



FOR IMMEDIATE RELEASE
January 5, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS TO BEGIN WEBCASTING ALL ORAL ARGUMENTS IN STATEHOUSE COURT OF APPEALS COURTROOM

Starting in January, the Court of Appeals of Indiana will begin webcasting most oral arguments held in the Statehouse Court of Appeals courtroom. Additionally, the oral arguments will be televised on-site on a monitor outside of the courtroom.

The Court of Appeals has a long history of outreach to local communities through its traveling oral argument schedule in an effort to show communities the oral argument process. Webcasting oral arguments is another way the Court is reaching out to local communities. That program has resulted in over 200 traveling oral arguments since 2000.

"We hope to give the public another opportunity to learn about the issues confronting the Court of Appeals," said Chief Judge John Baker. "Webcasting enhances our on-going outreach program."

The use of a television monitor during oral arguments will be standard practice unless a majority of the 3-Judge panel hearing the argument determines not to do so. The oral arguments will be televised on a television monitor that shall be placed outside the courtroom.

Webcasting of oral arguments at the Statehouse Court of Appeals courtroom will also become standard practice unless a majority of the 3-Judge panel determines not to do so. A notice of the webcasting will be given to the parties at the time the argument is set.

The Indiana Court of Appeals is the state's second-highest court. The 15 judges on the Court of Appeals issue more than 2,800 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals, visit courts.IN.gov/appeals. Guidelines and media protocol can be found at courts.IN.gov/appeals/media.html.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
January 5, 2009

Contact: Kathryn Dolan
317.234.4722

GOSHEN ATTORNEY APPOINTED TO COMMISSION FOR CONTINUING LEGAL EDUCATION

The Indiana Supreme Court has appointed John D. Ulmer to the [Commission for Continuing Legal Education](#). Mr. Ulmer is a Goshen attorney with experience in commercial, personal injury, and insurance defense litigation. He has been a member of the Indiana Bar since 1963. His term on the Commission began December 11, 2008 and continues through December 31, 2010.

Mr. Ulmer replaces Jeffrey A. Lind, who was recently elected Vice-President of the Indiana State Bar Association. Mr. Lind is proud of the quality of continuing legal education in the state. He explained, "When attorneys attend a program they know it will be worthwhile. That is just one of the reasons Indiana is a great place to practice law." Chief Justice Randall T. Shepard is appreciative of Lind's service and said, "Jeff made a commitment to Indiana lawyers by serving on the Commission. We are all very grateful for the role he played in the recent amendments to the CLE rule and wish him the best of luck with his work at the Bar Association."

As a board member for the Commission, Mr. Ulmer will take part in interpreting the Supreme Court rules that regulate continuing legal education, mediation education, and regulation of the Indiana attorney specialization program. Julia L. Orzeske, Commission Executive Director explained "We are very fortunate to have Mr. Ulmer join the Commission. As a long-time Indiana attorney he brings experience to the Commission. We will tap into that knowledge for the benefit of attorneys across the state."

Ulmer is a partner at Yoder, Ainlay, Ulmer & Buckingham, LLP in Goshen. He represented House District 49 in the Indiana legislature from 1998-2008. Mr. Ulmer is honored to be appointed to the Commission. He said, "It is important for Indiana attorneys to be involved in the community. I look forward to making a contribution to the group that ensures attorneys are always learning."

Judges and attorneys are required to attend approved legal education classes each year. The Indiana Commission for Continuing Legal Education provides regulation and accreditation for the coursework. By administering, developing and regulating continuing legal education requirements, mediation training standards and attorney specialization programs the Commission works to enhance the quality of legal services and professionalism in Indiana. The Indiana Supreme Court oversees the Commission.

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**

http://courts.IN.gov

FOR IMMEDIATE RELEASE
January 5, 2009**Contact: Kathryn Dolan**
317.234.4722**JOHNSON COUNTY JUDGE APPOINTED TO THE COMMISSION
ON CONTINUING LEGAL EDUCATION**

The Indiana Supreme Court has appointed The Honorable Mark Loyd to the [Commission for Continuing Legal Education](#) as an *ex officio* member. Judge Loyd is the Circuit Court Judge in Johnson County. His term on the Commission began September 11, 2008 and continues as long as he remains chair of the Alternative Dispute Resolution Committee of the Indiana Judicial Conference.

Judge Loyd replaces Judge David Avery of Allen Superior Court. The Supreme Court has a standing order appointing the judge who serves as the chair of the Alternative Dispute Resolution Committee to also serve as an *ex officio* member of the Continuing Legal Education Committee. In September 2008, Judge Loyd was appointed to the Alternative Dispute Resolution Committee; he therefore also begins a term on the Continuing Legal Education Commission.

Julia L. Orzeske, Commission Executive Director is thankful for Judge Avery's support and looks forward to working with Judge Loyd. Orzeske explained the importance of having a strong relationship between the Alternative Dispute Resolution Committee and the Commission. "We want to facilitate the use of mediation in courts when it is appropriate. In order to achieve that goal we must make sure our educational opportunities include mediation programming. We are grateful to have input from the bench as we develop that programming."



Hon. Mark Loyd

Judge Loyd was appointed to the Circuit Court in Johnson County in 1994. During that time his appreciation for mediation has grown. He explained, "Alternate Dispute Resolution, which includes mediation practices, is a wonderful tool for judges, attorneys, and the public. It allows for many cases to be resolved before trial. Not only are the parties appreciative, but with growing caseloads it allows other contested matters to come before the court more quickly. Having a strong line of communication between the Alternative Dispute Resolution Committee and the Continuing Legal Education Commission is crucial to tackling similar issues in an efficient manner."

