

# SUPREME COURT

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# OF INDIANA

**FOR IMMEDIATE RELEASE**  
**January 5, 2006**

**Contact: David J. Remondini**  
**317.233.8684**

## **CHIEF JUSTICE TO DELIVER STATE OF THE JUDICIARY ADDRESS**

Indiana Chief Justice Randall T. Shepard will deliver his nineteenth State of the Judiciary address to a joint session of the Indiana General Assembly on Thursday, January 12, 2006 at 1:30 p.m.

The annual address in the chambers of the Indiana House of Representatives is required by Article 7, Section 3 of the Indiana Constitution and will last about an hour. The Chief Justice will discuss the Court's on-going projects, accomplishments and future plans.

Advance copies of the speech will be delivered to the State House media just prior to the speech. Media organizations may receive a copy via email by contacting David J. Remondini at [dremondi@courts.state.in.us](mailto:dremondi@courts.state.in.us).

Internet users will be able to watch a live webcast of the speech by going to [www.in.gov/legislative/session/video.html](http://www.in.gov/legislative/session/video.html) and clicking on "Watch Video From the House." A video of the speech will be available on the Internet after the address. To view it after the speech or to read the full text, go to: [www.IN.gov/judiciary/supreme/state\\_jud.html](http://www.IN.gov/judiciary/supreme/state_jud.html).



Chief Justice Randall T. Shepard

# SUPREME COURT

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**FOR IMMEDIATE RELEASE**

**January 10, 2006**

**Contact: David J. Remondini**

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## **NEW MEMBERS JOIN JUDGES AND LAWYERS ASSISTANCE PROGRAM**

Two new members have been appointed to the Indiana Supreme Court's Judges and Lawyers Assistance Program, Chief Justice Randall T. Shepard announced today.

The new members are Hon. J. Blaine Akers, Judge of the Clay Superior Court, the Hon. Jonathan J. Robertson, Senior Judge for the Indiana Court of Appeals.

Each will serve a three-year term, which ends December 31, 2008. They are joining the 13 current members of the Judges and Lawyers Assistance Program, which is designed to help impaired judges and lawyers recover, educate the bench and bar about impairment issues, and reduce the potential harm of impairment to the individual, the public, the profession and the legal system.

The Judges and Lawyers Assistance Program (JLAP) was created by the Indiana Supreme Court and is funded largely through annual registration fees paid by Indiana's approximately 14,000 attorneys.

JLAP is governed by Indiana Admission and Discipline Rule 31, which can be found at: [www.IN.gov/judiciary/rules](http://www.IN.gov/judiciary/rules). Further information about JLAP can be located at [www.IN.gov/judiciary/ijlap](http://www.IN.gov/judiciary/ijlap).

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**FOR IMMEDIATE RELEASE**  
**January 31, 2006**

**Contact: David J. Remondini**  
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## **CHIEF JUSTICE ADDS DUTIES OF CLERK OF THE COURTS TO SUPREME COURT ADMINISTRATOR'S RESPONSIBILITIES**

Supreme Court Administrator Kevin S. Smith will permanently add the duties of Clerk of the Courts to his responsibilities as part of the transition of the Clerk's position from an elected position to an appointed one, Chief Justice Randall T. Shepard announced today.

The present Clerk of the Courts, David C. Lewis, announced Monday that he is resigning February 10, 2006 to take a job in the private sector.

Under legislation passed in 2004, the Clerk's position was changed from an elected position to one appointed by the Chief Justice whenever the elected Clerk completes his or her term, or leaves office. Mr. Lewis' current term would have expired December 31, 2006.

Mr. Smith has been the Supreme Court Administrator, serving as the Supreme Court's chief appellate counsel and supervising a staff of 8 since 2004. Under the new arrangement announced today, he will also supervise the 14 employees in the Clerk's office.

"I told the Clerk's staff this morning that for many years Indiana's appellate courts and the public have greatly benefited from effective and accurate work by our Clerk's Office. We have every reason to believe the Clerk's office will continue to build upon its already substantial foundation," said Chief Justice Shepard.

David Schanker, who has been serving as Mr. Lewis's Chief of Staff, will continue in a similar capacity but with the new title, Deputy Clerk of the Courts. The Clerk's Office is the "front door" of Indiana's appellate judiciary where appeals to the Supreme Court, Court of Appeals, and Tax Court are filed. The Clerk's office is also the custodian of the millions of pages of documents filed each year in Indiana's appellate and runs a substantial operation to preserve vital court records in a lasting format.

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**FOR IMMEDIATE RELEASE**

**February 7, 2006**

**Contact: David J. Remondini**

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## NEW OFFICERS ELECTED TO THE SUPREME COURT CLE COMMISSION

Four officers have been elected to the Indiana Supreme Court's Commission on Continuing Legal Education, Chief Justice Randall T. Shepard announced today.

The new officers are: John Krauss, of Indianapolis, Chair; Susan G. Gainey of Indianapolis, Vice-Chair; Gerry Bishop of Merrillville, Treasurer; and Michael Tolbert of Merrillville, Secretary. The term for these four attorneys is from January 1 to December 31, 2006.

John L. Krauss, a former deputy mayor of Indianapolis, joined Indiana University's School of Public and Environmental Affairs (SPEA) in 1991. In 1992, he was a co-founder of SPEA's Center for Urban Policy and the Environment, a nonpartisan applied research organization, where he now serves as director. He is also Director of the Indiana Advisory Commission on Intergovernmental Relations State of Indiana. He received his Bachelor of Arts degree in political science from Colorado College and a law degree from Indiana University School of Law-Indianapolis.



John Krauss



Susan Gainey

Ms. Gainey is a partner at the Indianapolis office of the law firm of Kightlinger & Gray, LLP, having served in the firm's Evansville office from 1999 to 2004. Ms. Gainey's practice areas include litigation, municipal government law, product liability, employment law, and insurance defense. She received her B.A. from Indiana University in 1995 and her law degree from the Valparaiso University School of Law in 1999.



Gerry Bishop



Michael Tolbert

Mr. Bishop heads a law office in Merrillville concentrating in civil litigation, personal injury, and mediation. He received his B.A. degree from Purdue University and a law degree from Indiana University School of Law-Indianapolis.

Mr. Tolbert is an associate at the law firm of Hoepfner Wagner & Evans LLP in Merrillville. He focuses his practice primarily in the areas of labor and employment, insurance defense, commercial litigation and appeal matters. Mr. Tolbert received a B.A. degree from Valparaiso University and a law degree from Valparaiso University School of Law in 2000.

The Commission has 11 members who receive no salary for their service. It 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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**FOR IMMEDIATE RELEASE**  
**February 13, 2006**

**Contact: David J. Remondini**  
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## **COURT RELEASES PNCO FOR CASE MANAGEMENT SYSTEM**

Indianapolis, IN - The Indiana Supreme Court Division of State Court Administration today released a Public Notice of Contracting Opportunity (PNCO) seeking proposals which would provide Indiana courts and clerks with a 21st Century Case Management System (CMS).

"This undertaking is unprecedented in its breadth and complexity and encompasses all three branches of government. When completed, the CMS will fulfill the court's vision of an efficient, cost-effective and accessible statewide justice information system," said Chief Justice Randall T. Shepard.

The Indiana Supreme Court's Judicial Technology and Automation Committee (JTAC), the Case Management System Executive Committee and the JTAC Statewide Governing Board jointly recommended the new procurement.

This PNCO is a continuation of an automation effort first started in 2002, when the Division contracted with a vendor for a statewide CMS. That contractual relationship was terminated on mutually agreeable terms with a significant refund of monies to JTAC. As part of that previous work, an extensive list of functional requirements for an Indiana CMS were defined. Special teams including technical experts, judges, clerks and key stakeholders have reviewed relevant portions of the functional requirements which have been incorporated in the present PNCO.

"The work we have done so far provided our JTAC team with invaluable tools for building interbranch working relationships and achieving our vision of a connected, statewide CMS. In addition, Indiana can now benefit from significant advancements in CMS technology that have occurred in the past few years. In fact, many other states are now moving in the same direction that Indiana pioneered in 2002 - implementing a statewide, connected CMS," said Lilia G. Judson, Executive Director of the Division of State Court Administration.

Responses to the PNCO are due March 15, 2006. Finalists will then be asked to conduct on-site demonstrations that will last approximately five days.

Neither the Division nor JTAC is obligated to award a contract in response to the PNCO.

You may view the complete PNCO at [www.in.gov/judiciary/jtac/programs/cms.html](http://www.in.gov/judiciary/jtac/programs/cms.html).

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**FOR IMMEDIATE RELEASE**  
**February 14, 2006**

**Contact: David J. Remondini**  
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## **INDIANA CLEO LAW SCHOOL SCHOLARSHIPS AVAILABLE**

The Indiana Conference on Legal Education Opportunity (CLEO) will choose its 10th class of fellows this year and the deadline for applications is March 6, 2006.

Indiana was the first state in the nation to establish a CLEO program to help minority, low-income and educationally disadvantaged college graduates who want to become attorneys.

"The simple yet significant goal of the CLEO program is to increase the number of lawyers who come from a minority or disadvantaged background and have them become members of Indiana's legal community," said Chief Justice Randall T. Shepard. "People from all parts of society must have the chance to succeed in business, in politics, in labor, and in the professions - including the legal profession."

To be eligible for the Indiana CLEO program, applicants must be college graduates by the time the CLEO Summer Institute begins and have an active application on file with one of Indiana's four law schools.

CLEO offers students a preparatory institute the summer before they begin law school, financial and educational assistance, networking and summer job opportunities, as well as preparation classes for the bar exam.

Students who successfully complete the Summer Institute may be eligible for a stipend for up to three years. The annual stipend is currently \$5,000 for students in Indiana public law schools and \$7,000 for those in a private law school in Indiana. The program was created by Indiana Chief Justice Randall T. Shepard and was approved by the Indiana General Assembly in 1997.

To date, more than 225 CLEO students have graduated from law school and are working at private law firms, in government and at educational institutions.

Application information is online at <http://www.in.gov/judiciary/cleo/applications.html>

If you have questions, contact Indiana CLEO at (317) 232-2542 or (800) 452-9963.

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**FOR IMMEDIATE RELEASE**  
**February 15, 2006**

**Contact: David J. Remondini**  
**317.233.8684**

## **ATTORNEY JEFFRY LIND TO JOIN SUPREME COURT CLE COMMISSION**

Terre Haute attorney Jeffrey A. Lind has been appointed to the Supreme Court's Commission on Continuing Legal Education, Chief Justice Randall T. Shepard announced today.

His term ends December 31, 2010. He replaces former Commission member Robert Ewbank, of Lawrenceburg.

"Mr. Lind is well known to people in the legal community for his work with Indiana State Bar Association projects and for his long commitment to legal education. I am certain the Commission on Continuing Legal Education will benefit from his wise counsel. The Court would also like to express its gratitude for memorable service to the Commission by Mr. Ewbank," said Chief Justice Shepard.

Mr. Lind practices law with the Terre Haute firm of Fleschner, Stark, Tanoos & Newlin. He received his undergraduate degree at Indiana University, Bloomington and his law degree at De Paul University. Previously, he served on the board of Directors for the Indiana Continuing Legal Education Forum, as Vice-Chair of the Supreme Court's Interest on Lawyers Trust Accounts Technical Committee, and as president of the Indiana Bar Foundation. He was born in Indianapolis and grew up in Lebanon, graduating in 1981 from Lebanon High School.

The Commission has 11 members. They receive no salary for their service and each serves a term of five years. Primarily, the Commission is 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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**FOR IMMEDIATE RELEASE**  
**February 21, 2006**

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## **INDIANA DRUG COURTS TO BE EVALUATED AS PART OF \$250,000 GRANT**

Indiana's role in the growing use of drug courts as a means of rehabilitating people convicted of crimes related to substance abuse will be evaluated as part of a \$250,000 grant from the Indiana Criminal Justice Institute, Chief Justice Randall T. Shepard announced today.

"Several studies indicate that drug courts are a cost-effective alternative to incarceration for non-violent, drug abusing offenders. The goal of this project is to determine whether or not Indiana drug courts are effective at reducing recidivism and to identify any cost benefits associated with drug court participation compared to traditional criminal justice programs," said Chief Justice Shepard.

The Indiana Judicial Center contracted with NPC Research of Portland, Ore. to conduct the evaluation. Juvenile drug courts participating in the study include courts in Howard, Tippecanoe and Vanderburgh Counties. Adult drug courts participating in the study include courts in Marion, Monroe, St. Joseph, Vigo and Vanderburgh Counties.

The project will be concluded by the end of 2006.

Currently there are 25 operational drug courts and seven in the planning stages in Indiana. Nationally, there are over 1600 drug courts. Drug courts differ from traditional courts by providing participants access to substance abuse services, frequent and random drug testing, intensive supervision and case management, and frequent interaction with the drug court judge. Drug court participation usually lasts from 12-36 months. Successful completion of a drug court program is frequently marked by a graduation ceremony. In many cases, persons who successfully complete the drug court requirements will have their charges dismissed.

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**FOR IMMEDIATE RELEASE**  
**February 23, 2006**

**Contact: David J. Remondini**  
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## **CHIEF JUSTICE SHEPARD TO DELIVER PRESTIGIOUS BRENNAN LECTURE**

Indiana Chief Justice Randall T. Shepard will deliver the prestigious Justice William J. Brennan Jr. Lecture on Tuesday, February 28, 2006 at New York University School of Law in New York City, the Supreme Court announced today.

His remarks, "The New Role of State Supreme Courts as Engines of Court Reform," will begin at 6:30 p.m.

The Dwight D. Opperman Institute of Judicial Administration, the Brennan Center for Justice, and the New York University School of Law host the annual lecture, which began in 1995 and has been delivered by some of the leading state court jurists of the nation.

"I think Indiana's representation at this lecture reflects well on the whole state judiciary. It is humbling for me to be part of this wonderful event." said Chief Justice Shepard.

Justice William Brennan joined the U.S. Supreme Court in 1956 after a distinguished career as a lawyer and New Jersey state judge and state Supreme Court jurist. He served 34 years on the nation's highest court and articulated a vision of the independent responsibility of state courts to protect constitutional rights.

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**UPDATE** March 14, 2006: [Read the NYU Law School Magazine Article about Chief Justice Shepard's Lecture on State Supreme Courts as Engines of Court Reform](#)



FOR IMMEDIATE RELEASE  
March 1, 2006

Contact: Dr. Elizabeth Osborn  
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## BENJAMIN HARRISON DAY TO BE CELEBRATED IN STATE HOUSE

President Benjamin Harrison Day will be celebrated Friday, March 3, 2006 in the Indiana State House with a number of activities honoring the only Hoosier to serve as U.S. President, Indiana Chief Justice Shepard announced today. Harrison also served as the Reporter of the Indiana Supreme Court.

