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FOR IMMEDIATE RELEASE

January 9, 2002

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NEWS MEDIA ADVISORY

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Chief Justice Randall T. Shepard will make his annual State of the Judiciary address to the Indiana General Assembly at 2:00 p.m. on Wednesday, January 16, 2002, in the Indiana House Chamber. The address will last just under one hour. Copies of his remarks to the legislature, which are required by Article VII, Section 3 of the Indiana Constitution, will be distributed to the news media prior to the speech.

After the speech, the text and a webcast of the Chief Justice's remarks will also be posted on the internet at www.IN.gov/judiciary/supreme/state_jud.html.

If you would like a copy of the speech sent via e-mail to you please contact David Remondini at (317) 233-8684 or e-mail him at dremondi@courts.state.in.us.

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FOR IMMEDIATE RELEASE

January 25, 2002

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Overwhelming Response to Public Notice of Contracting Opportunities

Indianapolis, IN, January 25, 2002 - The Indiana Division of State Court Administration is pleased to announce that it has received an overwhelming response from a long list of information technology companies to a Public Notice of Contracting Opportunities for a 21st century case management system (CMS) and related technologies, Division Executive Director Lilia Judson announced today.

"We are extremely pleased with the number of responses and, particularly, with the caliber and reputations of the companies that have submitted proposals," Judson said.

More than 30 vendors have submitted proposals detailing their ideas for the improvement of Indiana's court technology, including the implementation of a comprehensive statewide case management system.

The Division of State Court Administration solicited the proposals on behalf of the Indiana Supreme Court Judicial Technology and Automation Committee (JTAC), which has as one of its primary goals equipping all Indiana trial courts with a comprehensive case management system. Having a comprehensive case management system in each trial court, JTAC believes, will allow Indiana trial courts and court clerks to manage their caseloads faster and more cost-effectively; provide users of Indiana trial court information, notably law enforcement agencies, state policy makers, and the public, with more timely, accurate and comprehensive information; and reduce the cost of trial court operations borne by Indiana counties.

According to Kurt Snyder, Director and Counsel of Trial Court Technology, the staff of the Division of State Court Administration has begun review of the proposals. However, he said that because of the unanticipated substantial volume of the materials, the review process would likely take more time than originally anticipated. The Division and JTAC will periodically report on the timetable for review. Neither the Division nor JTAC is obligated to award any contract in response to the proposal, and actual award of any contract will depend upon the availability of adequate funding.

About the Indiana Supreme Court Judicial Technology and Automation Committee (JTAC)

In order to develop a uniform policy on implementation of information technology by the Indiana Judicial System, the Supreme Court of Indiana in 1999 established a Judicial Technology and Automation Committee (JTAC), comprised of nine Indiana judges and chaired by Justice Frank Sullivan, Jr. The primary role of JTAC is to provide leadership and guidance, including advisory oversight of state budget requests regarding the use of technology in the courts, in an effort to serve the people of Indiana better. For more information, please visit www.IN.gov/judiciary.

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FOR IMMEDIATE RELEASE

March 4 , 2002

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Randall T. Shepard Sworn in for New Term as Chief Justice

Randall T. Shepard was sworn in Monday by Gov. Frank L. O'Bannon for his fourth five-year term as Chief Justice of Indiana, making him the longest serving Chief Justice in the history of the state.

Chief Justice Shepard was appointed to the Court in 1985 by then Gov. Robert D. Orr. He was elected Chief Justice for the first time in 1987 by the Judicial Nominating Commission. The Commission then re-elected him for terms that began in 1992, 1997, and for the term that begins today.

In addition to friends and family, Chief Justice Shepard was joined by his wife, Amy MacDonell Shepard, their six-year old daughter "Mattie" Shepard, and Mattie's kindergarten class from The Orchard School of Indianapolis. Members of the Court of Appeals and Tax Court, Supreme Court staffers and invited guests were also present.

Associate Justice Frank Sullivan Jr. served as the master of ceremonies for the event, which included remarks from Gov. O'Bannon, Lt. Gov. Joseph Kernan, Maggie Kernan, House Speaker John Gregg, and Court of Appeals Chief Judge Sanford Brook.

Following the ceremony, Chief Justice Shepard read to the kindergarten students from the book, *Marshall, the Court House Mouse, A Tale of the Supreme Court*.

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March 4 , 2002

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Scottsburg Attorney Robert Houston to Join CLE Commission

Attorney Robert L. Houston, III, of Scottsburg, has been appointed to the Supreme Court's Commission on Continuing Legal Education, Chief Justice Randall T. Shepard announced today.

Mr. Houston will immediately fill the un-expired term of David A. Lewis, of Jeffersonville, who is leaving the Commission to concentrate on other responsibilities.

Mr. Houston who has a general practice in Scottsburg was admitted to the bar in 1974 after receiving his law degree from the University of Louisville.

"The Court is pleased that Mr. Houston has agreed to take time out from his busy practice to assist us with this important task. I am sure he will make many fine contributions to the Commission," said Chief Justice Shepard.

The Commission has 11 members. They receive no salary for their service and each serves a term of three years.

The Commission is primarily responsible for approval of the individual educational opportunities that Indiana's attorneys are required to receive and for approval of the sponsors who present the educational seminars.

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FOR IMMEDIATE RELEASE

March 13, 2002

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Fort Wayne Attorney Phil Burt Named Pro Bono Chair

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The Indiana Supreme Court has selected Fort Wayne attorney J. Philip Burt as the next chair of the Indiana Pro Bono Commission, Chief Justice Randall T. Shepard announced today.

Mr. Burt, a veteran Allen County attorney and a long-time advocate of pro bono efforts by attorneys, will begin a three-year term as chair on July 1, 2002. Mr. Burt replaces the Hon. L. Mark Bailey of the Indiana Court of Appeals. Judge Bailey, who is credited with organizing and establishing the Pro Bono Commission as its first chair, will remain on the 21-member Pro Bono Commission.

"The Court is very grateful for the leadership and vision Judge Bailey has provided and we feel certain that Mr. Burt will continue to direct the Commission with vigor and enthusiasm," said Chief Justice Shepard.

Mr. Burt is a partner with the law firm of Burt, Blee, Dixon, Sutton & Bloom L.L.P. Earlier this year, Mr. Burt was presented with the first annual J. Philip Burt Lifetime Achievement Award in recognition of his service to pro bono.

The Commission is a joint project of the Supreme Court and the Indiana Bar Foundation. Its primary function is to award grants to local pro bono organizing committee. In early 2002, it distributed over \$600,000 in an effort to encourage Indiana attorneys to do more pro bono civil legal work for people of limited means.

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High Court Appoints Three to Pro Bono Commission

The Indiana Supreme Court has re-appointed three individuals to new terms on the Indiana Pro Bono Commission, Chief Justice Randall T. Shepard announced today.

The Hon. L. Mark Bailey, of the Indiana Court of Appeals, Indiana Lawyer Publisher Glenda Russell, and Mark Robinson, of Indiana Legal Services, Inc. of New Albany, each will serve a second three-year term beginning July 1, 2002.

Judge Bailey was the first chair of the 21-member Pro Bono Commission, which is a joint project of the Supreme Court and the Indiana Bar Foundation. Its primary function is to award grants to local pro bono organizing committee. In early 2002, it distributed over \$600,000 in an effort to encourage Indiana attorneys to do more pro bono civil legal work for people of limited means.

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FOR IMMEDIATE RELEASE

April 3, 2002

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Tax Court Judge Thomas Fisher Receives Lasser Award

Indiana Tax Court Judge Thomas G. Fisher received the Lawrence L. Lasser Award as the outstanding tax court judge for 2001 at the National Conference of State Tax Judges' annual meeting.

