardianship Registry.
11. Future meetings: The committee's future meeting dates include:

July 24, 2015 9:30 to 3:30

October 30, 2015 1:30 to 3:30

All meetings are held at the Indiana Judicial Center

Respectfully submitted,

Michelle Goodman
Staff Attorney

**Probate Committee
Judicial Conference of Indiana**

**October 30, 2015
Minutes**

1. Attendance: The following members participated in the meeting: Darrell Auxier (via conference call), William Davis, Steven Eichholtz, Peter Foley, Phillip Houk (via conference call), Stanley Levine, Gerald Zore, and Diane Kavadias Schneider, chair.
2. Guest: Erica Costello, Division of State Court Administration; LaJuan Epperson, Trial Court Technology.
3. Staff Assistance: The committee was provided staff assistance by Michelle Goodman.
4. Approval of minutes: The committee unanimously approved the April 2015 minutes.
5. Mental Health Reporting to NICS and Guardianship cases: The committee reviewed the proposed statutory amendments and commentary to assist with NICS compliance. The committee continued to discuss this topic and relevant federal laws and regulations. A motion was made to submit the proposal to Division of State Court Administration and the Board of Directors recommending pursuing this legislative proposal. The motion was seconded and adopted unanimously.
6. Legislative update: The committee discussed the passage of SB 355.
7. State Bar Section update: Erica Costello reported that the State Bar section discussed 2016 legislative proposals, which included power of attorney prioritization and stand by guardians. The section minutes will be distributed to the committee upon receipt.
8. Adult Guardianship Office update: Erica Costello reported on the grant applications for the VASIA programs. In round one, there were 9 applications funded and the application for round two are currently available and the deadline is December 30th. Since there were additional funds granted this budget cycle, the office has been able to increase funding and expand to additional programs. Now there are 16 programs and looking to gain 3-5 more. Ms. Costello distributed the current directory of VASIA programs, which serve over 350 incapacitated persons.
9. State Guardianship Task Force: Judge Schneider reported that the task force is still meeting and recently had a retreat to discuss what areas should be further explored in Indiana, such as guardian certification, funding programs, guardianship education video, etc. The task force meeting are held monthly.
10. Guardianship Registry: LaJuan Epperson reported that there are 25 counties on the registry since it was implemented last fall. There are four counties that are being trained soon and four more that are exploring joining. There are currently over 2000 cases in the registry. The committee was reminded that the registry is an INcite application, so Odyssey is not required, but when counties come on Odyssey they are being trained on the registry also. The committee was also informed of the change to the information sheet to get the information the staff needs

to input the case into the registry. The committee discussed some hesitations and resistance in some areas and whether the registry should be mandatory. The committee discussed the fact that the registry could be linked to the mental health application to assist with NICS reporting. The committee decided to request the Board of Directors to make the registry mandatory effective January 1, 2017. The committee will also continue to assist with implementation and policy questions for the registry as needed.

11. Probate Deskbook: The committee agreed to review the remaining benchbook sections at the March meeting, which will be 9:30 a.m. to 3:30 p.m. There is one section that needs to be reassigned. Judge Davis volunteered to complete that review. The committee also discussed the ABA and National College of Probate Judges on guardianships. Staff was asked to email the link to the committee so everyone has access to that information also.
12. Other business: The committee decided to review the emergency detention petitions and the physician statement used for guardianships and emergency detention.
13. 2016 meeting dates: The committee scheduled the following meeting dates to be held at the Indiana Judicial Center:

March 18 - 9:30 a.m. to 3:30 p.m.

June 10 - 1:30 p.m. to 3:30 p.m.

August 5 - 1:30 p.m. to 3:30 p.m.

November 4 - 1:30 p.m. to 3:30 p.m.

Respectfully submitted,

Michelle Goodman
Staff Attorney