Friday's events are sponsored by the Indiana Supreme Court's "Courts in the Classroom" program, the State House Tour Office, the President Benjamin Harrison Home, and the Indiana University School of Law, Indianapolis, Alumni Association. March 4th is the 117th anniversary of President Harrison's inauguration.

Friday's events will include a recognition ceremony at 10:00 a.m. in the State House Rotunda recognizing winners of a statewide poster contest. Students in grades 3-8, from around the state, designed poster on topics relating to the life, presidency or ideals of Benjamin Harrison. All contest participants will receive certificates of recognition and winners in each grade will get a book about Benjamin Harrison. Entries were submitted by students from I.P.S., Brookville Elementary, St. Simon the Apostle, Mooresville Christian Academy, Green Township Elementary, Central Middle School, Brown County Junior High, Catholic Home School Association, and Orchard School. The posters will be displayed in the south atrium of the State House for several days before and after the program.

About 150 students and parents from GreenTownship Elementary School in Morgan County and Mooresville Christian Academy will be in attendance. The brief ceremony will include background about Harrison's presidency and the Indiana State House, which was completed in 1888, the same year Harrison was elected president.

At 10:45 a.m. a scripted trial of the U.S. Supreme Court case of *Ex parte Milligan* will commence in the Supreme Court Courtroom. Milligan was a civilian from Huntington, Indiana who protested the Civil War and was found guilty of treason by a military tribunal and sentenced to death. About 50 students will participate as Union officers, jurors, US Supreme Court justices, and so forth. Indiana Court of Appeals Judge Paul Mathias will moderate a brief discussion with the students on how *Ex parte Milligan* is relevant in today's world.

The Courtroom program will be webcast live and also archived for later viewing. Information about the webcast, the *Ex parte Milligan* script and teacher background information is available from the Courts in the Classroom website. Visit [www.in.gov/judiciary/citc](http://www.in.gov/judiciary/citc) and click on "Benjamin Harrison Day 2006." For more information about Benjamin Harrison, visit [www.presidentbenjaminharrison.org](http://www.presidentbenjaminharrison.org)

 Benjamin Harrison



**Indiana Judicial Nominating Commission  
Indiana Commission on Judicial Qualifications**

30 South Meridian Street, Suite 500  
Indianapolis, Indiana 46204-3568  
(317) 232-4706  
FAX (317) 233-6586

**FOR IMMEDIATE RELEASE  
March 6, 2006**

**Contact: Meg Babcock  
317.233.5394**

## **JUDICIAL COMMISSION CHARGES COMMISSIONER IN OWI INCIDENT**

The Indiana Commission on Judicial Qualifications filed judicial disciplinary charges today against Israel Nunez Cruz, Commissioner for the Marion Superior Court.

The Commission's attorney, Meg Babcock, announced that the charges allege Commissioner Cruz operated his vehicle while intoxicated on June 26, 2005. Commissioner Cruz was arrested and charged, but the Hendricks County Prosecutor later elected to dismiss the criminal case.

Nonetheless, the Commission alleges that Commissioner Cruz violated judicial rules of ethics which hold judges to high standards of conduct and require them to preserve the integrity of the judiciary, to respect and comply with the law, and to act at all times in a manner which promotes the public's confidence in the integrity of the judiciary.

Commissioner Cruz may file an answer to the charges within 20 days. The Supreme Court then will appoint a panel of three judges to preside over an evidentiary hearing and report their findings to the Supreme Court.

Commissioner Cruz is represented by Bruce A. Kotzan, 317.631.3100.



**FOR IMMEDIATE RELEASE**  
**March 14, 2006**

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## **SYMPOSIUM RECOGNIZES 20th ANNIVERSARY OF CONTINUING LEGAL EDUCATION REQUIREMENTS FOR ATTORNEYS AND JUDGES**

VALPARAISO-More than 100 attorneys, judges and law students plan to gather for a two-day symposium March 16-17 to recognize the 20th anniversary of an Indiana Supreme Court order that established minimum continuing legal education requirements for attorneys and judges.

"The Art and Science of Educating Attorneys and Judges" Symposium, sponsored by the Valparaiso University School of Law and the Indiana Supreme Court, features such noted legal experts as John Patrick Dolan and Rennard Strickland.

Dolan, a nationally known criminal trial lawyer, news commentator and best-selling author, speaks March 16 on "Laughing Juries Don't Convict. Educating the Complete Lawyer." His presentation combines legal humor and serious insights about the legal profession.

Strickland, the former dean of the University of Oregon School of Law and former president of the Association of American Law Schools, presents his observations on educating law students during his talk "Big Bird goes to Law School" on March 17.

Other attendees of the symposium include retired Judge Robert H. Staton, the original circuit rider for CLE.

Indiana Chief Justice Randall T. Shepard said that the Supreme Court is proud to be a sponsor of this noteworthy event, which celebrates an extremely important milestone in the history of law

"Thanks to the hard work of so many dedicated people, Indiana's CLE effort has grown into a dynamic and vibrant enterprise that is responsive to the needs of our attorneys," Shepard said. "It takes advantage of the latest in education technology while continuing to adhere to the bedrock principle that a good attorney is always learning and growing. We have much to celebrate on this 20th anniversary and I am proud to play a part in it."

Valparaiso University School of Law Dean Jay Conison said the school is equally honored to be the co-sponsor of this important symposium. "The speakers will address important topics concerning the present state of CLE and its future," he said. "Those who are responsible for regulating and providing CLE, and those who are concerned with lawyer education, will find the Valparaiso University Law Review issue containing the proceedings to be an invaluable reference."

The symposium also will feature speeches on issues related to continuing legal education and the latest techniques in educating law students, attorneys and judges. Jay Conison, dean of the Valparaiso School of Law, joins Indiana Supreme Court Justice Frank Sullivan, Jr., in a friendly debate about whether regulations should permit non-legal subject matter to count for CLE credit.

The Valparaiso School of Law also has dedicated its spring volume of the law review to issues on the legal education of attorneys and judges. Copies of the volume will be distributed to symposium attendees.



**FOR IMMEDIATE RELEASE**  
**March 20, 2006**

**Contact: Francie Hill**  
**812.336.2255**

## **SIX NEW COUNTIES JOIN GROWING FAMILY COURT EFFORT**

New model family court pilot projects will begin in six additional counties, joining the growing family court movement in Indiana, Chief Justice Randall T. Shepard announced today.

The Indiana legislature and the Indiana Supreme Court have partnered since 2000 to fund model family court projects across Indiana.

The newest family court projects will be in Allen County and St. Joseph County, along with a multiple-county project that will be created in Martin, Pike, Crawford, and Orange counties in southern Indiana .

These pilot projects will join seventeen other counties that are already part of the Indiana Supreme Court Family Court Project.

The new project counties will receive a total of \$125,000 in family court grants in 2006, and an additional \$125,000 will be distributed to help the existing family court counties transition to permanent funding through local resources. By the end of 2007, a total of \$1,634,038 will have been distributed to 23 counties through the Family Court Project since 2000.

The new family court projects in Allen and St. Joseph Counties will develop procedures to identify, coordinate, and share information about families who have more than one case pending in the court system. As with most Family Court projects, the counties will seek to avoid conflicting court orders and to coordinate services for families who have safety risks related to substance abuse, domestic violence, mental illness, or severe parental conflict. These two counties will also develop local family court rules and promote concepts of cooperative divorce and a less adversarial approach in family law litigation.

The Family Court Project for Crawford, Martin, Orange, and Pike counties is a collaboration of four rural counties using the same personnel to provide subsidized mediation for families with low-income and without legal counsel. This project will also provide administrative services to help low income families link to needed social services and coordinate services for families who have more than one case in the court system.

The Indiana Family Court Project was initiated in 2000 by the Indiana Supreme Court to develop "common sense" models to serve children and families better in Indiana 's courts. Chief Justice Shepard explained that it has been increasingly common for families to be involved in several cases at the same time.

"It is not uncommon, for example, for Mom and Dad to have a custody dispute in Circuit Court while their son is in the Circuit Court's Juvenile Division in a truancy case before the magistrate. Meanwhile, Dad is also charged with failure to pay child support for children from a previous marriage in Superior Court I and Mom is the subject of a housing eviction case in small claims court," he said.

All of these cases affect the stability and safety of the children. A family court system can make sure that the judicial rulings affecting these children are coordinated, informed, and consistent, Chief Justice Shepard added.

Further information about the Indiana Family Court Project and the special family court rules for the project counties is available at [www.in.gov/judiciary/family-court/](http://www.in.gov/judiciary/family-court/).

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**FOR IMMEDIATE RELEASE**

**April 6, 2006**

**Contact: David J. Remondini**

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## **14 FIRMS RESPOND TO PUBLIC NOTICE OF CONTRACTING OPPORTUNITY FOR COURT CMS**

The Indiana Supreme Court's Division of State Court Administration announced today that 14 firms responded to its request for proposal to build a 21st century case management system (CMS) to serve all Indiana trial courts and clerks.

"We are extremely pleased that this Public Notice of Contracting Opportunity attracted a significant number of responses from vendors with excellent credentials," said Division Executive Director Lilia Judson.

The Division solicited 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 and clerks with a comprehensive case management system.

A statewide, connected case management system will allow courts to share data with each other as well as those that need court information, such as law enforcement and other state and federal agencies, attorneys, policy makers, and the public.



"By providing our courts with a 21 st Century case management system, we will have access to more timely, accurate and comprehensive information as well as improved efficiency and reduced costs," said Mary L. DePrez, JTAC's Director and Counsel for Trial Court Technology.

The review of submitted proposals will now begin. They will be examined by several teams made up of technical specialists, financial analysts, court experts, front-line users and others.

The timeline may be adjusted, but the Division expects a decision will be made by the Indiana Supreme Court in the fall of 2006. After the selection is made, the Division hopes to deliver a functioning CMS to at least three counties next year.

### **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), chaired by Justice Frank Sullivan, Jr. The primary role of JTAC is to provide leadership and guidance 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/jtac](http://www.IN.gov/judiciary/jtac).

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**FOR IMMEDIATE RELEASE**  
**April 12, 2006**

**Contact: David J. Remondini**  
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## **INDIANA SUPREME COURT TO VISIT RICHMOND, IND. FOR ORAL ARGUMENT**

The Indiana Supreme Court will hold oral argument at Indiana University-East, in Richmond, Ind. at 2 p.m. on Monday, April 17, 2005, Chief Justice Randall T. Shepard announced today.

The case is *Norman Thompson v. State of Indiana*. In this case, the State charged Mr. Thompson with carrying a handgun without a license. Mr. Thompson argued that the evidence of the handgun should be kept out of court and the Marion Superior Court judge agreed. However, the Indiana Court of Appeals overturned the trial judge's decision. Now, Mr. Thompson has asked the Indiana Supreme Court to review the case and reinstate the trial judge's original decision. The attorney for Mr. Thompson is Stephen Gerald Gray. Cynthia Ploughe will represent the State of Indiana.

"The Supreme Court was very grateful that Wayne Superior Judge Tom Snow invited us to come to Richmond. My colleagues and I feel it is important for Hoosiers to get a first hand look at how our courts work," said Chief Justice Shepard.

The argument will take place in the Vivian Auditorium in Whitewater Hall, 2325 Chester Boulevard in Richmond and last about an hour and each side will have twenty minutes to argue its sides of the case. The public and the news media are invited to attend. The case will also be webcast live over the Internet. To view it, go to: <http://www.in.gov/judiciary>.

### **NEWS MEDIA COVERAGE INFORMATION**

The Indiana Supreme Court allows photography and recording of its arguments under certain conditions. The Supreme Court will allow two still news photographers and two video news photographers. No flash photography is allowed and photographers must use a tripod or monopod and remain in place for the entire argument. Radio reporters are also welcome.

If more than two still photographers and two video news photographers are present, the news organizations must agree to a "pool" arrangement for those news organizations that are present at the site Theatre but not allowed to bring their photographic equipment inside. Making the pool arrangements is the responsibility of the news media and the Supreme Court will not become involved other than to exclude all cameras in the event there is a dispute.



**FOR IMMEDIATE RELEASE**  
**April 28, 2006**

**Contact: Jennifer Bauer**  
**317.232.1313**

## **BENCH-MEDIA GUIDE LAUNCHED ON SUPREME COURT'S WEBSITE**

A resource page with information on issues involving the courts and media is available to judges and journalists through the Indiana Supreme Court's website, Chief Justice Randall T. Shepard announced today.

This online resource, formally known as the "Bench and Media Guide to Interaction," is a joint production of the Community Relations Committee of the Judicial Conference of Indiana and the Hoosier State Press Association. The Guide is intended to be a quick reference for judges and journalists seeking information on public access to documents, court processes and interaction between the courts and media.

"The launch of 'The Bench and Media Guide to Interaction' follows the formation of the 'Fire Brigade' and the 'Indiana Judicial Advisory Committee on Media Relations' as innovative projects to ensure that judicial activity in Indiana is open and fair," explained Lake Circuit Court Judge Lorenzo Arredondo, chairman of the Community Relations Committee. Arredondo also chairs the Advisory Committee and acts as "chief" for the Fire Brigade's mediation/advice efforts.

"The newspapers of Indiana are pleased to participate in establishing the 'Bench and Media Guide to Interaction' resource page now available on the Indiana Supreme Court's Web site," said David Stamps, executive director of the Hoosier State Press Association. HSPA represents over 170 daily and weekly paid circulation newspapers across Indiana.

"Since 1997, HSPA has worked closely with Indiana court officials to make the operation of judicial system more easily understood by state citizens," said Stamps. "Confidence in the court system begins with knowledge of the court system. We welcome establishment of this Internet service as another step in that process."

The Bench-Media Guide is accessible at: [www.in.gov/judiciary/pubs/media-guide](http://www.in.gov/judiciary/pubs/media-guide).

# SUPREME COURT

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# OF INDIANA

**FOR IMMEDIATE RELEASE**

**May 1, 2006**

**Contact: David J. Remondini**

**317.233-8684**

## **REMOVAL OF JURY SERVICE EXEMPTIONS INCREASES FAIRNESS**

A legislative change to drop all exemptions from jury service during the past session means that Indiana's juries will include a more representative group of people than ever before, Chief Justice Randall T. Shepard announced today.