The award is presented by the Conference, which is supported by the Lincoln Institute of Land Policy. Judge Lasser was a founder of the Conference in the late 1970s and was the first presiding judge of the New Jersey Tax Court. He died in 1998.

Judge Fisher received the award last month in Cambridge, Mass. It recognizes outstanding achievement and vision in state tax court leadership and in promoting judicial education and professional development through the National Conference of State Tax Judges. The award to Judge Fisher reflects the high esteem in which he is held by his judicial peers, whom he has led as a past Chairman of the National Conference, according to a statement released by the Lincoln Institute.

The Lincoln Institute of Land Policy is a nonprofit and tax-exempt educational institution established in 1974. Its mission as a school is to study and teach land policy, including land economics and land taxation. The Institute supports the National Conference of State Tax Judges' annual meeting where judges review recent state tax decisions, consider methods of dealing with complex tax and valuation disputes, and share experiences in case management and administration.

Judge Fisher was appointed as Indiana's first tax court judge in 1986 after serving as Jasper County Prosecuting Attorney.

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FOR IMMEDIATE RELEASE

April 26, 2002

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Chief Justice to Attend Law Day Events in Southern Indiana

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Chief Justice Randall T. Shepard will attend Law Day events on May 1, 2002 in Petersburg and Bloomfield.

The Petersburg event will begin at 9:30 a.m. in the atrium of the Pike County Court House. A reception in the Pike Circuit Court Room will follow.

In Bloomfield, the event will start at 1:30 p.m. at the First United Methodist Church at 60 West Main Street. A reception hosted by the Greene County Bar Association will follow in the Greene Circuit Court Room.

All times are local. The public and the media are welcome at all Law Day functions.

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Executive Media Communications**

April 30 , 2002

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State Grant Supports Marion County Court Technology Improvements

Indianapolis, Indiana, April --, 2002. The Indiana Criminal Justice Institute and the Indiana Supreme Court Judicial Technology and Automation Committee (JTAC) have awarded the Marion Superior Court approximately \$204,000 to improve court efficiency and technology, Indiana Supreme Court Justice and JTAC Chairman Frank Sullivan, Jr., announced today.

"These funds will help underwrite the impressive progress already underway to streamline court procedures in Marion County and help lay the groundwork for the installation of a 21st century computerized court case management system," Sullivan said. Cynthia J. Ayers, Presiding Judge of the Marion Superior Court, added, "For some time, the Marion Superior Court has been committed not only to handling cases faster but also more effectively and efficiently. These funds will be of major assistance in pursuing those goals and we are grateful for them."

According to Ayers and Sullivan, the grant is the latest step in an important partnership between Marion County and the state. During the past year, the Marion Superior Court, with the strong support of the Indianapolis-Marion County City-County Council, has been engaged in a comprehensive review of current processes and procedures in all court divisions in an effort to redesign and reengineer those processes and procedures to implement best practices from around the country. As part of that effort, the court contemplates installing a new computerized case management system. At the same time, JTAC has been working towards the goal of providing a computerized case management system for all Indiana trial courts. Ayers and Sullivan said that the grant announced today demonstrates the close working relationship that Marion County and the state have developed in this common enterprise.

Ayers and Sullivan both saluted the Criminal Justice Institute for its financial support of their efforts. "With improved court processes and procedures and a new computerized case management system, courts in Marion County and in Indiana should see dramatic reductions in the amount of time it takes to dispose of cases. This in turn will reduce the amount of time criminal defendants spend in jail awaiting trial. For this reason, we firmly believe that this project will cause criminal justice in Marion County and in Indiana to be delivered more quickly and more fairly. We are grateful that the Criminal Justice Institute shares this view and has been willing to provide financial support for it," Ayers and Sullivan said.

The original funding source for this grant is the US Bureau of Justice Assistance Edward Byrne Memorial State and Local Law Enforcement Assistance Program. The Indiana Criminal Justice Institute is also providing financial support for other JTAC initiatives.

About the Indiana Supreme Court Judicial Technology and Automation Committee (JTAC). In order to develop a uniform policy on implementation of information technology by the Indiana judicial system, the Supreme Court of Indiana in 1999 established its Judicial Technology and Automation Committee (JTAC). The primary role of JTAC is to provide leadership and governance, including advisory oversight of state budget requests, regarding the use of technology in the courts in an effort to better serve the people of Indiana. For more information, please visit www.IN.gov/judiciary.

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FOR IMMEDIATE RELEASE

June 5, 2002

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On-Line Court Forms and Information Available in Spanish

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The Indiana Supreme Court Pro Se Project has created on-line legal forms in Spanish to help self-represented Hispanic people in Indiana resolve certain legal matters, Chief Justice Randall T. Shepard announced today.

These new forms will help lower barriers to courts that are sometimes faced by Indiana residents of Hispanic descent. A "Petition for a Divorce without Children" and a "Request for a Continuance" are now available but other forms under development. The instructions for the forms are in Spanish but the court petitions are in an English/Spanish format. They are at: www.in.gov/judiciary/selfservice/index.html.

"We are very pleased to participate in the continuing effort to provide information to the self-represented and to assure access to justice to all, including Hispanics whose numbers continue to grow in our cities and in rural Indiana," said Greene County Superior Court Judge David Holt, who chairs the Pro Se Advisory Committee.

The Pro Se Project began in 2001 to build a statewide pro se assistance network that will provide basic resources to litigants by creating pro se forms and encouraging local courts to develop their own pro se programs. It is directed by Anthony Zapata.

The Project created a Self-Service Legal Center Website that provides valuable information for the self-represented and created five court forms and instructions: a continuance, a contempt citation, a fee waiver, a name change, or a divorce without children. It also distributed a manual that assists court staff in answering questions from self-represented litigants and it developed a list of ways court staff can assist litigants.

The Pro Se Advisory Committee includes court clerks, judges and members of the bar.

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FOR IMMEDIATE RELEASE

June 20, 2002

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Indiana Supreme Court Pro Se Project Completes Its First Year

A project designed to help self-represented litigants navigate the court system has completed its first year of operation, Chief Justice Randall T. Shepard announced today.

The Indiana Supreme Court Pro Se Project was created in early 2001 to extend access to the justice system for all litigants. This project was funded by a \$50,000 grant from the State Justice Institute in Alexandria, Virginia (SJI-01-N-001), and by cash and in-kind contributions from the Indiana Supreme Court totaling \$63,538.

The Project resulted from an action plan developed by the Indiana state team that attended the National Conference on Pro Se Litigation held in Scottsdale, Arizona, held November 13 ? 21, 1999. Team members included Judge David Coleman, Hendricks Superior Court No. 2, Judge Gregory Donat, Tippecanoe Superior Court No. 1, and Staci Terry, a Richmond attorney formerly with Indiana Legal Services, Inc.

The state team further refined the action plan at the Justice Management Institute workshop, "Designing Effective Pro Se Litigation Programs," held May 22 ? 24, 2000, in Minneapolis, Minnesota. The state team was able to exchange information with other states and view the Hennepin County court system pro se assistance program. This experience allowed the team to move beyond the conceptual nature of the original action plan and determine the next steps needed to take in creating a statewide pro se initiative in Indiana.

The mechanism chosen to implement the plan included the creation of an advisory committee. The Pro Se Advisory Committee consists of judges, county clerks, librarians, lawyers, and legal educators. A Director was hired to oversee the day-to-day operations of the Project.