Senate Bill 232 was approved unanimously by the Indiana General Assembly and signed into law by Gov. Mitch Daniels on March 9, 2006. It takes effect on July 1, 2006. Two earlier attempts to pass a similar measure failed.

A key part of the measure is the removal of all exemptions that previously allowed entire categories of people, even ferry boat operators, to avoid jury service. Those categories included people over 65, veterinarians, dentists, law enforcement officers, legislators, armed services personnel, elected or appointed government officials, Indianapolis Public School Board members, firefighters, and corrections officers. Ferry boat operators had enjoyed the exemption since 1881 but now the boatmen and the others will lose their automatic exemption.

"The elimination of exemptions from jury duty ensures that all citizens have an equal opportunity to serve their community by participating in the trial process. It also guarantees to litigants a broad and diverse jury pool comprised of all Hoosiers qualified to serve," said Allen Superior Court Judge Frances C. Gull, a former chair of the Indiana Judicial Conference's Judicial Administration Committee.

Senate Bill 232 was authored by Sen. Beverly Gard, R-Greenfield, and sponsored by Rep. Ralph Foley, R-Martinsville, Rep. Carolene Mays, D-Indianapolis, Rep. Eric Koch, R-Bedford, and Rep. Andy Thomas, R-Brazil.

Chief Justice Shepard said the measure will also insure that jury service remain as convenient as possible.

"Jury service can be a challenge but it is also very fulfilling. Most jurors walk away from the experience with a new respect for the system and the people who work in the trial courts," said Chief Justice Shepard, adding that National Juror Appreciation Week is May 1-5.

In addition the measure specifies that a prospective juror may not be subject to adverse employment action if the person notified the employer within a reasonable period after receiving the summons and before the person appears for service. Also, an employee may not be forced to use annual vacation or sick leave for time spent responding to a summons for jury service, participating in jury selection, or serving on a jury.

The measure also tracks existing court rules that enables prospective jurors to defer service one time for one year upon a showing of hardship, extreme inconvenience, or necessity.

### **National Juror Appreciation Week is May 1- 5, 2006**

For more information and a juror appreciation kit, visit: <http://www.abanet.org/jury/jurorkit.html>

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OF INDIANA

**FOR IMMEDIATE RELEASE**  
**May 5, 2006**

**Contact: David J. Remondini**  
**317.233-8684**

## **CHIEF JUSTICE RANDALL T. SHEPARD TO VISIT EVANSVILLE MAY 9-10**

Chief Justice Randall T. Shepard will visit Evansville for two days of appearances on May 9-10, 2006. All time are local.

### **Tuesday, May 9th:**

11:00 – 11:30 a.m.            “Mid-Day With Mike” / Mike Blake  
WFIE (interview)

12 noon                        “What Has Randy Shepard Done For Us Lately”  
Rotary Club of Evansville (remarks)

3:30 p.m.                      Press Conference  
Vanderburgh County Superior Court Room, Division 2

### **Wednesday, May 10th:**

9:00 a.m.                      Remarks at Harrison High School

10:15 a.m.                     Tour library on USI campus

12 noon                        “What Philanthropy Can Mean To A Community”  
Evansville Area Fundraising Council  
The Centre, 715 Locust Street (remarks)

2:45 p.m.                      Installation of historic cemetery marker noting the burial places  
of some of Chief Justice Shepard's ancestors  
Oaktown Cemetery, Oaktown, Ind.

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OF INDIANA

**FOR IMMEDIATE RELEASE**

**May 8, 2006**

**Contact: David J. Remondini**

**317.233-8684**

## **CHIEF JUSTICE SHEPARD TO HOLD EVANSVILLE PRESS CONFERENCE**

Indiana Chief Justice Randall T. Shepard will hold a press conference in Evansville, Ind. at 3:30 p.m. (local Evansville time) on Tuesday, May 9, 2006 to announce the Supreme Court's answer to a request to allow still and video news cameras in Indiana 's trial courts.

The press conference will be held in the Vanderburgh County Superior Court Room, Division 2.

Representatives of the Hoosier State Press Association and the Indiana Broadcasters Association will also be present.

# SUPREME COURT

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# OF INDIANA

**FOR IMMEDIATE RELEASE**

**May 9, 2006**

**Contact: David J. Remondini**

**317.233-8684**

## **SUPREME COURT AUTHORIZES NEWS CAMERAS IN TRIAL COURTS**

Evansville, Ind.—Chief Justice Randall T. Shepard announced today that the Supreme Court has authorized a pilot project to test the use of still and video news cameras and tape recorders in Indiana's trial courts.

The Supreme Court's decision came in response to a request from the Indiana Broadcasters Association and the Hoosier State Press Association. The 18-month pilot project will involve eight trial judges who have agreed to participate in the project.

"I hope that this experiment will help inform the public about the workings of the judicial system and remove any mystery about what happens in a courtroom. The ultimate success of the project will be determined by how much the public benefits from this greater access afforded the working press," said Chief Justice Shepard.

Under the terms of the order, news cameras and news radio station recorders will be allowed only in the courts of the eight trial judges who are part of the project. The trial judge and all parties must also agree to allow cameras or recorders into the courtroom.

The project will allow one video camera, one still camera and up to three tape recorders in a courtroom at each time. The news media must agree to "pool" or share the coverage under an arrangement approved by the trial judge.

The judges who are participating in the project are:

- Judge Nancy E. Boyer, Allen Superior Court, Fort Wayne
- Judge Robert R. Aylsworth, Warrick Superior Court, Boonville
- Judge Robert Barnett, Jr., Delaware Circuit Court, Muncie
- Judge Robert R. Altice, Marion Superior Court, Indianapolis
- Judge Patricia J. Gifford, Marion Superior Court, Indianapolis
- Judge Thomas K. Milligan, Montgomery Circuit Court, Crawfordsville
- Judge Michael G. Gotsch, St. Joseph Circuit Court, South Bend
- Judge Wayne Trockman, Vanderburgh Superior Court, Evansville

At the conclusion of the project, the entire effort will be evaluated to determine its future. The project was approved by a 3-2 vote. Chief Justice Shepard, Justice Frank Sullivan, Jr., and Justice Theodore R. Boehm voted in the majority. Justice Brent E. Dickson issued a dissent in which Justice Robert D. Rucker joined.

**View the Order:** [In Re Pilot Project for Electronic News Coverage in Indiana Trial Courts](#) 



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# SUPREME COURT

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OF INDIANA

**FOR IMMEDIATE RELEASE**

**May 19, 2006**

**Contact: David J. Remondini**

**317.233-8684**

## **CASE MANAGEMENT SYSTEM FINALISTS SENT TO COURT FOR APPROVAL**

The Indiana Supreme Court's Division of State Court Administration announced today that four vendors seeking to provide Indiana trial courts and clerks with a 21st Century Case Management System (CMS) have been recommended to the court as finalists.

The vendors are:

- Computer Systems, Inc.
- Maximus - Justice Solutions Division
- Sustain Technologies, Inc.
- Tyler Technologies, Inc.

The recommendation was made jointly by three committees, consisting of judges, court clerks, and other individuals that advise the Supreme Court on technology and CMS issues. The committees reviewed the work of seven review "teams" that analyzed each of the proposals. The review teams included technical and financial experts, judges, clerks, potential front-line users of the system and other stakeholders.

"We were fortunate to have 14 vendors submit plans. Our seven review teams began their work when the proposals were delivered March 31, and have spent thousands of hours assessing the information to narrow the field," said Division Executive Director Lilia Judson.

The Indiana Supreme Court will review the recommendation and is expected to announce an approved list of finalists shortly.

Any finalists approved by the Supreme Court will be subject to additional review and evaluation. Part of the final review and evaluation will include week-long visits to Indianapolis by each vendor and a public demonstration of their product for judges, clerks, and interested stakeholders.

Those demonstrations are tentatively scheduled for 10 a.m. until 12 p.m. at the Indiana Government Center on June 16, 23, July 7 and 14. Anyone interested is encouraged to attend those sessions.

Once the review of finalists is complete, the Indiana Supreme Court will make the final decision on a vendor. The current timeline calls for selecting the CMS vendor in the fall. The court expects the vendor to configure and deliver a functioning CMS to at least three counties next year.

The CMS will allow courts to share data with each other as well as those that need court information, such as law enforcement and other state and federal agencies, attorneys, policy makers, and the public.

"Our goal is to provide a system that gives courts, clerks and the public timely, accurate and comprehensive information. This will also improve efficiency and cut costs for local counties," said Mary L. DePrez, Director and Counsel for Trial Court Technology, Indiana Supreme Court Judicial Technology and Automation Committee.

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# OF INDIANA

**FOR IMMEDIATE RELEASE**  
**May 22, 2006**

**Contact: David J. Remondini**  
**317.233-8684**

## **ROBYN WILLIAMSON TO COORDINATE COURT 'S LAW SCHOOL SCHOLARSHIP PROGRAM**

Robyn Williamson has been selected to coordinate the Indiana Conference on Legal Opportunity program, the Supreme Court's law school scholarship program, Chief Justice Randall T. Shepard announced today.

Mrs. Williamson began work May 22, 2006 after nearly four years with the office of Attorney General Steve Carter where she served as a deputy attorney general and coordinator of the Victim Assistance and Address Confidentiality programs.

The Indiana Conference on Legal Opportunity (CLEO) was created in 1997 at the urging of Chief Justice Shepard in an effort to broaden the range of people who enter Indiana's law schools.

Indiana CLEO fellows attend a rigorous six-week Summer Institute designed to expose them to the rigors of law school. They also receive financial assistance and assistance with summer jobs, bar exam preparation, and networking opportunities. To qualify for the program, applicants must be economically or educationally disadvantaged or be members of a minority.

The tenth class of Indiana CLEO fellows will attend the Summer Institute at Valparaiso School of Law beginning in June. Mrs. Williamson was an Indiana CLEO fellow in the 1999 class.

"We are very pleased that Mrs. Williamson has agreed to join our effort to increase the diversity of the legal profession. Her professional background and her experience as an Indiana CLEO fellow will be invaluable to us as we work to make this program even more successful," said Chief Justice Shepard.

Mrs. Williamson graduated from Indiana University School of Law – Indianapolis in 2002 and received her undergraduate degree from Earlham College in 1997.

During law school, Mrs. Williamson had also worked as a law clerk for the Indianapolis firm of Lee, Burns, and Cossell and later for the Attorney General's office.

Prior to entering law school she worked as a residence counselor at the Indiana Academy for Science Mathematics and Humanities, a school for gifted Indiana students located in Muncie.

For more information about Indiana CLEO, visit: [www.in.gov/judiciary/cleo](http://www.in.gov/judiciary/cleo).



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# OF INDIANA

**FOR IMMEDIATE RELEASE**  
**May 31, 2006**

**Contact: David J. Remondini**  
**317.233-8684**

## **SUPREME COURT APPROVES FOUR CMS FINALISTS**

The Indiana Supreme Court has approved four recommended finalists to provide Indiana's trial courts and clerks with a 21st Century Case Management System (CMS), a computer system to manage and share court case information.

The vendors are:

- Computer Systems, Inc. – Fishers, Indiana
- Maximus – Justice Solutions Division – North Canton, Ohio
- Sustain Technologies, Inc. – Los Angeles, California
- Tyler Technologies, Inc. – Plano, Texas

The finalists were jointly recommended to the Supreme Court by three committees consisting of judges, court clerks, and other stakeholders that advise the Court on technology and CMS issues. Seven separate review teams provided data and analysis to the committees who made the final recommendation to the court.

“In its order approving the finalists, the Indiana Supreme Court asked the review teams to conduct additional, in-depth examinations of these four vendors. We know this will entail several more months of research, and we look forward to receiving their reports,” said the Division of State Court Administration’s Executive Director Lilia Judson.

Each finalist will be asked to make a week-long visit to Indianapolis to provide additional information and to conduct a public demonstration of its product for judges, clerks, and interested stakeholders.

Those demonstrations are tentatively scheduled for 10 a.m. until 12 p.m. at the Indiana Government Center on June 16, 23, July 7 and 14 . Anyone interested is encouraged to attend.

The review of the four vendors is tentatively scheduled to be completed in the fall, at which time Indiana Supreme Court anticipates the selection of a final vendor. The Court expects the chosen vendor to provide a CMS that fulfills its vision of equipping all Indiana courts with a 21st century case management system and allowing courts to share data with each other as well as those that need court information, such as law enforcement and other state and federal agencies, attorneys, policy makers, and the public. The Court expects the chosen vendor to configure and deliver a functioning CMS to at least three counties next year.



**FOR IMMEDIATE RELEASE**  
**June 5, 2006**

**Contact: Carl Butler**  
**317.232.2548**

## **NOMINATING COMMISSION TO CONSIDER ST. JOSEPH JUDICIAL VACANCY**

Indiana Supreme Court Justice Frank Sullivan, Jr., who chairs the St. Joseph Superior Court Judicial Nominating Commission, announced today that the Commission will meet to begin the process of selecting a new superior court judge. Judge William H. Albright has announced that he will retire on September 30, 2006, leaving a vacancy on the St. Joseph Superior Court.

"State law requires that the Judicial Nominating Commission nominate five candidates for appointment to the St. Joseph Superior Court when a vacancy arises," Justice Sullivan said. "The final appointment is made by the Governor. Under the statute, only attorneys who live in St. Joseph County are eligible to be considered by the Commission for nomination."

Justice Sullivan said that the Nominating Commission will meet on Monday, June 12, at 10:00 a.m. in the St. Joseph County Courthouse, to establish a schedule and procedure for taking applications from attorneys interested in being considered for nomination. No further information on application deadlines or procedures will be available until that time.

The Indiana General Assembly established the seven-member Nominating Commission in 1973. Three of the members must be lawyers elected by St. Joseph County lawyers. Three must be non-lawyers appointed by a committee that includes the St. Joseph Circuit Judge, the mayors of South Bend and Mishawaka, and the president of the board of the St. Joseph County commissioners. The seventh member, who serves as the chair, must be a justice of the Indiana Supreme Court or a Court of Appeals judge appointed by the Chief Justice of the Indiana Supreme Court.



STATE OF INDIANA

SUPREME COURT

RANDALL T. SHEPARD, CHIEF JUSTICE

INDIANAPOLIS 46204-2798

304 STATE HOUSE  
13171 232-2550

FOR IMMEDIATE RELEASE  
June 8, 2006

Contact: Dr. Elizabeth Osborn  
317.233.8682

## SUPREME COURT TO HOST CLE EVENT ON *THE HISTORY OF INDIANA LAW*

The Indiana Supreme Court will host a free CLE presentation featuring a newly published book on the history of Indiana law, Chief Justice Randall T. Shepard announced today.

The CLE program features a panel of contributors from the just released *The History of Indiana Law*. The book is a collection of 15 essays covering a wide range of topics including: Indiana 's constitutional tradition, civil liberties, race relations, women's rights, family law, welfare and the poor, education, crime and punishment, juvenile justice, the role of the courts and judiciary, and landmark cases.

The panelists: David J. Bodenhamer, executive director of The Polis Center at IUPUI; Sheila Suess Kennedy, Associate Professor of Law and Public Policy at IUPUI; Susan Carpenter, Public Defender of Indiana; and Chief Justice Shepard will discuss their individual contributions to the book.

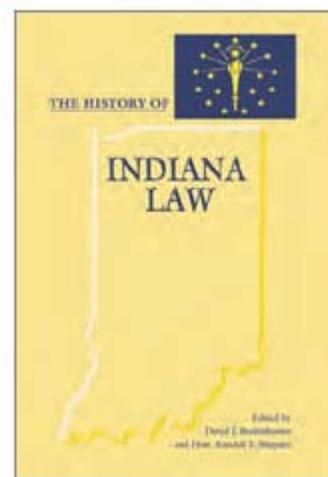
It will be held from 2:45 p.m. to 4 p.m. on Thursday, June 15, 2006 in the Indiana Supreme Court Courtroom. It will also be webcast live. To view it please go to [www.in.gov/judiciary/webcast](http://www.in.gov/judiciary/webcast) and click on "Special Events."

The event is free but seating is limited to 150 people. Light refreshments will follow.

*The History of Indiana Law* was created in cooperation with the Indiana Bar Foundation and was published by The Ohio University Press. It is the second title in a series on Law, Society and Politics in the Midwest . The book will be available for purchase at a discount through the Indiana Historical Bureau at the event, and can be ordered online from [www.ohio.edu/oupres](http://www.ohio.edu/oupres). The publisher's list price is \$49.95.

A total of 1.3 hours of CLE has already been approved for the event, which is part of a continuing project, the Indiana Supreme Court Legal History Lecture Series.

Pre-registration is not required. For more information, please contact, Dr. Elizabeth Osborn, Assistant to the Chief Justice for Court History and Public Education at [eosborn@courts.state.in.us](mailto:eosborn@courts.state.in.us) or 317.233.8682.



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# OF INDIANA

**FOR IMMEDIATE RELEASE**

**June 16, 2006**

**Contact: David J. Remondini**

**317.233-8684**

## **ONLINE DATABASE WILL MAKE SEARCHES FOR 19TH CENTURY SUPREME COURT CASES EASIER**

A new online database will make it easier to retrieve information about thousands of historic Indiana Supreme Court cases from the 19th century that previously had only been available on a limited basis, Chief Justice Randall T. Shepard announced today.

The database allows for searches of basic information about Indiana Supreme Court cases dating from 1817 to approximately 1872. Searches can be done by keyword, party name, by year, by the county, by the court where the case was appealed from, or by how it was decided.

Once a specific case has been located in the database, researchers should record the "box number" associated with the case and contact the State Archives at [www.in.gov/icpr/contact](http://www.in.gov/icpr/contact). An archivist will retrieve the documents associated with it and determine if the materials need to be rehabilitated before viewing.

"For years, the information about many of these cases has been shielded from much significant public review. But the new online database will open up these documents so that more people can use these important records," said Chief Justice Shepard.

To begin a search, a researcher simply enters a term into any or all of the fields. Searching several fields will refine the results and produce fewer records. Because 19th century spelling was not always standardized, trying alternate spellings of terms and names may increase search results.

This project has been made possible through a joint effort of the State Archives, the Supreme Court's "Courts in the Classroom" project and its Judicial Technology and Automation Committee (JTAC).

The State Archives is seeking volunteers to assist with identifying key information about these historic case documents so the database can be expanded to include additional information about each case including keywords and attorney names. For more information about volunteering, please call the State Archives at 317.591.5222.

[Search the Supreme Court Archive Database](#)



FOR IMMEDIATE RELEASE  
June 19, 2006

Contact: Carl Butler  
317.232.2548

## NOMINATING COMMISSION TO ACCEPT APPLICATIONS FOR ST. JOSEPH JUDICIAL VACANCY

Any St. Joseph County lawyer who wishes to be considered by the Governor as a candidate for an upcoming judicial vacancy on the St. Joseph Superior Court must act promptly to apply and provide background information to the St. Joseph Superior Court Nominating Commission.

That vacancy will be created when the Honorable William H. Albright retires on September 30, 2006.

The Indiana Code provides that the vacancy must be filled by appointment by the Governor of one of up to five nominees submitted by the St. Joseph Superior Court Nominating Commission, which is chaired by Indiana Supreme Court Justice Frank Sullivan, Jr.

Factors that the Commission must consider are set forth in [Indiana Code § 33-33-71-37](#) and include applicants' law school record, scholarly work, public service work in civic affairs and the administration of justice, legal experience, probable judicial temperament, physical condition, personality traits, and potential conflicts of interest.

Application forms have been prepared and are now available from Rita Glenn, Clerk of the St. Joseph Circuit and Superior Courts, who can be reached at (574) 235-9772, and online at <http://www.in.gov/judiciary/stjoseph/judicial-application.pdf>.

Prospective applicants should consult the Nominating Commission statute, particularly Indiana Code § 33-33-71-37, for eligibility information. Generally, in order to be eligible for nomination, a person must (1) live in St. Joseph County, Indiana; (2) be a citizen of the United States; and (3) be admitted to the practice of law in the courts of Indiana.

An original application form and eight copies must be completed and returned to the office of the Clerk on or before Friday, August 25, 2006, at 5:00 p.m. Applicants who submitted an application for another court vacancy in the past must submit a new application along with the requisite number of copies.

Applicants must be available for personal interviews with the Nominating Commission on Friday, September 8, 2006, in South Bend.

**Special Notice Concerning Confidentiality:** In 1999, the Indiana General Assembly amended the St. Joseph County Judicial Nominating Commission statute by adding a provision that appears to prohibit the public disclosure of the names of applicants (except those five who are nominated for appointment). See [Ind. Code § 33-33-71-38](#). In order to comply with this provision, the Commission will not disclose the names of applicants. However, the Commission is unable to assure applicants that their names will remain confidential. The Commission has certain statutory and inherent obligations that may result in the names of applicants becoming known, even if no affirmative public disclosure is made. For example, the applications appear to be public records under [Ind. Code §§ 5-14-3-1](#), et seq. and are so subject to public inspection upon proper request.

# SUPREME COURT

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# OF INDIANA

**FOR IMMEDIATE RELEASE**

**June 26, 2006**

**Contact: David J. Remondini**

**317.233-8684**

## **SUPREME COURT AND IVY TECH PARTNER TO TEACH SPANISH TO TRIAL COURT EMPLOYEES**

To better serve the Spanish-speaking litigants who use the Indiana court system, the Indiana Supreme Court and Ivy Tech Community College will begin offering a workplace Spanish curriculum for trial court employees, Chief Justice Randall T. Shepard announced today.

The curriculum will be presented through 24 hours of classroom instruction and a course textbook will offer basic information needed by court employees to effectively communicate with Spanish-speaking individuals.

A CD-ROM will also be offered to help court employees maintain the skills they develop. Topics covered by the course will include: greetings and introductions; dates and times; numbers; telephone reception phrases; obtaining personal information; giving directions to other offices; explaining courtroom procedures; referencing court documents, and other information.

Courses will be free to any employee of a trial court or employee of a clerk's office assigned to work with the trial courts.

"For people who speak English, the court system can appear mysterious enough. People who speak only Spanish must find it intimidating. This program should help court staff make it easier for people to get their day in court," said Chief Justice Shepard.

The Supreme Court's Division of State Court Administration and the Indiana Judicial Center have designed the project and will cover the cost of tuition and book costs.

The course offerings are part of a multi-tiered effort by the Supreme Court to make the court system more accessible to Indiana's Spanish-speaking population. The Court also sponsors a certification program that works to improve the qualifications of the interpreters who work in the courts. In addition, the Court has translated several commonly used court forms into Spanish and posted the forms on the Internet.

For more information, visit: [www.in.gov/judiciary/center/spanish-course](http://www.in.gov/judiciary/center/spanish-course)



**FOR IMMEDIATE RELEASE**  
**June 30, 2006**

**Contact: Karyn Graves**  
**317.232.4695**

## **INDIANA TAX COURT CELEBRATES ITS 20<sup>th</sup> YEAR OF SERVICE**

The Indiana Tax Court will celebrate 20 years of service to the people of Indiana on July 1, 2006.

Indiana's only appellate court dedicated to tax matters was created by an act of the legislature in 1986 and opened for business on July 1, 1986.

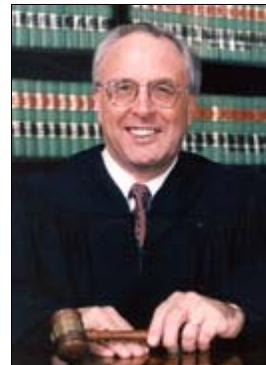
Indiana Tax Court Judge Thomas G. Fisher was appointed to the Tax Court in 1986 by then Gov. Robert D. Orr and has served continuously since then.

"A major reason for the Indiana Tax Court was to give Hoosiers speedy and consistent interpretation of Indiana's tax laws. I proud that over the past twenty years we here at the Indiana Tax Court have accomplished that goal and have also enhanced the understanding the citizens of Indiana have about the role of taxes and tax policy in our daily lives," said Judge Fisher.

The Tax Court has exclusive jurisdiction over any case that arises under the Indiana tax laws and that is an initial appeal of a final determination made by the Indiana Department of State Revenue or the Indiana Board of Tax Review. In addition, the Tax Court has jurisdiction over certain appeals from the Department of Local Government Finance. The Tax Court also hears appeals of inheritance tax determinations from the courts of probate jurisdiction. Such cases are called original tax appeals.

Prior to its creation, the cases over which the Tax Court now has jurisdiction were heard in the Circuit or Superior Courts of the county of location of property in property tax cases or in the county of residence or place of business of the taxpayer in all other cases.

Previously, Judge Fisher served as Jasper County Prosecuting Attorney from September 6, 1967, to July 1, 1986. He also maintained a private law practice in Remington, Indiana, for twenty-one years. He attended Earlham College (B.A. 1962) and Indiana University School of Law at Bloomington (L.L.B. 1965) (J.D. 1968). He was admitted to practice in the Indiana Supreme Court in 1965, the United States District Court for the Northern District of Indiana in 1965, and the Supreme Court of the United States in 1969. He is active in various professional and civic organizations and has lectured in business law at Saint Joseph 's College. He is married and has one son, one daughter, and six grandchildren.



Judge Thomas G. Fisher

# SUPREME COURT

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# OF INDIANA

**FOR IMMEDIATE RELEASE**

**July 13, 2006**

**Contact: David J. Remondini**

**317.233-8684**

## **CHIEF JUSTICE SHEPARD LECTURES AT PRESTIGIOUS NYU LAW SESSION**

Indiana Chief Justice Randall T. Shepard was asked to teach at the prestigious New York University School of Law series on appellate matters for newly appointed appellate judges. For nearly 50 years, NYU has been the central location for such training.

The five-day session concluded Friday, July 14th and included noted law professors and leading state and federal judges from around the country.

In addition to participating in other sessions, Chief Justice Shepard was part of two panels: "Conferencing and the Process of Decision-Making" and "Issues in Judicial Ethics."

Primarily, the audience for the series includes judges with up to three years experience on state supreme courts, state intermediate courts of appeals, and federal courts of appeals.

"When I saw the line-up of faculty, I was flattered to be included in such a first-rate group. I think it is a tribute to all of Indiana's judiciary that I was asked to be part of this series," said Chief Justice Shepard.

The event is held in cooperation with the Federal Judicial Center and the ABA Appellate Judges Conference.

# SUPREME COURT

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# OF INDIANA

**FOR IMMEDIATE RELEASE**  
**July 17, 2006**

**Contact: David J. Remondini**  
**317.233-8684**

## **JULIA ORZESKE NAMED GENERAL CHAIR OF ISBA ANNUAL MEETING**

Julia Orzeske, executive director of the Supreme Court's Commission for Continuing Legal Education, has been named general chairperson of the Indiana State Bar Association Annual meeting set for Indianapolis this October, Chief Justice Randall T. Shepard announced today.

Ms. Orzeske, who has been executive director for 12 years, will lead the planning for what is typically the largest annual ISBA event. Hundreds of lawyers and guests converge for the three-day event. This year the ISBA's 110th annual meeting will be at the downtown Marriott.

ISBA President James W. Riley Jr. of the Indianapolis firm of Riley, Bennett, & Egloff, appointed Ms. Orzeske to this position.

"I am truly honored to be selected for this important responsibility. I am looking forward to the meeting. I believe it will be a great personal challenge and a fine opportunity to be part of an engaging and informative event," said Ms. Orzeske.

Chief Justice Shepard said he was not surprised Ms. Orzeske was named chair of the annual meeting.

"Julia has tackled many difficult challenges for us over the years. She is a very talented and creative lawyer. I know she will bring the same skill and attention to detail to the annual meeting as she does to our Continuing Legal Education enterprise. I know it will be a success," he said.

Mrs. Orzeske is a long-time member of the ISBA. Prior to coming to work for the Supreme Court, she was a Marion County deputy prosecutor.





FOR IMMEDIATE RELEASE  
July 19, 2006

Contact: Donald R. Lundberg  
317.232.1807

## NEW OFFICERS ELECTED TO SUPREME COURT DISCIPLINARY COMMISSION

The Indiana Supreme Court Disciplinary Commission has elected three new officers, Chief Justice Randall T. Shepard announced today.

J. Mark Robinson, of Clark County, was elected Chairperson of the Commission. He was initially appointed to the Commission in 2001, and was re-appointed to a second five-year term, expiring in 2011. He is a 1969 civil engineering graduate of Purdue University, and he received his law degree in 1973 from the University of Louisville School of Law. Also an ordained Presbyterian minister, he is the managing attorney of the New Albany office of Indiana Legal Services, Inc., a provider of civil legal services to low-income clients. Mr. Robinson replaced Robert L. Lewis as chairperson. Mr. Lewis, of the Gary firm of Robert L. Lewis & Associates, remains on the Commission as a member.