In its first year of operation, the Project created a Self-Service Legal Center Website that provides substantial information for the self-represented. It has averaged over 80 "hits" per day, and has ranked among the top five pages on the Indiana Judiciary Website two times.

The Project has developed nine court forms with instructions that can be used by a person seeking a continuance, a contempt citation, a fee waiver, a name change, a divorce without children, a visitation contempt citation, a child support modification, a reduction in child support obligation due to emancipation of a child, and a termination of child support obligation to due emancipation of the child. The Project has also created two court forms that can be used by a Spanish-speaking person seeking a divorce without children or a continuance. These petitions have all-Spanish instructions and the forms are in an English/Spanish format.

The Project also adopted a sixteen-page training manual entitled "Legal Advice Versus Legal Information, Do You Know the Difference?" that assists court staff in answering questions from the public. The Project has developed a descriptive poster that explains how court staff can and cannot help a litigant because of the prohibition against providing legal advice. This poster is intended to replace the traditional notice sometimes seen posted on courtroom doors and windows that states "Court Staff Cannot Give Legal Advice."

Points of view expressed herein or in the products created by the Pro Se Project do not necessarily represent the official position or policies of the State Justice Institute.

For more information, contact Anthony Zapata, Indiana Supreme Court Pro Se Project Director, 115 West Washington Street, Suite 1080, Indianapolis, IN 46204-3466, Phone (317) 234-1872, Fax (317) 233-6586, azapata@courts.state.in.us, <http://www.in.gov/judiciary/selfservice>.

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FOR IMMEDIATE RELEASE

June 21, 2002

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Charges Filed Against Lake County Judge and Lawyer

Formal charges were filed Friday against Lake Superior Court Judge James Danikolas and attorney Willie Harris for their alleged actions that led to the release of an individual from jail on contempt charges without notifying the opposing side's attorney.

The charges against Judge Danikolas were brought by the Indiana Commission on Judicial Qualifications, which oversees the conduct of judges. Charges against Mr. Harris were brought by the Supreme Court Disciplinary Commission, which prosecutes alleged violations of professional conduct by attorneys.

The Disciplinary Commission and the Qualifications Commission asked the Supreme Court to appoint a three-person panel to hear the evidence in both cases since much of the evidence is expected to be the same.

The charges involve a contempt of court case filed against an individual identified only as JD, who had failed to pay a \$38,400 judgment for child support and spousal maintenance payments owed to a woman identified only as MD. In January 2001, a court magistrate found JD in contempt of court and jailed him for 30 days. According to the order, JD's release from jail was subject to his posting a \$10,000 escrow bond, which would have in part satisfied the judgment owed MD.

According to the charges, on February 5, 2001, Mr. Harris or someone working for Harris faxed a form order to Judge Danikolas which, when signed, had the effect of releasing JD from jail without the necessity of posting the bond. Judge Danikolas signed the order. MD first learned of Judge Danikolas' order after an acquaintance told her she had seen JD in Gary. Neither MD nor her attorney had been informed of JD's attorney's request or that Judge Danikolas had signed the order.

The charges center on the alleged communication between Mr. Harris and Judge Danikolas about the case without informing the opposing side about the order releasing JD from jail. In general, the Code of Judicial Conduct and the Rules of Professional Conduct forbid this kind of conduct, known as ex parte communications. The prohibition against ex parte communications is designed to prohibit judicial action without first affording all sides an opportunity to be heard.

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FOR IMMEDIATE RELEASE

June 21, 2002

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Nominations Sought for Indiana Judges Association Commendations for Excellence in Public Information and Education

The Indiana Judges Association is accepting nominations for its annual awards for "Excellence in Public Information and Education," Marion Superior Court Judge David Dreyer announced today. Judge Dreyer, who chairs the Community Relations Committee of the Judicial Conference of Indiana, said the Committee will select the recipients on behalf of the Indiana Judges Association.

Two "Excellence in Public Information and Education" awards are given each year. One award is presented to a member of the Indiana judiciary for special efforts in community relations. In addition, an award is presented to a member of the news media for efforts in responsible reporting on the Indiana judiciary.

Nominations for either award should include a letter outlining the reasons for making the nomination. Please include any supporting information that will assist the committee's decision-making. The selection will be based on the breadth and depth of the effort, quality of the effort, ingenuity and public response.

Nominations must be received by the Indiana Judicial Center by 4:30 p.m. on Monday, August 5, 2002. The awards will be presented at the Indiana Judges Association luncheon on September 12, 2002 in Fort Wayne.

For further information or a copy of the nomination forms, please contact Jennifer Bauer at 317-232-1313. Nomination forms are also available online at www.in.gov/judiciary/center.

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FOR IMMEDIATE RELEASE

June 27, 2002

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U.S. Supreme Court School Drug Testing Decision Similar to Recent Indiana Supreme Court Ruling

Today's United States Supreme Court decision in Board of Education of Independent School District No. 92 v. Earls, upholding random drug testing of high school students in certain circumstances, reaches the same result as did the Indiana Supreme Court in its Linke v. Northwestern School Corporation decision released earlier this year.

In its Earls decision today, the U.S. Supreme Court addressed a "student activities drug testing policy" requiring all middle and high school students to consent to random urinalysis testing for drugs in order to participate in certain extracurricular activities such as Future Farmers of America, Future Homemakers of America, band, choir, cheerleading, and athletics. The Court held that the policy is a reasonable means of furthering the school district's important interest in preventing and deterring drug use among its schoolchildren that does not violate the U.S. Constitution.

The Indiana Supreme Court dealt with a similar policy of the Northwestern School Corporation in Howard County. Northwestern's policy requires all middle and high school students participating in school athletics, specified extra-curricular and co-curricular activities, and student drivers who park on campus to submit to random urinalysis drug testing. The Indiana Supreme Court held that Northwestern's policy is a reasonable means of furthering its interest in preventing and deterring drug use by its schoolchildren and does not violate the Indiana Constitution.

The students in both cases contended that they could not be tested at random but only if there was "individualized suspicion" to believe that they were using drugs.

Earls's claim arose under the United States Constitution's prohibition against "unreasonable searches and seizures." Linke's claim contended that Northwestern violated the Indiana Constitution's prohibition against "unreasonable searches and seizures." Although one case arose under the U.S. Constitution and the other the Indiana Constitution, the majority opinions in both cases contain similar interpretations of the U.S. Supreme Court's 1995 precedent in the case of Vernonia School District 47J v. Wayne Acton. Vernonia found that a policy requiring student athletes to submit to random urinalysis testing does not violate the U.S. Constitution's prohibition of "unreasonable searches and seizures."

In another similarity between the opinions, both cases were decided by close votes. The U.S. Supreme Court's Earls decision was decided by majority of 5 to 4. Chief Justice Rehnquist and Justices Scalia, Kennedy, Thomas, and Breyer, were in the majority with Justices Stevens, O'Connor, Souter, and Ginsburg dissenting. The Indiana Supreme Court's Linke decision was a 3 to 2 decision with Chief Justice Shepard and Justices Dickson and Sullivan in the majority. Justices Boehm and Rucker dissented.

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FOR IMMEDIATE RELEASE

June 28, 2002

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New Charges Filed Against Lawrence County Judge Kern

The Indiana Commission on Judicial Qualifications filed disciplinary charges today against Lawrence Superior Court Judge Raymond L. Kern. Judge Kern currently is suspended from office with pay pending an earlier recommendation from the Commission that he be removed from the bench due to charges filed last year.