Anthony M. Zappia, of South Bend, was elected Vice-Chairperson of the Commission. Mr. Zappia is in his second term on the Commission having been appointed in 2001 and re-appointed to a second five-year term, expiring in 2011. He attended the University of Notre Dame where he received his B.A. in 1972, cum laude, in the School of Economics, and earned his law degree in 1976 from Valparaiso University. Mr. Zappia is the senior member of the 4-person law firm of Zappia Zappia & Stipp. His principal areas of practice are personal injury, criminal defense, domestic relations and civil litigation.

Sally Franklin Zweig, of Indianapolis, was elected Secretary of the Commission. Ms. Zweig was appointed to the Commission in 2001 and was re-appointed to a second five-year term, expiring in 2011. She obtained her undergraduate degree from Washington University in 1971 and received her law degree in 1986 from Indiana University School of Law at Indianapolis. Ms. Zweig is a partner in the law firm of Katz & Korin P.C. in Indianapolis.

The [Disciplinary Commission](#) is the agency of the Indiana Supreme Court charged with responsibility for investigating and prosecuting claims of lawyer misconduct. The Commission is made up of nine members appointed by the Supreme Court. Seven are lawyers from throughout Indiana who actively practice law and two are lay representatives.

In addition to the newly elected officers of the Commission and Mr. Lewis, the outgoing Chairperson, members who continue in their service include: Diane L. Bender, a sole practitioner in Evansville in Indiana; Corinne R. Finnerty, a partner in McConnell & Finnerty in North Vernon; Fred Austerman, President and CEO of Optical Disc Solutions, Inc. in Richmond; R. Anthony Prather, a partner in the Indianapolis office of Barnes & Thornburg; and Maureen I. Grinsfelder, Executive Director of the Fort Wayne Educational Foundation.



FOR IMMEDIATE RELEASE  
July 21, 2006

Contact: Jennifer Bauer  
317.232.1313

## **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," Lake Circuit Court Judge Lorenzo Arredondo announced today.

Judge Arredondo, who chairs the Community Relations Committee of the Judicial Conference of Indiana, said the Committee selects the recipients on behalf of the Indiana Judges Association.

The IJA gives two "Excellence in Public Information and Education" awards 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 and any supporting information that will assist the committee in its 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 at the Indiana Judicial Center by 4:30 p.m. on Wednesday, August 23, 2006. The awards will be presented at the Indiana Judges Association luncheon on September 14, 2006 in Indianapolis .

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](http://www.in.gov/judiciary/center).



**FOR IMMEDIATE RELEASE**  
**July 25, 2006**

**Contact: Cindy Collier**  
**317.694.1112**  
[ccollier@jtac.in.gov](mailto:ccollier@jtac.in.gov)

## **INDIANAPOLIS TO HOST LEADERS OF THE NATION'S STATE COURTS**

The annual meeting of the Conference of Chief Justices and the Conference of State Court Administrators will be held in Indianapolis from July 30<sup>th</sup> to August 2<sup>nd</sup>, Chief Justice Randall T. Shepard announced today.

Chief Justice Shepard and Lilia Judson, State Court Administrator for Indiana will host the members of the two groups who come from 55 states and U.S. territories.

"Lilly Judson and I are very proud that Indiana has been selected to host this event. We are excited about showing off our vibrant city and state and we expect to put on an engaging and thought-provoking conference," said Chief Justice Shepard.

The Chief Justice will complete his one-year term as president of the Conference of Chief Justices at the conclusion of the annual meeting.

Lilia Judson is also a leader in the Conference of State Court Administrators. She is on the Conference of State Court Administrators Board of Directors, serves on the joint planning committee for the Conference of Chief Justices and the Conference of State Court Administrators and is the liaison to the Council of State Governments for the Conference of State Court Administrators.

The Conference of Chief Justices (CCJ) consists of the highest judicial officers of the fifty states, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the territories of American Samoa, Guam and the Virgin Islands.



Chief Justice  
 Randall T. Shepard



State Court Administrator  
 Lilia G. Judson, Esq.



The CCJ was founded in 1949 to provide an opportunity for the justices to meet and discuss matters of importance in improving the administration of justice, rules and methods of procedure, and the organization and operation of state courts and judicial systems, and to make recommendations and bring about improvements on such matters.

The Conference of State Court Administrators (COSCA), organized in 1953, is dedicated to the improvement of state court systems. Its members consist of the state court administrator or equivalent official in each of the fifty states, the District of Columbia, Puerto Rico, American Samoa, Guam, Northern Mariana Islands, and the Virgin Islands.



## Indiana Judicial Nominating Commission Indiana Commission on Judicial Qualifications

30 South Meridian Street, Suite 500

Indianapolis, Indiana 46204-3568

(317) 232-4706

FAX (317) 233-6586

**FOR IMMEDIATE RELEASE**

**July 28, 2006**

**Contact: Meg Babcock**

**317.232.4706**

## **JUDICIAL COMMISSION FILES ETHICS CHARGES AGAINST MADISON COUNTY JUDGE**

The Indiana Commission on Judicial Qualifications has filed judicial disciplinary charges against the Honorable Thomas Newman, Jr., Madison Superior Court #3.

In October 2000, Judge Newman revoked Lance Dawson's probation and sentenced him to six years in prison. In July 2001, the Court of Appeals found the sentence was contrary to law, and Dawson was to be released. However, Judge Newman did not issue an order for Dawson's release. Dawson was unaware of the Court of Appeals decision, and spent fourteen additional months in prison.

The Commission alleged in its charges, "Judge Newman was so indifferent to the need to prepare an order for Dawson's release as to constitute such serious neglect that he violated the Code of Judicial Conduct. He further violated the Code when, later, he variously assigned responsibility for his neglect not to himself but to his court reporter, the Department of Corrections, and the Court of Appeals."

Meg Babcock, the Commission's attorney, said about the charges, "The Commission emphasizes to Indiana judges, lawyers, and citizens that the Commission values and protects the independence of the judiciary and does not consider an honest judicial mistake, however grave the consequences, to be within its jurisdiction to prosecute. The unique facts of this case, though, illustrate that these charges are not based upon a simple mistake, but on Judge Newman's neglect and indifference to his judicial duties and his subsequent attempts to cast blame elsewhere."

Judge Newman may file an Answer to the charges within twenty days, after which the Supreme Court will appoint a panel of three judges to preside over an evidentiary hearing and report to the Court. The Indiana Supreme Court makes the final decision whether the Commission proved its charges and, if so, what sanction or discipline to impose against the judge.

The charging document, which includes thirty-one separate allegations in support of the charges, will be available at [www.in.gov/judiciary/jud-qual](http://www.in.gov/judiciary/jud-qual).

The Commission is a seven-member body comprised of the Chief Justice of Indiana, three lawyers elected by other lawyers, and three non-lawyers appointed by the Governor.



## Indiana Judicial Nominating Commission Indiana Commission on Judicial Qualifications

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**FOR IMMEDIATE RELEASE**  
**August 9, 2006**

**Contact: Adrienne Meiring**  
**317.232.2542**

### **INDIANA'S SECOND GROUP OF CERTIFIED COURT INTERPRETER CANDIDATES TO BE SWORN IN**

Justice Brent E. Dickson will preside over the swearing in ceremony of the second class of interpreters to become certified in Indiana. Twenty-one interpreters will be sworn in on Thursday, August 10, 2006, at 2 p.m. in the Supreme Court Courtroom.

Launched in 2003, Indiana's certification program was created in response to a recommendation by the Indiana Supreme Court's Commission on Race and Gender Fairness. Indiana's certification process is designed to give Indiana courts access to high quality foreign language interpreters and to provide courts with neutral interpreters.

Indiana's rigorous program, based upon national standards, is a four-part process, which includes both a written and oral exam. The current passage rate in Indiana is approximately 24%, nearly double the national average.

Lilia Judson, Executive Director of the Division of State Court Administration, which administers Indiana's court interpreter certification program, said that she is pleased with the growth of this program.

"We are extremely proud of the accomplishments of these 21 interpreters. The strength of this program is Indiana's commitment to insuring equal access to the courts for all its citizens."

Further information about the Indiana Supreme Court's Interpreter Certification Program, including schedules for the next certification classes, can be accessed at [www.in.gov/judiciary/interpreter](http://www.in.gov/judiciary/interpreter).





SUPREME COURT

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**FOR IMMEDIATE RELEASE**  
**August 21, 2006**

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## **INDIANA STATE OFFICE OF GAL/CASA FIRST IN NATION TO RECEIVE NATIONAL CERTIFICATION OF QUALITY PROGRAM MANAGEMENT**

The Indiana State Office of Guardian as Litem/Court Appointed Special Advocate (GAL/CASA) has been awarded certification by the National Court Appointed Special Advocate (CASA) Association. Indiana is the first state in the nation to receive this certification, which recognizes that the Indiana State Office of GAL/CASA meets National CASA's high standards for program operations and management.

The Indiana State Office of GAL/CASA, which was started in 1990, certifies and provides training and support to local GAL/CASA programs in 67 Indiana counties. The local GAL/CASA programs provide trained community volunteers to speak for the best interests of abused and neglected children in court, helping to ensure children's needs are met while they are in foster care and that these children have a safe and permanent home as quickly as possible. Indiana has one of the largest networks of GAL/CASA programs in the nation. Indiana volunteers spoke for 10,883 abused and neglected children in cases in 2005; nonetheless, thousands of children are still waiting for a volunteer.



The Indiana Supreme Court Division of State Court Administration operates the State Office of GAL/CASA. Chief Justice Randall T. Shepard and the Supreme Court have strongly supported and encouraged the Indiana GAL/CASA programs in their efforts to promote quality advocacy for children.

Chief Justice Shepard noted that, "Indiana has been a leader in promoting quality assurance of local GAL/CASA programs and is now setting the standard on a national basis for the certification of state GAL/CASA entities. We are proud to be leaders in encouraging quality advocacy for abused and neglected children."

According to Michael Piraino, CEO of the National CASA Association, "The National CASA quality assurance process is very rigorous and reflects our commitment to ensure all children we serve have the most powerful volunteer advocates working on their behalf."

Leslie Dunn, the Indiana's Director of GAL/CASA noted that, "The certification of the Indiana State Office demonstrates the Indiana Supreme Court has a strong commitment to provide effective advocacy for abused and neglected children within the state."

**For more information about GAL/CASA programs or to volunteer, contact the Indiana State Office of GAL/CASA at 1-800-542-0813 or [www.in.gov/judiciary/galcasa](http://www.in.gov/judiciary/galcasa).**



FOR IMMEDIATE RELEASE  
August 24, 2006

Contact: Steve Lancaster  
317-232-4197

## COURT OF APPEALS "NOT FOR PUBLICATION" OPINIONS NOW AVAILABLE

Indiana Court of Appeals Chief Judge James S. Kirsch announced today that the Court has decided to post their "Not For Publication" - or "NFP" - opinions on the Court of Appeals website as a service to legal practitioners statewide. Indiana Chief Justice Randall Shepard approved the request of the Court of Appeals in an Order dated August 21, 2006.

The Order is made provided this availability "shall not in any way alter or change their status as a 'not-for-publication memorandum decision,'" the Order read. By appellate rule, NFP decisions do not set precedent and may never be used in legal citations.

Printed copies of NFP decisions have always been available to the public in the Supreme Court Clerk's office in Indianapolis, but until now have not been available to Hoosiers on the Internet. Monday's order changes that.

The 15 judges on the Indiana Court of Appeals decide between 2,200 and 2,500 cases each year. Of these, NFP decisions constitute about 73% of total opinions. Current opinions of the Court of Appeals, including NFP decisions, are available online at <http://www.in.gov/judiciary/opinions/appeals.html>. Archived opinions are available at <http://www.in.gov/judiciary/opinions/archapp.html>.

The Chief Justice directed a copy of the Order be sent to Chief Judge Kirsch; to Steve Lancaster, Court of Appeals Administrator; Kevin Smith, Clerk of the Indiana Supreme Court, Court of Appeals, and Tax Court; James W. Riley, Jr., President of the Indiana State Bar Association; Kendra G. Gjerdingen, Chair, Appellate Practice Section, Indiana State Bar Association; Indiana Attorney General Steve Carter; and Susan Carpenter, the Public Defender of Indiana.

Supreme Court Justices Frank Sullivan Jr. and Theodore R. Boehm concurred with the Order. Chief Justice Randall Shepard and Justices Brent E. Dickson and Robert D. Rucker concurred "in the interests of comity," but believe the posting of not-for-publication opinions is "unwise."

**Supreme Court Order:**  
[In Re Request from Indiana Court of Appeals to Post Unpublished Opinions on the Judiciary Website](#)  
ADOBE PDF | 1 page | 56 kb



[See Appellate Rule 65 for more information about Not-for-publication Opinions](#)

STATE OF INDIANA

SUPREME COURT

RANDALL T. SHEPARD, CHIEF JUSTICE



INDIANAPOLIS 46204-2798

304 STATE HOUSE  
(317) 232-2550**FOR IMMEDIATE RELEASE**  
August 30, 2006**Contact: Shana Stump**  
317.232.2548

## **PUBLIC INTERVIEWS TO BE HELD FOR ST. JOSEPH SUPERIOR COURT VACANCY**

The St. Joseph Superior Court Judicial Nominating Commission will interview candidates for the upcoming vacancy on the St. Joseph Superior Court on Friday, September 8, 2006. The interviews will begin at 9:30 a.m. in the conference room of the St. Joseph Circuit Court, Second Floor, County Courthouse, South Bend, Indiana.

An interview schedule will be posted on the door of the Conference Room on the day of the interviews. At the conclusion of the interviews, the Commission will deliberate in executive session.

Following the executive session, the Commission will reconvene in the Conference Room for a public vote on the nominees whose names will be submitted to the Governor for his consideration and appointment.

### **Rules of News Coverage for Judicial Nominating Commission Interviews**

1. Entry and exit into the room will be permitted only between interviews.
2. Only ambient lighting will be permitted. Flashbulbs and similar photographic equipment may not be employed during the proceeding.
3. There will be no movement of equipment, except between interviews.
4. Questioning of the applicant during the interview will be reserved for the members of the Judicial Nominating Commission. At the applicant's discretion, members of the public or the media may interview him or her before or after his or her interview with the Commission.
5. Members of the audience are requested to refrain from all other activities that might distract from the interview process.



**FOR IMMEDIATE RELEASE**  
**September 6, 2006**

**Contact: Jennifer Bauer**  
**317.232.1313**

## **JOURNALIST AND JUDGE HONORED BY INDIANA JUDGES ASSOCIATION**

A journalist and a 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, Judge John Marnocha of the St. Joseph Superior Court announced today.

Judge Marnocha, president of the Indiana Judges Association, said the association solicited nominations from the judiciary and the public for its Commendations for Excellence in Public Information and Education Awards.

"These awards give us a wonderful opportunity to celebrate the very fine work done by journalists and judges across Indiana to help citizens gain a better understanding of the justice system," Judge Marnocha said.

Marcia J. Oddi, publisher of The Indiana Law Blog, will receive the media award. The Indiana Law Blog is a web log devoted to providing information on Indiana court decisions and other legal developments. Judge David Chidester of Porter Superior Court nominated Ms. Oddi for providing citizens with an up-to-date capsule of all matters involving Indiana law. Ms. Oddi has published The Indiana Law Blog since 2002.

Judge Mary Beth Bonaventura of Lake Superior Court- Juvenile Division will receive the judiciary award. She was nominated by Magistrate Charlotte Peller and Chief Probation Officer Diane Weiss Bradley of Lake Superior Court for her efforts to educate young people about the reality of juvenile delinquency and juvenile court. Judge Bonaventura was the sole judge featured in a 2005 MTV documentary series called "MTV Juvies."

The awards will be presented during the Indiana Judges Association luncheon in South Bend on September 14, 2006.



FOR IMMEDIATE RELEASE  
September 11, 2006

Contact: Shana Stump  
317.232.2548

## ST. JOSEPH JUDICIAL COMMISSION SUBMITS FIVE NOMINEES TO GOVERNOR

The St. Joseph Superior Court Judicial Nominating Commission today submitted to Governor Mitchell E. Daniels, Jr. its list of five candidates to fill a vacancy on the St. Joseph Superior Court, Indiana Supreme Court Justice Frank Sullivan, Jr., announced today. The vacancy will occur on September 30, 2006 when the Honorable William H. Albright retires. From the list, Governor Daniels will appoint Judge Albright's successor.

The nominees are:

**Mark A. Kopinski**, 47, a sole practitioner and public defender and former deputy prosecutor in St. Joseph County.

**Marielena Lindke**, 35, a deputy prosecutor in Elkhart County and former deputy prosecutor in St. Joseph County.

**Hon. Richard Leo McCormick**, 38, a Magistrate of the St. Joseph Superior Court.

**Jane Woodward Miller**, 56, an adjunct professor at the University of Notre Dame Law School and former Magistrate of the St. Joseph Probate Court.

**Jeffrey Lane Sanford**, 47, a sole practitioner and assistant city attorney and former public defender in St. Joseph County.

Under state law, the Commission must submit to the governor a list of five candidates with written evaluations of the qualifications of each candidate. Following his receipt today of the list of nominees, Governor Daniels has 60 days in which to make his appointment to the St. Joseph Superior Court. In the event he does not do so, the Chief Justice of the Indiana Supreme Court shall make the appointment from the list of nominees.

The Indiana General Assembly established the Nominating Commission in 1973. It consists of seven members. Three of the members must be lawyers elected by the lawyers of the county. Three must be non-lawyers appointed by a committee consisting of the judge of the St. Joseph Circuit Court, the mayors of South Bend and Mishawaka, and the president of the board of St. Joseph County commissioners. The seventh member, who serves as chairman of the Commission, must be a justice of the Indiana Supreme Court or a judge of the Indiana Court of Appeals, and appointed by the Chief Justice of Indiana. Pursuant to this position, Justice Sullivan serves as chairman.

# SUPREME COURT

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OF INDIANA

FOR IMMEDIATE RELEASE

September 13, 2006

Contact: David J. Remondini

317.233-8684

## SUPREME COURT JURY POOL PROJECT RECEIVES NATIONAL AWARD

### American Judicature Society chooses Indiana for Special Merit Citation

SOUTH BEND - American Judicature Society president Neal Sonnett attended the annual Indiana Judicial Conference today to present Chief Justice Randall T. Shepard with a Special Merit Citation for the court's [Jury Pool Project](#).

Prior to the court's effort, Indiana counties used Jury Pool lists that included only 60%-80% of eligible jurors. Today's list includes more than 99% of eligible jurors.

"We knew those lists were not as diverse and inclusive as they needed to be so we enlisted the help of many partners including state government and university representatives to create a list that is one of the best in the nation and one we can be very proud of," said Shepard.

The Indiana Supreme Court's Jury Pool lists were created for each county in the state and offered free of charge. There are more than 2,000 jury trials in Indiana each year and a critical part of each trial is gathering an impartial jury.

The new jury pool list combined data from the Indiana Bureau of Motor Vehicles (BMV) and Department of Revenue (DOR), capturing anyone with a license or state ID card or who works or pays taxes.

"This project was a unique collaboration across branches of government and education. The results are a true success for Indiana courts and all our citizens," Shepard said.

Project partners included:

- Indiana Supreme Court
- Supreme Court Division of State Court Administration
- Indiana Jury Committee
- Indiana Judicial Center
- Indiana Supreme Court Judicial Technology and Automation Committee
- Indiana Department of Revenue
- Indiana Bureau of Motor Vehicles
- Indiana Criminal Justice Institute
- Purdue University
- Jury Administrators from Allen, Henry, Hamilton, Huntington, Lake, Lawrence, and Marion counties

The [American Judicature Society](#) (AJS), founded in 1913, is an independent, national, nonpartisan organization of judges, lawyers, and other members of the public who seek to improve the justice system. AJS, which brings a public perspective to justice system issues, has the mission to secure and promote an independent and qualified judiciary and fair system of justice. Primary areas of focus are:

- Judicial independence
- Judicial conduct and ethics



Chief Justice Randall T. Shepard shows the AJS award to the Indiana Judicial Conference

- Judicial selection
- The jury
- Criminal justice system
- Public understanding of the justice system



**FOR IMMEDIATE RELEASE**  
**September 28, 2006**

**Contact: Karyn Graves**  
**317.232.4695**

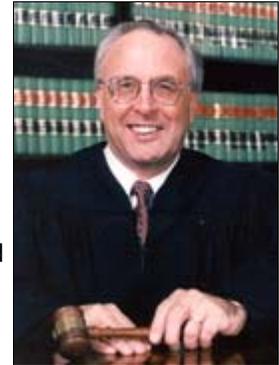
## **NATIONAL CONFERENCE OF STATE TAX JUDGES MEETS IN INDIANAPOLIS**

The judges who deal most closely with tax matters in state courts across America are meeting in Indianapolis today through Saturday.

Indiana Tax Court Judge Thomas G. Fisher will play a key role in the National Conference of State Tax Judges, which will be held downtown at the Hyatt Regency Indianapolis.

Among other duties, Judge Fisher will participate in a panel on Thursday on recent case law updates and developments with the Hon. Harold A. Kuskin, Judge of the Tax Court of New Jersey, and Albert Shamash, Member of the New Hampshire Board of Tax and Land Appeals.

During the conference the officials will also participate in sessions on appraisal practices and public access to judicial and tribunal records. There will also be a session on appellate review of decisions of tax judges, magistrates and state tax boards, which will include Indiana Associate Justice Theodore R. Boehm, Minnesota Associate Justice Sam Hanson, the Hon. Francine Axelard, Judge of the Appellate Division of the Superior Court of New Jersey, and the Hon. Alexander White, Judge of the Circuit Court in Cook County, Illinois.



Judge Thomas G. Fisher

The three-day event is sponsored by the Lincoln Institute of Land Policy, a nonprofit and tax-exempt educational institution founded in 1974 to improve the quality of public debate and decisions in the areas of land policy and land-related taxation.

On Friday, Indiana Chief Justice Randall T. Shepard will be the guest speaker for the presentation of the Lawrence L. Lasser Tax Judge of the Year Award.

The Institute's goals are to integrate theory and practice to better shape land policy and to provide a nonpartisan forum for discussion of the multidisciplinary forces that influence public policy.

# SUPREME COURT

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OF INDIANA

**FOR IMMEDIATE RELEASE**  
**September 29, 2006**

**Contact: David J. Remondini**  
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## **MEDIA ADVISORY**

### **YOUR COVERAGE INVITED**

- Who:** Indiana Supreme Court Chief Justice Randall T. Shepard  
Governor's Policy Director for Public Safety John von Arx  
Indiana Criminal Justice Institute Executive Director Michael Cunegin  
Julian Center Executive Director Ann DeLaney
- What:** Indiana's Judicial and Executive branches have received a \$259,000 federal grant to create a statewide Protection Order Registry that will ensure orders are entered into a statewide system immediately and faxed to the appropriate local law enforcement office.
- Where:** The Julian Center, 2011 North Meridian Street, Indianapolis \*
- When:** 1:15 p.m., Monday, October 2, 2006
- Background:** The new Indiana Protection Order Registry will link courts with the Indiana State Police data system to ensure all protection orders are entered and available immediately – before parties even leave the courthouse. Because of this collaborative effort, data will be available across county lines and entered into the FBI's National Crime Information Center. When the order goes into the system, a copy will also be faxed to local law enforcement officers where the parties are located. This will ensure that all law enforcement agencies are immediately notified when a protection order or no contact order is issued or revoked.

\* Julian Center Parking - Use the main entrance doors off the driveway between Meridian Street and South Pennsylvania Street. Press the security buzzer to the left of the doors and identify yourself as a member of the media attending this event. PLEASE DO NOT enter via the Administrative Offices/Counseling Center.

# SUPREME COURT

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# OF INDIANA

**FOR IMMEDIATE RELEASE**

**October 2, 2006**

**Contact: David J. Remondini**

**317.233-8684**

## **INDIANA GETS \$259,000 TO SPEED PROTECTION ORDERS Grant for partnership between courts and state government**

INDIANAPOLIS – Governor Mitch Daniels and Indiana Supreme Court Chief Justice Randall T. Shepard announced today that the state has received a \$259,000 grant from the federal Bureau of Justice Statistics to create a statewide Protection Order Registry.

“Until now, a judge’s protection order might not get into the hands of local law enforcement for days – a situation that is unacceptable and too dangerous to continue. By creating this link between the courts and law enforcement we can better protect those we are here to serve,” said Chief Justice Shepard.

The project funding was awarded through the Indiana Criminal Justice Institute and was also supported by domestic violence advocacy groups and local and state law enforcement.

“Last year more than 83 Hoosiers died as the result of domestic violence. More than 9,000 adults, mostly women, and children went to an emergency shelter because it wasn’t safe to stay at home. We need to take action to change that,” said Governor Daniels.

Currently, if you want to know how many Protection Orders are in force in Indiana, you have to contact all 92 counties individually.

The new Indiana Protection Order registry will link Indiana courts with the existing Indiana State Police data system to ensure all protection orders are entered and available immediately. This also means data will be available across county lines.

“Law enforcement officers can be most efficient and effective when they have complete, and timely, information. This registry will add an important tool to assist them in their efforts to protect those at-risk for domestic violence,” said Indiana State Police Superintendent Dr. Paul E. Whitesell.

When the order goes into the system, a copy will be faxed to local law enforcement officers where the parties are located. This will ensure that all law enforcement agencies are immediately notified when a protection order or no contact order is issued or revoked.

An additional benefit is that because the order is checked for completeness and accuracy when it goes into the new system, it will also be registered with NCIC – the FBI’s National Crime Information Center, offering protection across state lines as well as within Indiana.

“As a former law enforcement officer, I know the crucial time following the entering of a Protection Order, typically on a Friday afternoon, is the first 24 hours. With this new system, the order will be entered in to the registry before the petitioner leaves the courthouse,” said Michael Cunegin, Executive Director of the Indiana Criminal Justice Institute.

This collaborative effort between the judiciary and state government is the latest in a number of projects that are benefiting Hoosiers.

The Indiana Supreme Court’s Jury Pool Project created the most diverse and inclusive jury pool list in Indiana history, increasing the percentage of eligible people called from 60-80% to more than 99%. The court worked with the state Department of Revenue, Bureau of Motor Vehicles and Purdue University on that project.

The court's BMV project is another example of collaboration between the executive branch and judiciary. The Indiana Supreme Court's [Judicial Technology and Automation Committee](#) created a system which allows clerk's offices to transfer driving infractions to the BMV electronically. This time and money saving system is helping the state meet new federal rules for timely reporting and protecting \$34 million a year in federal highway funds.

# SUPREME COURT

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# OF INDIANA

**FOR IMMEDIATE RELEASE**

**October 13, 2006**

**Contact: David J. Remondini**

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## CHIEF JUSTICE SHEPARD RECEIVES PRESTIGIOUS YALE AWARD

Indiana Chief Justice Randall T. Shepard will receive the prestigious Yale Law School Association's Award of Merit at Alumni Weekend this Saturday, the Indiana Supreme Court announced today.

He will receive the award at a luncheon on the Yale campus in New Haven, Conn. in Woolsey Hall.

According to the Yale Law School Association, the "award is the highest honor given . . . to deserving graduates of the Law School."

Chief Justice Shepard graduated in 1972 from Yale Law School, where his classmates included President William Clinton and U.S. Senator Hillary Rodham Clinton.

Past winners of the Award of Merit have included former President Gerald Ford, former Yale Law School Dean Anthony T. Kronman, former U.S. Secretary of State Cyrus Vance, and U.S. Senator Joseph I. Lieberman.

Chief Justice Shepard will receive the award Saturday along with 1976 Yale Law graduate, the Hon. Margaret H. Marshall, Chief Justice of Massachusetts and 1965 graduate, The Honorable Drayton Nabers, Chief Justice of the Alabama Supreme Court.

"This is quite an honor for me and I am gratified at the recognition. I truly appreciate the Association's compliment," said Chief Justice Shepard.

The Award of Merit has been presented since 1957 but was redesigned in 1998. It is a stained glass medallion resting in an oak base with a brass plaque inscribed to the recipient. The medallion depicts a traditional seated image of Justice holding scales in one hand and a sword in the other.

Chief Justice Shepard also was recognized last month at Harvard Law School in Cambridge, Mass. Justice At Stake Campaign, which seeks to support the judiciary's role as a co-equal branch in our system of government, gave him its first award of "Outstanding Judicial Outreach." The award recognized his longstanding efforts at improving the public's understanding of the judiciary and the legal system.



Chief Justice  
Randall T. Shepard

# SUPREME COURT

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OF INDIANA

**FOR IMMEDIATE RELEASE**

**October 16, 2006**

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## **BRIAN M. EISENMAN JOINS STAFF OF SUPREME COURT ADMINISTRATION**

Attorney Brian M. Eisenman has been selected as the newest staff attorney for the Indiana Supreme Court, Chief Justice Randall T. Shepard announced today.

Mr. Eisenman will begin work on October 16th and joins four other Supreme Court Administration staff attorneys: Deputy Court Administrator Greta M. Scodro, Paula Cardoza, Geoffrey Davis, and Lynn Pelley.