Today's charges include five counts of alleged judicial misconduct. In Count I Judge Kern is accused of taking judicial action to advance his own interests by issuing orders to the Lawrence County Auditor for the county to pay over \$23,000.00 in legal fees to the judge's attorneys who defended him in the prior disciplinary case. The Commission also alleges the orders were misleading because Judge Kern indicated in the orders that the attorneys had been "appointed" to defend him.

In Count II, Judge Kern is accused of falsely advising county officials in an appropriation request for \$39,500.00 to pay his defense bill that the county had been obligated to pay the fees, and of falsely advising the Qualifications Commission that the county was obligated to pay the legal fees because of an earlier agreement with county officials. The Commission asserts no agreement had ever been made.

In Count III, Judge Kern is accused of submitting claims to the county for reimbursement of mileage expenses for two court employees for travel between Indianapolis and Lawrence County to take part in the Commission's prior disciplinary case when the Commission already had reimbursed the employees.

In Count IV, in connection with Judge Kern's federal Chapter 13 bankruptcy filing, the Commission alleges Judge Kern committed misconduct by hearing several cases involving his creditors and failing to inform the opposing parties of his financial involvement with the creditors, some of whom filed claims in the bankruptcy and suffered losses as a result, and to one of whom Judge Kern had missed several payments and had issued checks written with insufficient funds.

These allegations of misconduct relate to a rule of judicial ethics forbidding a judge from engaging in financial dealings that may be perceived to exploit the judge's position, which involve the judge in frequent transactions with lawyers or others who appear in the judge's court, or which tend to reflect adversely on the judge's impartiality.

In Count V, Judge Kern is charged with making a false statement to the Commission when he said he did not miss any payments to his creditors. The Commission alleges Judge Kern missed approximately 32 payments between January 2000 and August 2001.

Judge Kern may respond to these charges within 20 days, after which the Supreme Court will appoint a panel of three judges to preside over a hearing on the Commission's allegations.

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July 10, 2002

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Supreme Court's "Courts in the Classroom" Project Receives National Award

[State of the Judiciary](#)

Courts in the Classroom, a special online project of the Indiana Supreme Court designed to teach Indiana's schoolchildren about the judicial system, was recently named a 'Best of Breed' Program by the Center for Digital Government, Chief Justice Randall T. Shepard announced today.

"Our main goal in creating this project was education," said Chief Justice Shepard. "To be recognized as the best of our breed so soon after the project began tells us that we are on the right track. I commend our staff, particularly Elizabeth Osborn and Lindsey Holloway, for their great work on this project."

Courts in the Classroom (www.IN.gov/judiciary/education) was launched in September 2001 featuring selected live webcasts of oral arguments heard before the Supreme and Appellate Courts. The site includes "Featured Cases," which are curriculum units based on specific cases that highlight aspects of the law that can be explored in the classroom.

These units include case briefs filed by both sides in the lawsuit, the webcast of the oral argument, information on the Court's action, and a set of associated lesson plans that track Indiana's new social studies standards. The site also contains an introductory lesson on the structure of Indiana's courts, a glossary of legal terms, a list of relevant links to aid teachers and students in their understanding of the law, and an online help and troubleshooting guide.

To record the arguments heard in the Supreme Courtroom, video equipment was installed with meticulous care to preserve the historical ambiance of the 19th century courtroom.

"The webcast of oral arguments is an unprecedented use of technology in any Indiana courtroom. It stands to explain the judicial process on a broader scale and helps us educate our students about the law in a highly interactive way," said Chief Justice Shepard.

The Center for Digital Government is a national research and advisory organization dedicated to providing resources for governments and industries in their efforts to implement new technologies (www.centerdigitalgov.com). This recognition was awarded to Courts in the Classroom based on the Center's 2002 Digital State Survey, Part 1: Social Service, Law Enforcement and the Courts. Indiana ranked 14th overall among the 50 states in the Law Enforcement and the Courts section of the survey.

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FOR IMMEDIATE RELEASE

July 11, 2002

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Public Hearing on Child Support to be Held and "Webcast"

A public hearing on Indiana's child support rules and guidelines that will help determine if child support payments will be adjusted will be held on July 19, 2002 in the Supreme Court Courtroom and "webcast" live on the Internet.

The session will begin at 10:30 a.m. C.S.T. in the Courtroom on the third floor of the Indiana State House in Indianapolis and end at noon.

The 12 judges and magistrates of Domestic Relations Committee of the Judicial Conference of Indiana will hold the hearing on the state's Child Support Rules. Federal law requires states to review the guidelines every four years. Later this year, the Domestic Relations Committee will propose changes to the Supreme Court of Indiana.

The Hon. Daniel Donahue, Judge of the Clark Circuit Court, chairs the committee. Any one is welcome to attend and speak for a maximum of five minutes.

Organizations are asked to designate one person to appear and represent the views of that organization. Any one who would like to speak at the public hearing should contact Jeffrey Bercovitz, Indiana Judicial Center, 115 West Washington Street, Suite 1075, Indianapolis, Indiana 46204, Phone (317) 232-1313, Fax (317) 233-3367, before July 19th.

The Domestic Relations Committee is administering the four-year review on behalf of the state's Family and Social Services Administration with the assistance of a \$7,500 grant and the staff assistance of the Indiana Judicial Center.

To watch it live or in archived form, viewers will need Internet access and must install the free "RealOne" video streaming software available at www.real.com.

To view the hearing, go to www.in.gov/judiciary/webcast.html and click on "Child Support Guidelines Review" under "Public Hearings."

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FOR IMMEDIATE RELEASE

July 12, 2002

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Chief Justice Shepard Named to ABA Advisory Committee

Randall T. Shepard, Chief Justice of Indiana, has been appointed to the American Bar Association's Standing Committee on Ethics and Professional Responsibility Judges Advisory Committee.

He was appointed by Alfred P. Carlton, President-elect of the American Bar Association. The one-year term begins in August 2002. Chief Justice Shepard will be one of nine state and federal judges on the Advisory Committee.

The Standing Committee on Ethics and Professional Responsibility is charged with "expressing its opinion on proper professional or judicial conduct." The Judges Advisory Committee, in existence since 1970, is an adjunct of the Standing Committee on Ethics.

Chief Justice Shepard has held several positions with the American Bar Association. He has served as chair of the ABA's Council for the Section on Legal Education and Admission to the Bar and as chair of the ABA's Appellate Judges Conference.

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FOR IMMEDIATE RELEASE

July 23, 2002

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Court Leaders Say New Statewide Court Computer System Will Bring Improvements to Citizens; Marion County to Pilot New System

Indiana Supreme Court Chief Justice Randall T. Shepard, Justice Frank Sullivan, Jr. and Judge Cynthia J. Ayers, Presiding Judge of the Marion County Superior Court, announced a key step in the development of technology that will make vital courthouse information more accessible to the public and useful to government agencies today.

"The Indiana judiciary, in partnership with state and county government leaders, began work today on a new statewide court computer project that dramatically will improve service to Indiana citizens and assist our law enforcement officers in their work. I consider this to be the most important improvement in Indiana courts in over 30 years," Chief Justice Shepard said.

Computer Associates International, Inc. (CA), a major international computer software firm, will design and install a statewide computerized "case management system" that will keep track of all developments in all cases pending in Indiana courts and make that information readily available to anyone who needs court information. Shepard estimates that the design of the system will take about one year and statewide installation an additional two years.

"I am very excited that Marion County will be a pilot county for the new system," Judge Ayers said. "The timing couldn't be better. Our existing case management system has reached the end of its useful life. The new system will enable us to implement the recommendations of the comprehensive review of court operating procedures, now under way."

The new court computer system will bring "21st century technology to our courts and put that same technology in the hands of citizens, law enforcement officers, and others who need and use court information," said Justice Sullivan, who chairs the Supreme Court's Judicial Technology and Automation Committee (JTAC), which is leading the project. For example:

- Citizens and lawyers will be able to check the status of their cases over the Internet.
- Courts will be able to transmit electronically orders suspending (or reinstating) driver's licenses to the Bureau of Motor Vehicles.
- The state will be able to have an accurate electronic registry of all domestic violence protective orders issued by Indiana courts.
- A judge facing a criminal defendant will be able to determine immediately whether additional charges are pending anywhere else in Indiana.
- Judges, clerks, prosecutors, lawyers, and their staffs will be able to process electronically countless transactions now performed by hand.

Justice Sullivan also expressed enthusiasm at the lead role to be played by Marion County courts. "Our state's largest county generates about one-fifth of the workload of all Indiana

courts. With our largest and busiest court system up and running first, we will have a flying start toward our goal of a statewide case management system," he said.

The Supreme Court selected Computer Associates in May following a lengthy competitive procurement process that began last year. As part of its contract, CA will customize its existing court case management computer program to meet Indiana requirements and needs and then assist JTAC staff in implementing the system in all Indiana courts. The company will also develop specialized computer programs called "interfaces" to connect the case management system with key state agencies that need and use court information such as the Bureau of Motor Vehicles, the State Police, and the Department of Correction. Other computer programs developed by CA and used by business and governments throughout the world to help run large computer networks are also included.

"CA is extremely gratified to have been selected for this ground-breaking project," said Bob Dinkel, Senior Vice President, CA Services, which will assist the state on the project. "We look forward to working closely with the state's judiciary system to design and implement a system that will leverage today's advanced information technologies to ensure that the citizens of Indiana have a court system that is both highly effective in administering justice and highly cost-efficient in its operations."

The Supreme Court will pay CA about \$2.3 million per year for three years for its work. Funding for the project comes from an increase in court-filing fees authorized by the Legislature, grants from the Indiana Criminal Justice Institute, and other sources.

Chief Justice Shepard thanked State and local leaders, including Gov. O'Bannon and members of the Legislature, for enacting legislation this year to fund the project. Shepard also offered his special appreciation to State Sen. J. Murray Clark (R-Indianapolis), author of the legislation; Justice Sullivan and the JTAC committee; the leaders of Indianapolis and Marion County government for their partnership with JTAC, particularly Judge Ayers, Marion County Clerk Sarah Taylor; Marion County Prosecutor Scott Newman; and Indianapolis-Marion County Councilor William Dowden, chairman of the City-County Council Public Safety & Criminal Justice Committee, as well as "the countless number of judges, county clerks, court and clerk staff members, and state and local information technology personnel who have worked so hard in the preliminary phases of this project.

"There is still much to do before our vision of a statewide 21st century case management system becomes a reality. But thanks to the hard work of a great many people here in Marion County and throughout the state, we are well under way," Chief Justice Shepard said.

A webcast of the announcement of the project may be viewed after 10:30am on Wednesday, July 24 at: www.IN.gov/judiciary/webcast.html

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August 5 , 2002

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Indiana Supreme Court Extends Its Ivy Tech Computer Training Program Through Fall 2002

Indianapolis, IN-"Due to the enormous success of the Indiana judicial employee computer training program at Ivy Tech State College during its first year, enrollment will be extended through Fall 2002," Indiana Supreme Court Justice Frank Sullivan, Jr., announced today. Sullivan chairs the Supreme Court's Judicial Technology and Automation Committee (JTAC), which supervises the program.

In mid-2001, JTAC began offering fully funded computer training to Indiana's judicial employees through a partnership with Ivy Tech, according to Kurt Snyder, Director and Counsel of Trial Court Technology in the Supreme Court's Division of State Court Administration. Snyder said that approximately 550 employees in approximately 157 county clerk offices and local trial courts throughout the state have participated in the program. Course offerings have included computing, the Internet, and Microsoft Office software such as Microsoft Word, Microsoft Excel, and Microsoft PowerPoint. In total, a variety of 24 courses have been taken for a total of 50,067 contact hours.

The Ivy Tech program was developed to assist trial court and county clerk employees take advantage of the many technology tools currently available to them and to begin preparing them for the technology that will be available in the future. "Indiana's courts are undertaking many new high-tech initiatives, and a vital facet of improving technology is making training accessible to those who will be using it," Sullivan said.

Ivy Tech has also been pleased with the program. "A central part of Ivy Tech's mission is assisting Hoosiers already in the workplace meet the changing demands of technology," Ivy Tech President Gerald I. Lamkin said. "It has been a particular pleasure to be able to provide that assistance to Indiana judges, county clerks, and their employees."

Sullivan had particular praise for Ivy Tech's flexibility in providing the instruction. He said that in many locations, Ivy Tech tailored the class curriculum to meet the specific needs of clerk and court employees. In some locations, where enrollment justified it, Ivy Tech actually provided the classes in the local courthouse. "The Supreme Court and JTAC have received a great deal of positive feedback about the courses, the professors, and Ivy Tech in general," Sullivan said.

Judicial employees who have participated in and offered feedback on the program consider the course matter to be relevant and the convenience of Ivy Tech's 23 campuses to be valuable. For example, Richard Pfifer, Director of Johnson County Adult Probation and employed there since 1987 said, "I have taken multitudes of classes, and none of them have proven to be as valuable as this computer course. The course covered all areas that relate to my position as a Chief Probation Officer, and course objectives were clear, attainable, and applied to our present judicial system."

Because JTAC plans many advances that will require familiarity with computers and the Internet, JTAC strongly encourages judges, clerks, and their staffs to take advantage of this educational

opportunity. Although JTAC will cover the entire cost of instruction, total funding is limited and will be made available on a first-come, first served basis. To learn more about the Ivy Tech training program, visit the JTAC website at: www.IN.gov/judiciary/jtac.

About Ivy Tech

With 23 campuses statewide, Ivy Tech State College is Indiana's third largest public higher education system. An open-access, two-year technical college, Ivy Tech offers courses, degree programs, training leading to certifications and continuing education. The College also provides customized training opportunities for businesses and industries.

About the Indiana Supreme Court Judicial Technology and Automation Committee (JTAC)

In order to develop a uniform policy on implementation of information technology by the Indiana judicial system, the Supreme Court of Indiana in 1999 established its Judicial Technology and Automation Committee (JTAC). The primary role of JTAC is to provide leadership and governance, including advisory oversight of state budget requests, regarding the use of technology in the courts in an effort to better serve the people of Indiana. For more information, please visit www.IN.gov/judiciary.

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FOR IMMEDIATE RELEASE

August 22, 2002

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[05-03-01: Judicial Commission Charges Judge Raymond Kern](#)

Commission, Judge Kern Resolve Charges by Resignation

The Indiana Supreme Court has accepted an agreement between the Indiana Commission on Judicial Qualifications and Judge Raymond L. Kern, Lawrence Superior Court #1, which resolves all pending disciplinary charges against the judge and includes his resignation from the bench effective August 31, 2002.

In May, 2001, the Commission filed ethics charges against Judge Kern resulting from an Order he issued awarding temporary custody of a child to the child's step-father without notice to the mother or her attorney. In February, 2002, a panel of three judges presided over a trial on those charges and concluded that the judge had violated the Code of Judicial Conduct in issuing the Order and that some of his statements during the investigation and at trial were untrue. The Masters recommended to the Supreme Court that it suspend the judge from office without pay for up to 15 days. The Commission argued he should be removed from office permanently.