He will report to Supreme Court Administrator Kevin Smith and Deputy Administrator Scodro, and work at the Indiana State House.

After graduating from The Ohio State University College of Law in 1999, Mr. Eisenman began work as a Deputy State Public Defender and remained there until he joined the Court's staff. He earned a Bachelor of Arts in English Composition from Indiana University in 1996.

In 2001, his work exonerated Richard Alexander, who was wrongly convicted of several charges stemming from two unrelated sexual assaults and sentenced to 70 years in prison. He eventually secured DNA evidence and a confession that proved Alexander innocent on all counts.

"Mr. Eisenman's work is well-known to us from his accomplishments at the Office of the State Public Defender. I am pleased he agreed to bring his perspective and insight to the work of the Court," said Chief Justice Shepard.



Brian M. Eisenman, Esq.

# SUPREME COURT

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# OF INDIANA

**FOR IMMEDIATE RELEASE**  
**October 17, 2006**

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## UKRAINIAN JURISTS EXAMINE THE RULE OF LAW IN INDIANA

Eight Ukrainian jurists participating in the Open World Program will spend October 21-28, 2006, in Indianapolis, Bloomington, and Nashville, Indiana examining the U.S. judicial system. Attorney Julie C. Sipe of the Indiana Judicial Center will help Indiana Chief Justice Randall T. Shepard host the delegation for Open World.

Managed by the Open World Leadership Center, Open World is the only exchange program in the U.S. legislative branch, and its five-year-old rule of law program is the largest U.S.-Ukraine judicial exchange. Participants get an inside look at the U.S. judicial system and develop ties with the U.S. judges who host them. They also gain insight into how the U.S. political system promotes and protects judicial independence and the rule of law.

While in Indiana, the Ukrainian jurists will attend two oral arguments and a luncheon at the Indiana Supreme Court, dine at the newly-renovated Governor's residence, view criminal, civil, and juvenile proceedings in Indianapolis, Bloomington, and Nashville, Indiana, visit the Indiana Women's Prison and the Marion County Juvenile Detention Center, and exchange information with the Indiana Judicial Center, the Indiana Supreme Court Division of Supreme Court Administration, the Commission on Judicial Qualifications, and the Indiana Supreme Court Disciplinary Commission.

The visiting delegates are Tetyana Mykolayivna Batsutsa, Presiding Judge of the K hmelnysky District Court; Andriy Mykolayovych Horyaynov, Deputy Presiding Judge of the Pechersk District Court of Kyiv City; Svitlana Leonidivna Sharenko, Presiding Judge of the Kyiv District Court, Kharkiv Region; Tetyana Mykolayivna Davchenko, Judge of the Korabelny District Court, Mykolayiv City; Hennadiy Stanislavovych Kostyuchenko, Judge of the Leninsky District Court; Tetyana Znamenivna Kutova, Judge of the Mykolaiv Region Court of Appeal; Alla Vasylivna Sorochan, Judge of the Vradiiv District Court; and Artem Oleksandrovych Filipyev, President of the Charity Fund, "Legal Initiatives." Yuliya Sergiivna Zoricheva and Natalya Oleksandrivna Shtanko accompany the delegates as facilitators.

"The Supreme Court is very proud to host our guests. We have always found these exchanges to be interesting and informative. I hope everyone enjoys their stay and benefits from seeing the justice system here and enjoying some "Hoosier Hospitality," said Indiana Chief Justice Randall T. Shepard.

The Ukrainian jurists will also take part in several cultural and community activities, including a performance of the Indianapolis Symphony Orchestra, shopping in Brown County, and visits to the Indiana State Museum and the Eiteljorg Museum of American Indians and Western Art.

For more information on Open World, please visit <http://www.openworld.gov>.



FOR IMMEDIATE RELEASE  
October 19, 2006

Contact: Maura Pierce  
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## COURT OF APPEALS TO HOLD ORAL ARGUMENT IN VINCENNES

The Indiana Court of Appeals will hear oral argument in the case *Hamilton v. Prewett* on Tuesday, October 24th at 11 a.m. CT in the auditorium of the Shircliff Humanities Building on the campus of Vincennes University. A three-member panel of Judge John G. Baker, Judge Edward W. Najam, Jr., and Judge L. Mark Bailey will hear this civil case on appeal from Daviess County.

The Court is asked to decide whether an Indiana statute applies to the case and protects Mr. Prewett's website from Mr. Hamilton's defamation action. Attorney John Price of Indianapolis will argue for appellant Paul Hamilton; attorney Blake Chambers of Washington, Indiana will argue for appellee Morgan Prewett. Each side will have 30 minutes for argument.

Following oral argument, the Court will answer questions about the judicial process in Indiana from VU students, among them Professor Larry Stearns' paralegal studies students.

This is the seventh straight year that Vincennes University has hosted an oral argument. Since its centennial in 2001, the Court has heard oral argument in venues across the state to enable Hoosiers to learn about the judicial branch. *Hamilton v. Prewett* will be the Court's 167th oral argument heard "on the road" since early 2000. Sites typically include law schools, colleges, high schools, and county courthouses.

The [Indiana Court of Appeals](#) is the state's second-highest court. It reviews appeals from trial court decisions; a decision of the Indiana Court of Appeals is final unless reviewed by the Indiana Supreme Court on grant of further review. The majority of appeals filed in Indiana are decided by the Court of Appeals.

The 15-member Court of Appeals issues some 2,500 written opinions each year, sitting in three-judge panels.



FOR IMMEDIATE RELEASE  
October 19, 2006

Contact: Maura Pierce  
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## COURT OF APPEALS TO HOLD ORAL ARGUMENT IN WEST LAFAYETTE

The Indiana Court of Appeals will hear oral argument in the case *Filip v. Block* on Monday, October 23rd at 10:30 a.m. at the University Place Retirement Community in West Lafayette. A three-member panel of Chief Judge James S. Kirsch, Judge Patricia A. Riley, and Judge Margret G. Robb will hear the case on appeal from Starke County.

The Court is asked to decide three issues of law stemming from an insurance dispute after an apartment building fire. Attorney Robert Mysliwec of South Bend will argue for appellants John and Valaria Filip; the attorney for appellees Carrie Block and 1st Choice Insurance Company is Philip E. Kalamaros of St. Joseph, Michigan. Each side will have 20 minutes for argument.

Following oral argument, the Court will answer questions from the public about the judicial process in Indiana.

This is the first time that University Place has hosted an oral argument. Since its centennial in 2001, the Court has heard oral argument in venues across the state to enable Hoosiers to learn about the judicial branch. *Filip v. Block* will be the Court's 166th oral argument heard "on the road" since early 2000. Sites typically include law schools, colleges, high schools, and county courthouses.

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FOR IMMEDIATE RELEASE  
October 23, 2006

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## COURT OF APPEALS TO HOLD ORAL ARGUMENT IN BLOOMINGTON

The Indiana Court of Appeals will hear oral argument in the case *Hartford Casualty Insurance Company v. Evansville Vanderburgh Public Library* on Tuesday, October 24th at 12:00 noon ET in the Moot Court Room at the Indiana University School of Law. A three-member panel of Judge Margret G. Robb, Judge Paul D. Mathias, and Judge Michael P. Barnes will hear the case on appeal from Vanderburgh County .

The Court is asked to decide whether the Evansville Vanderburgh Public Library is entitled to insurance coverage under its policy with Hartford for damages sustained to a building during the construction of its new Central Library. Attorney Thomas Bryan of Fine & Hatfield in Evansville will argue for appellant Hartford Insurance Company; attorney Steve Barber of Barber & Shoulders in Evansville will argue for appellee Evansville Vanderburgh Public Library. Each side will have 30 minutes for argument.

Following oral argument, the Court will answer questions about the judicial process in Indiana from IU law students and other audience members.

This is the ninth time in seven years that the IU School of Law in Bloomington has hosted an oral argument. Since its centennial in 2001, the Court has heard oral argument in venues across the state to enable Hoosiers to learn about the judicial branch. *Hartford Insurance v. Evansville Vanderburgh Public Library* will be the Court's 168 th oral argument heard "on the road" since early 2000. Sites typically include law schools, colleges, high schools, and county courthouses.

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FOR IMMEDIATE RELEASE  
October 25, 2006

Contact: Maura Pierce  
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## COURT OF APPEALS TO HOLD ORAL ARGUMENT IN SOUTH BEND

The Indiana Court of Appeals will hear oral argument in *Anita Stuller v. Mitchell E. Daniels, Governor, State of Indiana* on Friday, October 27th at 3:30 p.m. in St. Joseph Circuit Court. A three-member panel of Judge Patricia A. Riley, Judge Michael P. Barnes, and Judge Terry A. Crone will hear the case on appeal from Allen County.

The Court is asked to interpret an Indiana statute to determine whether the State is required to follow public bidding procedures when contracting for the operational and management functions of a residential development center in Fort Wayne. Attorney Mary Jane Lapointe of Indianapolis will argue for appellants Anita Stuller and the AFSCME; Indiana Deputy Attorney General Frances Barrow will argue for the State. Each side will have 30 minutes for argument.

The Court is visiting South Bend as part of an initiative to hear oral argument at venues across the state to enable Hoosiers to learn about the judicial branch. *Stuller v. Daniels* will be the Court's 169th oral argument heard "on the road" since early 2000, just prior to its centennial. Sites typically include law schools, colleges, high schools, and county courthouses.

Judge Michael Gotsch of St. Joseph Circuit Court is one of eight trial court judges in Indiana to allow televised coverage of selected cases in a pilot program announced by Chief Justice Randall Shepard last spring. As a guest of the St. Joseph Circuit Court, the Court of Appeals has granted a request by the St. Joseph County Bar Association's Law Media Committee to televise the oral argument.

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**FOR IMMEDIATE RELEASE**  
**October 26, 2006**

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## **COURT OF APPEALS TO HOLD ORAL ARGUMENT IN ELKHART**

The Indiana Court of Appeals will hear oral argument in the case *Masick v. McColly* on Tuesday, October 31st at 1:00 p.m. at Elkhart Central High School . A three-member panel of Judge Patricia A. Riley, Judge L. Mark Bailey, and Judge Melissa S. May will hear the case on appeal from Jasper County.

The Court is asked to decide whether a Realtor, when showing a prospective buyer a house under construction, or a drywall contractor working on the house, have a duty to warn the prospective buyer about a defective step on the property. Attorney Robert Boughter of Fort Wayne will argue for the appellants, Christine and John Masick; attorney Jennifer Davis DiFederico of Valparaiso , representing McColly Realtors, and attorney James H. Austen of Logansport, representing Saxon Drywall, Inc., will argue for the appellees. Each side will have 30 minutes to argue their case.

Following oral argument, the Court will answer questions about the judicial process in Indiana from business law and social studies students at the high school.

This is the Court's third visit to Elkhart Central High School—and its sixth to Elkhart County—in seven years. Since its centennial in 2001, the Court has heard oral argument in venues across the state to enable Hoosiers to learn about the judicial branch. *Masick v. McColly* will be the Court's 170th oral argument heard "on the road" since early 2000. Sites typically include law schools, colleges, high schools, and county courthouses.

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# SUPREME COURT

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# OF INDIANA

FOR IMMEDIATE RELEASE

November 1, 2006

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## SUPREME COURT JURY POOL PROJECT RECEIVES ICLU AWARD

### Sigmund Beck Award Given for Creating Diverse, More Inclusive Jury Pools

Indianapolis - The Indiana Chapter of the American Civil Liberties Union this week presented the Indiana Supreme Court with its Sigmund Beck Award. Justice Theodore Boehm, who was the court's lead on the project, accepted the award on the court's behalf from ICLU executive director Claudia Pena Porretti.

Prior to the court's effort, Indiana counties used Jury Pool lists that included only 60%-80% of eligible jurors. As a result of the Jury Pool Project, today's list includes more than 99% of eligible jurors. The court has made these lists available to all 92 Indiana counties without charge.

"This situation required a comprehensive solution and the work of many partners, including state government and university representatives. Our goal was to create a list that is one of the best in the nation and one all Hoosiers can be very proud of because all eligible Hoosiers are included," said Chief Justice Randall T. Shepard.



*Left to Right:* Lilia G. Judson, Executive Director, Division of State Court Administration; Claudia Pena Porretti, Executive Director, American Civil Liberties Union of Indiana; Hon. Theodore R. Boehm, Justice, Indiana Supreme Court

This is the second award bestowed on the Jury Pool Project. The American Judicature Society awarded the court a Special Merit Citation last month.

There are more than 2,000 jury trials in Indiana each year and a critical part of each trial is gathering an impartial jury. The new jury pool list combined data from the Indiana Bureau of Motor Vehicles (BMV) and Department of Revenue (DOR), capturing anyone with a license or state ID card or who works or pays taxes.

"This collaboration across branches of government and education allowed us to produce a list that is making a real difference in courts across Indiana. Since the new lists were made available, there has been difference in the pools of citizens called to our courts," said Lilia G. Judson, executive director for State Court Administration.

Project partners included:

- Indiana Supreme Court
- Supreme Court Division of State Court Administration
- Indiana Jury Committee
- Indiana Judicial Center
- Indiana Supreme Court Judicial Technology and Automation Committee
- Indiana Department of Revenue
- Indiana Bureau of Motor Vehicles
- Indiana Criminal Justice Institute
- Purdue University
- Jury Administrators from Allen, Henry, Hamilton, Huntington, Lake, Lawrence, and Marion counties

# SUPREME COURT

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# OF INDIANA

**FOR IMMEDIATE RELEASE**  
**November 2, 2006**

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## SUPREME COURT ANNUAL REPORT POSTED ONLINE

An electronic version of the Indiana Supreme Court's annual report has been posted on-line to make it more accessible to the citizens of Indiana, Chief Justice Randall T. Shepard announced today.

The 48-page report covers the Supreme Court's fiscal year, which runs from July 1, 2005 to June 30, 2006, and details the many Supreme Court projects and programs that benefit the public.

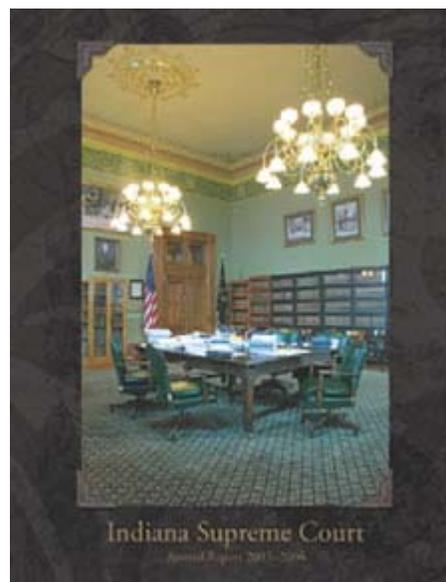
"My colleagues and I are very proud of our many accomplishments from the past year and wish to congratulate the staffers and volunteers who have worked so hard to achieve so many positive results," Chief Justice Shepard.