In June, 2002, the Commission filed a new five-count charge of misconduct against Judge Kern alleging he misled Lawrence County officials and the Commission in his attempt to have the county pay his legal fees from the first case, that he submitted travel claims on behalf of two employees for their travels to Indianapolis as Commission witnesses in the first case when the Commission already had reimbursed them for their travel, that he continued to preside over cases involving financial institutions who were creditors in his bankruptcy proceeding and did not disclose that fact to the other parties, and that he falsely stated to the Commission that he never missed a payment to any of his creditors. Judge Kern denied misconduct on these Charges.

In their agreement, which the Supreme Court accepted, the Commission and Judge Kern agreed that the judge committed misconduct as found by the Masters in the first case, that the Court will assess against Judge Kern the costs of the prosecution of the first case, that the charges in the second case now are moot, that Judge Kern resigns as judge effective August 31, 2002, and that he agrees to neither seek nor hold any judicial office in Indiana or to serve in any judicial capacity in Indiana in the future.

Judge Kern is represented by Kevin McGoff, (317) 848-2300.

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Harrell to Direct Judges and Lawyers Assistance Program

[State of the Judiciary](#)

Terry L. Harrell was named as the executive director of the Indiana Judges and Lawyers Assistance Program, Chief Justice Randall T. Shepard announced today.

Ms. Harrell replaces the first full-time executive director of the Indiana Judges and Lawyers Assistance program, Susan Eisenhauer. Ms. Eisenhauer, who was appointed in November 1999, will be moving to Dayton, Ohio to join her husband who has accepted a position as the President and CEO of the United Way of the Dayton Area.

Ms. Harrell has been serving as clinical director of the Indiana Judges and Lawyers Assistance Program since July 2000. She will assume her new duties as executive director on October 14th. "The Court is convinced that Ms. Harrell is well-suited to her new appointment. Her strong clinical background as well as her familiarity with the program's current operations will make for a smooth transition and enable her to build on the excellent work that Ms. Eisenhauer has begun," the Chief Justice said.

After earning a degree in psychology at DePauw University, Ms. Harrell earned her law degree from Indiana University School of Law at Bloomington and her master's degree in social work from the Indiana University School of Social Work at Indianapolis.

Her work experience includes several positions with Midtown Community Mental Health Center and as an attorney for Ice Miller Donadio And Ryan. She also worked as a law clerk for former Court of Appeals Judge William Garrard.

The Judges and Lawyers Assistance Program's goals are to assist impaired members of the Indiana bar in recovery; educating the bench and bar; and reducing the potential harm caused by impairment to the individual, the public, the profession, and the legal system.

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Judicial Commission Admonishes Senior Judge Webster Brewer

The Indiana Commission on Judicial Qualifications released today a public admonition of Senior Judge Webster Brewer based upon a complaint filed in February by Marion County Prosecutor Scott Newman. The Commission had voted to file formal disciplinary charges against Judge Brewer, but, with his consent, closed the case upon issuing its public statement about his conduct.

The Commission found that Judge Brewer violated several sections of the Code of Judicial Conduct on January 3, 2002, when he presided over two bench trials as a Senior Judge in the Criminal Division of the Marion Superior Court. In one case, the judge found a woman guilty of a battery and sentenced her to time already served in jail. The defendant then advised the judge that her conviction would result in the revocation of her probation in another case, and the judge said, "You're not guilty, ma'am. I changed my mind." The Commission's statement in the admonition is that Judge Brewer made his decision on information other than the State's evidence and, therefore, was not faithful to the law and undermined the integrity of the judiciary.

In the second case, the State had charged a man with Domestic Battery and Resisting Arrest. Before the State had presented evidence through the police officers who were called to the scene, and while the victim was testifying about the altercation with the defendant with whom she lived, Judge Brewer interrupted the case and asked the woman what the defendant had done to her, "if anything." The woman described the altercation and Judge Brewer said, "Do you want this man...Do you want to take him home with you?" When the woman indicated she did, Judge Brewer said, "He's not guilty. Take him home with you ma'am. We're finished with all this."

The Commission stated in its admonition that when Judge Brewer ruled on the case before the State had presented its evidence, he violated the ethical rule requiring a judge to allow the State its right to be heard, and that he failed to respect and comply with the law. The Commission's admonition also includes a statement that the judge's questions to the alleged victim of a domestic battery, "Do you want this man?" and "Do you want to take him home with you?" and his statement, "Take him home with you ma'am" were injudicious and that the judge violated ethics rules which require judges to maintain high standards of conduct and to promote the public's confidence in the integrity of the judiciary.

Copies of the Public Admonition may be obtained by contacting Meg Babcock, Counsel to the Commission, at (317) 232-4706.

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September 3, 2002

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NEWS ADVISORY

Indiana Judicial Conference to Host 9-11 Event in Fort Wayne

A ceremony to mark the resilience of the American spirit that became so evident after the tragic events of September 11th will be hosted by the Indiana Judicial Conference in Fort Wayne, Ind. on September 11, 2002.

The 75-minute event will involve 300 Allen County school children and more than 400 Indiana judicial officers who are gathering in Fort Wayne for the annual of meeting of the Judicial Conference.

It will be held in the Grand Wayne Center. Melissa Long of WPTA-TV will serve as the emcee. A musical pre-ceremony for the school children will begin at noon and include performances by local judicial officers. More than 400 judicial officers will march in at about 12:15 p.m. The main ceremony will begin at 12:30 p.m. and include remarks by Chief Justice Randall T. Shepard, Fort Wayne Mayor Graham Richard, Indiana Treasurer Tim Berry and U.S. Congressman Mark Souder. It will conclude by 1:15 p.m.

The event will be webcast live at www.IN.gov/judiciary/webcast.html and also broadcast live by the Allen County Public Library on the local government channel.

The news media is invited to attend and cover the event.

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September 6, 2002

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Journalists and Judges Honored by Indiana Judges Association

Two journalists and one trial judge will be honored by the Indiana Judges Association for their outstanding efforts to educate the public about the working of the state's judicial system, Montgomery Circuit Court Judge Thomas K. Milligan announced today.

Judge Milligan, president of the Indiana Judges Association, said the association solicited nominees from the judiciary for the media category and judicial category for its Commendations for Excellence in Public Information and Education Award.

"These awards give us a wonderful opportunity to celebrate the very fine work that goes on everyday in city rooms, television production rooms and courtrooms across Indiana to help citizens gain a better understanding of the justice system," Judge Milligan said.

Betsy Kim, formerly of WLFI TV-18 in Lafayette, and Tracy Warner of the Journal Gazette in Fort Wayne will receive the media award. Judge Thomas Busch of Tippecanoe Superior Court #2 and Judge Donald Johnson of Tippecanoe Superior Court #1 nominated Ms. Kim for her reporting on Tippecanoe County's courts, in particular the mandate case concerning security at the courthouse doors. Judge Frances Gull of Allen Superior Court and David Remondini, counsel to the Chief Justice, nominated Mr. Warner for his fair and forthright editorials on the judiciary and Allen County court programs.

Judge Gregory J. Donat of Tippecanoe Superior Court #4 will receive the judiciary award. State Representative Sheila Klinker nominated Judge Donat for his work with local students as a Congressional District Coordinator for the "We the People..." civic education program.

The awards will be given during the Indiana Judges Association luncheon in Fort Wayne on September 12, 2002.

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Allen County Judge Nancy Boyer to Join CLE Commission

[State of the Judiciary](#)

Allen County Superior Court Judge Nancy Boyer, has been appointed to the Supreme Court's Commission on Continuing Legal Education, Chief Justice Randall T. Shepard announced today.

Judge Boyer was chosen to serve as a liaison to the Commission because of her capacity as chair of the Alternative Dispute Resolution Committee of the Indiana Judicial Conference.

Judge Boyer graduated from DePauw University, cum laude, in 1973 and received her law degree, cum laude, from Indiana University-Indianapolis in 1976.

Judge Boyer will serve as liaison to the Commission until the end of her tenure as chair of the Alternative Dispute Resolution Committee.

"Judge Boyer has been an avid supporter of alternative dispute resolution in the Indiana Courts. Her expertise in this area and in using mediation as a case management tool will help the Commission make meaningful decisions about mediator training and the mediator registry," said Chief Justice Shepard.

The Commission has 11 members. They receive no salary for their service and each serves a term of three years.

The Commission is primarily responsible for approval of the individual educational opportunities that Indiana's attorneys are required to receive and for approval of the sponsors who present the educational seminars. Additionally, the Commission sets standards for training courses for Indiana's registered mediators and regulates attorney specialization in the state.

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Indianapolis Attorney John Krauss to Join CLE Commission

[State of the Judiciary](#)

Attorney-Mediator John Krauss, of Indianapolis, has been appointed to the Supreme Court's Commission on Continuing Legal Education, Chief Justice Randall T. Shepard announced today.

Mr. Krauss is a Senior Fellow at Indiana University's Center for Urban Policy and Adjunct Professor of Law at Indiana University School of Law-Indianapolis. He received his Bachelor of Arts degree in political science from Colorado College, Colorado Springs, Colorado and his Doctorate of Jurisprudence degree from Indiana University School of Law.

Mr. Krauss will begin his three-year term as Commissioner January 1, 2003. He will replace Allen County Magistrate, Lori Morgan, whose second three-year term will expire December 31, 2002.

"Mr. Krauss is a first-rate attorney and a distinguished educator. The Court and Commission will benefit from his vast experience in government and conciliatory practices," said Chief Justice Shepard.

The Commission has 11 members. They receive no salary for their service and each serves a term of three years.

The Commission is primarily responsible for approval of the individual educational opportunities that Indiana's attorneys are required to receive and for approval of the sponsors who present the educational seminars.

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Judge Colvin to Aid Statewide Technology Implementation

[State of the Judiciary](#)

Marshall County Superior Court Judge Dean A. Colvin will help lead the first major steps toward a statewide technology initiative that will make sharing information between the courts and state agencies that need that information easier and cheaper, Indiana Supreme Court Justice Frank Sullivan Jr. announced today.

Judge Colvin will chair several days of meetings this month in Indianapolis between state agencies that use court information and judges, clerks, and other court personnel.

The meetings will start the process of designing an interface between a 21st century case management system for Indiana's trial courts and agencies that frequently use or need court information, including the Department of Correction, the Department of Revenue, the Family and Social Services Administration, the State Police and the Bureau of Motor Vehicles.

The meetings will develop a workable and secure means to transfer electronically the information to and from the courts and various state agencies. Judge Colvin will serve as the chair of the task force meetings. The task force is sponsored by the Judicial Technology and Automation Committee ("JTAC"), chaired by Justice Sullivan.

"We are very grateful Judge Colvin agreed to assist us with this vital part of our statewide technology plan, and we would like to thank the residents of Marshall County for sharing him with us for a few days. As one of the original members of JTAC, Judge Colvin has the background and experience to be an invaluable leader at these meetings," Sullivan said.

Judge Colvin was named to the Marshall Superior Court in 1986 and has served on the Board of Directors of the Indiana Judicial Conference.

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Terri Ross Named Head Librarian for Indiana Supreme Court

[State of the Judiciary](#)

Terri Lea Ross has been named as the new head librarian for the Indiana Supreme Court law library, Chief Justice Randall T. Shepard announced today.

Ms. Ross will take the place of former librarian Rebecca Bethel, who retired earlier this year. Since 1989, Ms. Ross has been employed at the Marion County Law Library in the City-County Building in downtown Indianapolis. Prior to that, she worked at the Indiana University School of Law Library in Indianapolis.

She has a bachelor's degree in Germanic Languages and Environmental Studies and a master's degree in Library Science, both from Indiana University in Bloomington. Since 2001, she served on the Indiana Supreme Court Pro Se Advisory Committee.

"We are very pleased Terri agreed to join us. Law libraries everywhere are facing tremendous change as more material becomes available in electronic form. It is great to have Terri on board to help us evaluate how our library will manage that change," said Chief Justice Shepard.

As law librarian for the Indiana Supreme Court, she will be responsible for management of the library on the third floor of the Indiana State House. It is frequently used by the public, the staff and jurists of the Supreme Court, Court of Appeals, Tax Court as well as legislators and staff and members of the executive branch.

The law library contains a comprehensive collection of up-to-date legal materials. Recently, the law library and its three-person staff received and processed approximately 1,300 volumes as replacements or additions.

Ms. Ross begins work on October 28, 2002.

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Charges Filed Against Madison County Judge

Charges were filed Friday against Madison Circuit Court Judge Fredrick R. Spencer in connection with his actions in a juvenile matter that is not in his jurisdiction.

The Indiana Commission on Judicial Qualifications, which oversees the conduct of judges, filed the charges against Judge Spencer and asked the Supreme Court to appoint a three-person panel to hear the evidence in the case. He has 20 days to respond.

Judge Spencer is charged with violating Canons 1 and 2 of the Code of Judicial Conduct, which require judges to uphold the integrity and independence of the judiciary and to respect and comply with the law, Canon 2B which prohibits a judge from using the judicial office to advance others' private interests, Canon 3B(2), which requires judge to be faithful to the law and to not be swayed by partisan interests, Canon 3B(8), which requires judges to give all interested parties an opportunity to be heard, and Canon 3B(9), which requires judges to dispose fairly of all matters.

The charges stem from proceedings last March in Madison County involving criminal recklessness cases against several local teenagers. Despite a local trial rule that requires that all cases involving juveniles be heard in Madison Superior Court, Number 2, Judge Spencer granted a request filed by an attorney for one of the teenagers asking that a special prosecutor be appointed to hear the cases. The alleged misconduct involves Judge Spencer's involvement in a juvenile matter that is not under his jurisdiction and his failure give the Madison County Prosecutor the opportunity to challenge the request for a special prosecutor.

Judge Spencer is represented by Indianapolis attorneys James Voyles and Dennis Zahn (317) 632-4463.

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Judicial Center Hires New Drug Court Coordinator

Mary Kay Hudson has been appointed as the judicial system's first Drug Court Coordinator and will work to develop and enhance Indiana's many drug court programs, Chief Justice Randall T. Shepard announced today.

The position is being funded with a \$121,000 federal grant from the Indiana Criminal Justice Institute and is a result of new legislation that gives the Indiana Judicial Center oversight of state drug courts. There are 19 adult and juvenile drug courts either in operation or in the planning stages throughout Indiana.

As Drug Court Coordinator, Ms. Hudson will serve as the primary operational coordinator for the Indiana Judicial Center's Drug Court Program. Her duties will include developing, implementing and directing statewide judicial efforts in drug court policy, education and certification. The position is currently funded through March 2003 but additional funding will be sought.

Ms. Hudson began working with the Judicial Center on October 1, 2002. Since 1998 she served as the Program Coordinator for the Marion Superior Court Drug Treatment Diversion Program. Previously, Ms. Hudson was employed with the Marion Superior Court Probation Department Adult Division as a Team Leader for the Substance Abuse Evaluation Team.