Each year the annual report includes contributions from the various agencies of the Supreme Court, statistics involving the Court's casework, and a section highlighting the Court's activities.

This is the fifth annual report to be posted on the website of the Indiana Judicial System. This year's report, as well as the previous four, can be found at <http://www.in.gov/judiciary/supremeadmin/>.

"We feel it is important to post these reports on the Internet to enable more people to see them and to save taxpayers the cost of printing additional copies. Viewers can either page through them on the "net" or print them out," said Chief Justice Shepard.

The report was edited and designed by Supreme Court Clerk/Administrator Kevin Smith. Much of the photography was provided by Deputy Supreme Court Administrator Greta Scodro.



[View the 2005-2006 Report](#) 



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# SUPREME COURT

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# OF INDIANA

**FOR IMMEDIATE RELEASE**  
**November 6, 2006**

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## Supreme Court Chooses New Computer System Vendor

The Indiana Supreme Court has selected Tyler Technologies, Inc., to supply and install a new computer system that will manage cases for Indiana trial courts, Chief Justice Randall T. Shepard announced today. The selection followed a lengthy competitive procurement, Shepard said, and is contingent on negotiating a satisfactory contract with Tyler.

"With more than 1.5 million cases filed in Indiana courts each year, Hoosier law enforcement officers, lawyers, government agencies, and citizens need timely and accurate court information. Indiana courts and court clerks must have a 21st century computer system to help them manage their caseloads and provide court information to those who need it. While many individual courts have computerized case management systems today, we believe Tyler offers us the best opportunity to equip Indiana courts with a 21st century case management system and to connect those systems with each other and with those who need and use court information," said Justice Frank Sullivan, Jr., chair of the Supreme Court's [Judicial Technology and Automation Committee](#) (JTAC).

Tyler is a publicly traded corporation based in Dallas, Texas, and a leading provider of information management systems and professional services to state and local governments. Tyler is currently supplying and installing its trial court case management system product called "Odyssey Case Manager" statewide in Minnesota and New Hampshire and in individual courts in Florida, Nevada, Texas, and other states.

The Court's selection of Tyler completed months of review of 14 proposals submitted by vendors from throughout the country in response to a [public solicitation earlier this year](#). The selection process included week-long product demonstrations in Indianapolis by finalist vendors, including demonstrations open to the public. More than 175 individuals attended these public sessions. Indiana judges, clerks, and other experts also traveled to courts in Indiana and other states where finalist vendors' systems were in use.

The Court's choice of Tyler's Odyssey product adopted the recommendation made by both JTAC and a statewide board of judges, clerks, court staff, and technology experts established by JTAC to oversee and govern the computerized case management system project. Chief Justice Shepard and Justice Sullivan expressed their appreciation to the members of JTAC and the statewide board for "their exceptionally hard work on behalf of all court users."

Judge John A. Rader of the Warren Circuit Court noted that he and his fellow statewide board members Judge Mary G. Willis, Henry Circuit Court, and Judge Frances C. Gull, Allen Superior Court, had spent "countless hours in product demonstrations, systems' review, and speaking to actual court end users. All three of us were strongly of the opinion that the Tyler Odyssey product was the top choice for Indiana Courts." Judge Rader added that his, Judge Willis', and Judge Gull's extensive involvement "insured that the selection of Tyler reflected the informed views of sitting judges from small, medium, and large Indiana counties."

Judge Gull said that she appreciated the Supreme Court's adoption of the statewide board's recommendation because she had "personally visited judges, clerks, and court staff using each of the competing vendors' products," and believed the selection of Tyler was "the right choice for Indiana." Another member of the statewide board, Al Mizen, the chief financial officer of Center Township in Marion County, added that "among the vendors we examined, Tyler had the best technology for connecting court computer systems with those of state agencies such as the Bureau of Motor Vehicles, Department of Revenue, and law enforcement."

Two county clerks who participated in the procurement also endorsed the selection of Tyler and its Odyssey product. "The Odyssey case management system provided the best combination of functionality, technology,

usability, and a proven track record for implementing statewide trial court case management systems," said Therese Brown, Allen County Clerk. "While not perfect, having personally seen the system in use in Minnesota and comparing it with other CMS products, I believe that Tyler's system will be the best for Indiana's courts and clerks," added Jackie Rowan, DeKalb County Clerk.

The Court anticipates that, prior to signing a contract with Tyler to supply and install Odyssey in Indiana, Tyler and JTAC will enter into a limited contract to conduct a detailed assessment of the functions of Odyssey and the functions required by JTAC to assure that the time, effort, and cost of any additional application development work needed to meet the Court's functional requirements are reasonable and acceptable. (In 2002, the Supreme Court contracted with another vendor for a similar computer system. Last year, that contract was canceled on terms that included a refund to the Court of fees that had been paid to the vendor. A factor in the cancellation of the contract was the vendor's unwillingness to perform additional application development work needed to meet the Court's functional requirements.) Tyler's proposal projects costs of approximately \$13.4 million over the life of the project for software licensing, maintenance and support and for vendor provided training and deployment. The Court will now begin contract negotiations with Tyler that will also include terms for software modifications and application development the Court deems necessary.



FOR IMMEDIATE RELEASE  
November 13, 2006

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## COURT OF APPEALS TO HOLD ORAL ARGUMENT IN LA GRANGE COUNTY

The Indiana Court of Appeals will hear oral argument in the case *State v. Lucas* on Wednesday, November 15th at 1:00 p.m. at Lakeland High School. A three-member panel of Judge Nancy H. Vaidik, Judge Paul D. Mathias, and Judge Michael P. Barnes will hear the case on appeal from Shelby County.

The Court is asked to determine whether evidence seized from a locked box discovered during the stop of a stolen van was properly suppressed because it was seized in violation of the Fourth Amendment of the U.S. Constitution and Article I, Section 11 of the Indiana Constitution. Deputy Attorney General Cynthia L. Plouge will argue for the appellant, the State of Indiana; attorneys H. Curtis Johnson and James R. Lisher, both of Shelbyville, will argue for the appellees, Kevin J. Lucas and Matthew S. Winkle. Each side will have 30 minutes to argue their case.

Following oral argument, the Court will answer questions about the judicial process in Indiana from students attending Lakeland, Westview, and Prairie Heights high schools.

This is the Court of Appeals' first visit to LaGrange County since it began regularly hearing oral arguments at venues across the state at its centennial in 2001. The Court travels to hear cases to better enable Hoosiers to learn about the judicial branch. *State v. Lucas* will be the Court's 171st oral argument heard "on the road" since early 2000. Sites typically include law schools, colleges, high schools, and county courthouses.

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**FOR IMMEDIATE RELEASE**  
**November 22, 2006**

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## **COURT OF APPEALS TO HOLD ORAL ARGUMENT AT DEPAUW**

The Indiana Court of Appeals will hear oral argument in the case *Donald Ware v. State of Indiana* on Tuesday, November 28th at 10:00 a.m. at the Walden Inn at DePauw University. A three-member panel of Judge L. Mark Bailey, Judge Margret G. Robb, and Judge Terry A. Crone will hear the case on appeal from Marion County.

The Court is asked to answer four questions raised by the appellant, among them whether a probable cause affidavit based in part upon an anonymous tip, that does not indicate that a witness identified another person as the perpetrator, is sufficient probable cause to obtain a search warrant. Ann Sutton of the Marion County Public Defender Agency will argue for the appellant, Donald Ware; Deputy Attorney General Scott Barnhart will argue for the appellee, the State of Indiana. Each side will have 20 minutes to argue their case.

Following oral argument, the Court will answer questions about the judicial process in Indiana from students and others present.

This is the Court of Appeals' third visit to DePauw since it began regularly hearing oral argument at venues across the state to enable Hoosiers to learn about the judicial branch. *Donald Ware v. State of Indiana* will be the Court's 172nd oral argument heard "on the road" in the past seven years. Typical sites for these oral arguments, which began as part of the Court's 2001 centennial, include law schools, colleges, high schools, and county courthouses.

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**FOR IMMEDIATE RELEASE**  
**November 22, 2006**

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## **COURT OF APPEALS TO HOLD ORAL ARGUMENT IN FLOYD COUNTY**

The Indiana Court of Appeals will hear oral argument in the case *Bobby Greeno v. State of Indiana* on Thursday, November 30th at 5:00 p.m. The Sherman Minton Inn of Court (Floyd and Clark counties) is hosting the oral argument at Kye's I in Jeffersonville. A three-member panel of Chief Judge James S. Kirsch, Judge John G. Baker, and Judge Melissa S. May will hear the case on appeal from Marion County.

The Court is asked to decide whether a police officer had reasonable suspicion to stop and pat down an individual for officer safety. Joseph Cleary of Hammerle Allen & Cleary, Indianapolis, will argue for the appellant, Bobby Greeno; Deputy Attorney General J.T. Whitehead will argue for the appellee, the State of Indiana. Each side will have 20 minutes to argue in this interlocutory appeal.

This is the Court of Appeals' third visit to the Sherman Minton Inn of Court since it began regularly hearing oral argument at venues across the state to enable Hoosiers to learn about the judicial branch. *Greeno v. State* will be the Court's 173rd oral argument heard "on the road" in the past seven years. Typical sites for these oral arguments, which began as part of the Court's 2001 centennial, include law schools, colleges, high schools, and county courthouses.

American Inns of Court, based on those in Britain, are legal groups who provide professional development opportunities to their members. There are at least nine Inns of Court in Indiana.

The [Indiana Court of Appeals](#) is the state's second-highest court. It reviews appeals from trial court decisions; a decision of the Indiana Court of Appeals is final unless granted further review by the Indiana Supreme Court. The majority of appeals filed in Indiana are decided by the Court of Appeals.

The 15-member Court of Appeals issues some 2,500 written opinions each year, sitting in three-judge panels.

# SUPREME COURT

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# OF INDIANA

**FOR IMMEDIATE RELEASE**

**December 4, 2006**

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## **U.S. CHIEF JUSTICE ROBERTS APPOINTS CHIEF JUSTICE SHEPARD TO RULES COMMITTEE**

The Hon. John G. Roberts, Jr., Chief Justice of the United States Supreme Court, has appointed Indiana Chief Justice Randall T. Shepard to the principal committee through which the U.S. Supreme Court develops changes to the Federal Rules of Civil Procedure.

Chief Justice Shepard will serve a three-year term on the 14-member Judicial Conference Advisory Committee on Civil Rules of the Judicial Conference of the United States. He will be the only state court judge. It is relatively rare that a state court judge is named to a committee of the federal Judicial Conference, the governing body for the nation's federal courts.

The committee recommends changes and updates to the Federal Rules of Civil Procedure. Aside from governing litigation in the federal courts, these rules represent the model for rules used in most state courts, including Indiana.

"I was very gratified that Chief Justice Roberts asked me to serve, and I am very pleased that the Indiana judicial system is now represented on this important committee," said Chief Justice Shepard.

Chief Justice Shepard's term begins immediately.



Indiana Chief Justice  
Randall T. Shepard

# SUPREME COURT

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# OF INDIANA

**FOR IMMEDIATE RELEASE**  
**December 7, 2006**

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## **FOUR ATTORNEYS NAMED TO BOARD OF LAW EXAMINERS**

Four attorneys have been appointed to the Indiana Board of Law Examiners, the Indiana Supreme Court announced today.

Charlotte Westerhaus of Indianapolis, Jon Laramore, of Indianapolis, Eileen Johnson Sims, of Lebanon, and Michael M. Yoder, of Kendallville, began serving five-year terms on December 1, 2006.

They replaced Alonzo Weems of Indianapolis, who had served six years, and three members who each had served ten years: Arend Abel, of Indianapolis, the Hon. Marianne L. Vorhees of Muncie, and Kathryn A. Brogan of Fort Wayne. The retiring members of the Board of Law Examiners were honored at the fall Admission Ceremony for new attorneys held on October 20, 2006 in Indianapolis.

"The Supreme Court and the people of Indiana have always been very fortunate to have had such first-rate people who have been willing to take on the responsibility of overseeing the Indiana Bar Exam. We have appreciated the excellent service of Judge Vorhees, Ms. Brogan and Messrs. Weems and Abel and we look forward to a productive relationship with our new members," Chief Justice Shepard said.

The Board of Law Examiners is appointed by the Supreme Court and is primarily responsible for conducting the Indiana Bar Examination. It also is charged with ensuring bar examination candidates have the requisite character and fitness to practice law in Indiana.

# SUPREME COURT

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**FOR IMMEDIATE RELEASE**  
**December 13, 2006**

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## CHIEF JUSTICE SHEPARD RE-APPOINTED AS CHIEF JUSTICE

The Hon. Randall T. Shepard was re-appointed to a new five-year term as Chief Justice of Indiana following a unanimous vote of the Indiana Judicial Nominating Commission on Wednesday.

Chief Justice Shepard's term will begin on March 4, 2007.

"I am honored that the Commission has extended my time as Chief Justice of Indiana. I am very proud of what our Court has accomplished and I look forward to continuing to serve the people of Indiana," the Chief Justice said.

Chief Justice Shepard, of Evansville, was appointed to the Indiana Supreme Court in 1985 by then Gov. Robert D. Orr. He was named Chief Justice in 1987 and was later selected for renewed terms.

The seven-member Commission includes three lawyers elected by Indiana's attorneys and three citizen members appointed by the Governor. It is chaired by the Chief Justice.

On Wednesday, the Commission heard the four associate Justices, the Hon. Brent Dickson, the Hon. Frank Sullivan, the Hon. Theodore "Ted" Boehm, and the Hon. Robert Rucker, discuss the Court's work.

Chief Justice Shepard was the only candidate for Chief Justice. During his 25- minute public interview, attorney James O. McDonald of Terre Haute chaired the meeting.

In his remarks, the Chief Justice outlined the Court's accomplishments, including the regard in which it is held by other appellate courts, its work on reducing language barriers in the courts, its efforts at educating the public about the judiciary's role in society and its important role as "the board of directors" for the Indiana judiciary.

After a brief meeting in executive session, Chief Justice Shepard was asked to rejoin the Commission members, which then voted in public in favor of his re-appointment.



Indiana Chief Justice  
Randall T. Shepard