She has nine years experience in the criminal justice system, as well as training and experience in substance abuse issues and counseling. Ms. Hudson obtained a Bachelor's Degree in Criminal Justice and Biology from Indiana University - Bloomington in 1993 and completed her Master's Degree in Social Work from Indiana University- Purdue University, Indianapolis in 2001.

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FOR IMMEDIATE RELEASE

October 30, 2002

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Evansville Attorney Susan Gainey to Join CLE Commission

Attorney Susan G. Gainey of Evansville, has been appointed to the Supreme Court's Commission on Continuing Legal Education, Chief Justice Randall T. Shepard announced today.

Ms. Gainey will begin a three-year term on January 1, 2003. She replaces Evansville attorney Patricia K. Woodring, who is completing her second term on the Commission. Ms. Gainey was admitted to the bar in 1999 and is an attorney in the Evansville office of Kightlinger & Gray LLP. She received her bachelor's degree from Indiana University in 1995 and her law degree from the Valparaiso University School of Law in 1999.



"The Court is pleased that Ms. Gainey has agreed to join the Commission to assist us with their valuable work. I would also like to express my great appreciation to Pat Woodring for her tremendous contributions to the CLE Commission," said Chief Justice Shepard.

The Commission has 11 members who receive no salary for their service. The Commission is primarily responsible for approval of the individual educational opportunities that Indiana's attorneys are required to receive and for approval of the sponsors who present the educational seminars.

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FOR IMMEDIATE RELEASE

November 1, 2002

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Justice Sullivan to Lecture on the Hon. John Brademas

The life and times of former U.S. Representative and New York University President John Brademas will be the subject of a multi-media lecture by Associate Justice Frank Sullivan Jr. sponsored by Ball State University on Wednesday, November 13, 2002 in the Supreme Court Courtroom. **Dr. Brademas and his wife, Mary Ellen, will attend.**



The 50-minute lecture on the long-time Indiana political figure and education leader will begin at 7 p.m. (Indianapolis time) and is free and open to the public. Seating in the courtroom is limited to 150 spectators but the lecture will be also available live on the Internet at www.IN.gov/judiciary/webcast.html and archived for future viewing.

Dr. Brademas represented the South Bend, Ind. area in the U.S. House of Representatives from 1959 to 1981. During his last two terms, he served as House Majority Whip. From 1981 to 1991 he was president of New York University, the nation's largest private university. Throughout his lengthy career in public service and education administration, he has been recognized for his leadership in politics, education, the arts and humanities, and many other fields.

The lecture delivered by Justice Sullivan, who formerly served as staff director for then Congressman Brademas, constitutes Ball State's 2002 Stephen J. Sr. & Beatrice Brademas Memorial Lecture. Named for Dr. Brademas' parents, it is presented under the auspices of the Greek Studies Program at Ball State University with the assistance of Ball State Professor John Koumoulides.

Sullivan will also deliver the lecture at 10 a.m. on Thursday, November 14, 2002 in the Forum Room in the L.A. Pittenger Student Center on the Ball State campus in Muncie, Ind. **This session is also free and open to the public.**

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November 26 , 2002

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First Citizen Member of Disciplinary Commission Named Chair

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For the first time in its history, the top two positions of the Supreme Court's Disciplinary Commission are held by people who are not lawyers, Chief Justice Randall T. Shepard announced today.

The nine members of the Commission recently elected David L. Hale of Kokomo as chairman and Janet L. Biddle as vice-chair of the Commission. Mr. Hale and Ms. Biddle are the first non-attorneys to serve on the Disciplinary Commission.

Hale, of Kokomo, is employed by Chrysler Corporation and is the Director of Regional Health Care Initiatives for the United Auto Workers. Biddle and her husband are involved in family farming and related businesses in rural Remington. Mr. Hale and Ms. Biddle were both appointed in 1996 after the Supreme Court amended its rules to require that two of the nine Commission members be non-attorneys.

"The Court thought it was important to have the viewpoints of people from outside the legal profession on the Commission. It is only natural for them to have progressed to positions of leadership. I think it is reflection of the regard that the lawyers on the Commission have for their work," said Randall T. Shepard.

The death in October of long-time Commission member and current chairman, William F. Lawler, Jr. of Anderson, prompted the new election. Diane L. Bender was also elected secretary of the Commission. Ms. Bender is an attorney in solo practice from Evansville, concentrating on probate and estate planning matters. Other Commission members are Hon. Grant W. Hawkins, and Sally Frank Zweig of Indianapolis; Robert L. Lewis, Gary; J. Mark Robinson, New Albany; and Anthony M. Zappia, South Bend.

The Disciplinary Commission is the agency of the Indiana Supreme Court that investigates and prosecutes complaints of lawyer misconduct.

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FOR IMMEDIATE RELEASE

December 5, 2002

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Leslie Rogers Named As New GAL/CASA Director

Leslie Rogers has been hired as the new director of a program that has tremendous impact on the children who pass through our state's court system, Chief Justice Randall T. Shepard announced today.

Ms. Rogers began her new position on November 25, 2002 as Guardian Ad Litem/Court Appointed Special Advocate Director for the Supreme Court's Division of State Court Administration.

"We are delighted that Ms. Rogers has agreed to join the Court's staff. I am certain her background and expertise will be of great benefit to the many volunteers who support the Court Appointed Special Advocate and Guardian Ad Litem programs.



The previous director, Nancy Gettinger, resigned from her position and moved out-of-state. Before coming to work for the Division of State Court Administration, Ms. Rogers was the chief counsel for the Marion County Office of Family and Children. She has also been a litigation associate with the Indianapolis-based law firm of Baker and Daniels and a law clerk for the Hon. David Harwell, the former Chief Justice of the South Carolina Supreme Court.

The Guardian Ad Litem and Court Appointed Special Advocate (GAL/CASA) office in the Division of State Court Administration was established by the legislature in 1989. Through this office, counties are encouraged to provide appropriate GAL/CASA services. State funding administered by the office is available to local GAL/CASA programs. In addition, the office provides training and support services for these programs.

Court Appointed Special Advocates and Guardians Ad Litem provide neutral recommendations in cases where children are involved in abuse, neglect, custody, and termination of parental rights cases. These recommendations help a trial judge determine what course of action is in the best interest of the child.

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FOR IMMEDIATE RELEASE

December 17, 2002

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Judicial Commission Admonishes Judge Scheibenberger

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The Indiana Commission on Judicial Qualifications issued today a Public Admonition of Judge Kenneth Scheibenberger, Judge of the Allen Superior Court. The Commission, which oversees the conduct of judges, determined that formal disciplinary charges against the judge were warranted, but, by agreement with the judge, ended the matter with the Public Admonition.

The Admonition is the result of an investigation into the judge's conduct relating to an Allen County misdemeanor case involving his son. The judge's son had a scheduled court date and advised the judge he needed additional time to prepare. Although a magistrate was presiding over the misdemeanor case, on April 26, 2001, Judge Scheibenberger obtained his son's file from an employee in the clerk's office, and made an entry in the case continuing the upcoming hearing.

The Commission stated in its Admonition that by taking judicial action in his son's case, Judge Scheibenberger violated the sections of the ethics rules for judges which require them to uphold the integrity and independence of the judiciary, which forbid them from using the judicial office to advance their private interests, and which prohibit them from acting in cases involving close relatives. The Commission also concluded that Judge Scheibenberger committed conduct prejudicial to the administration of justice.

The Commission's Admonition indicates that Judge Scheibenberger cooperated fully with the Commission's investigation, that the issuance of the Admonition concludes the investigation, and that formal disciplinary charges will not be filed.

Judge Scheibenberger is represented by Robert L. Thompson, (260) 426-0674.