Judges and attorneys are required to attend approved legal education classes each year. The Indiana Commission for Continuing Legal Education provides regulation and accreditation for the coursework. By administering, developing and regulating continuing legal education requirements, mediation training standards and attorney specialization programs the Commission works to enhance the quality of legal services and professionalism in Indiana. The Indiana Supreme Court oversees the 12 member (including *ex officio*) Commission.

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
January 8, 2009

Contact: Kathryn Dolan
317.234.4722

RESPONDING TO A TOUGH ECONOMY: State of the Judiciary Focuses on Courts' Role in Rebuilding America's Confidence

Chief Justice of Indiana, Randall T. Shepard, will address a joint session of the Indiana General Assembly for the annual State of the Judiciary. The formal update on the accomplishments and challenges facing the judicial branch will be held January 14, 2009 at 2 p.m.

The Chief Justice is required to provide Indiana lawmakers with an update on the "condition of the courts" according to Article 7, Section 3 of the Indiana Constitution. However, the speech and related events encompass more than an obligatory synopsis. The event is rich in history and has grown into a State House tradition that the media is invited to attend.

The historic Supreme Court courtroom serves as a robing room for dozens of members of the judiciary. Trial court judges from across the state, Court of Appeals Judges, and the Supreme Court Justices dress in traditional black robes for the event. Prior to the start of the speech they form a processional line from the robing room, across the third floor atrium, to the Indiana House of Representatives.

Media organizations interested in attending should contact Kathryn Dolan, Supreme Court Public Information Officer, at (317) 234-4722 or kdolan@courts.state.in.us.

It will be Chief Justice Shepard's twenty-second State of the Judiciary. His first official update was provided in 1988. Advance copies of Chief Justice Shepard's speech will be delivered to the State House press just prior to the address. The speech will also be webcast live. The text and webcast can be found online at <http://courts.IN.gov/>.

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**

http://courts.IN.gov

FOR IMMEDIATE RELEASE
January 20, 2009**Contact: Kathryn Dolan**
317.234.4722**INDIANA COMMISSION ON JUDICIAL QUALIFICATIONS FILES CHARGES AGAINST ALLEN COUNTY JUDGE**

The Indiana Commission on Judicial Qualifications filed charges against Judge Thomas Felts of Allen Circuit Court. Judge Felts is accused of violating the Code of Judicial Conduct during a July 2008 incident.

An investigation by the Commission shows that on July 18, 2008 Judge Felts was arrested in Marion County for Operating a Motor Vehicle with an alcohol content of at least .15, which is a misdemeanor. He was also arrested for public intoxication, also a misdemeanor. In August, Judge Felts plead guilty to the OWI charge and the state dropped the public intoxication charge. A judge sentenced Felts to one year in jail and suspended the sentence for the time served. Judge Felts was also ordered to serve one year probation, have his driver's license suspended for 90 days, and attend alcohol treatment.

The Commission has filed a "Notice of the Institution of Formal Proceedings and Statement of Charges" detailing the above events. The Commission has charged Judge Felts with two counts of judicial misconduct. Count One accuses Judge Felts of violating Canon 1A of the Judicial Code of Conduct which requires judges to uphold the integrity of the judiciary. Count Two accuses Judge Felts of violating Canon 2A, which requires judges to avoid impropriety at all times.

Judge Felts has the right to provide the Commission a written answer within 20 days. At that time, the Indiana Supreme Court will appoint three Masters to hold a hearing on the charges of misconduct. Supreme Court rules also allow for the Commission and the judge to reach a settlement agreement. Any settlement agreement or any decision reached by the Masters must be approved by the Indiana Supreme Court. The Indiana Supreme Court has final authority over all judicial discipline cases.

[Read the Statement of Charges](#) 

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
January 20, 2009

Contact: Kathryn Dolan
317.234.4722

MIAMI COUNTY JUDGE ADMONISHED BY COMMISSION ON JUDICIAL QUALIFICATIONS

The Indiana Commission on Judicial Qualifications has issued a Public Admonition against Judge Daniel C. Banina, Miami Superior Court Judge. Judge Banina is being admonished for a February 2007 incident in which he admits to violating the Code of Judicial Conduct and basic due process requirements for emergency orders.

The Commission admonishes Judge Banina for granting an *ex parte* petition. That means the order was granted for the benefit of one party without notice given to another interested party. *Ex parte* communications are generally barred to ensure every person with a legal interest in a proceeding has the right to be heard.

The petition Judge Banina granted was for temporary custody of a child. The circumstances surrounding the petition relate to a mother and father who were divorced but living together. The couple had a child together, but that child was under the sole custody of the mother. The petition was granted in favor of the father without prior notice given to the mother.

In January 2007, the mother decided to move from the home and take the child with her. The father and police intervened and demanded that she leave the child with the father. In February 2007, the father's attorney filed an emergency petition for his client to receive temporary custody of the child.

On February 2, 2007 Judge Banina issued an Order granting temporary custody to the father. Judge Banina set a hearing for March 27, 2007. Instead, Judge Banina should have ensured that the mother had notice of the petition and the Judge should have held a hearing to resolve any custody dispute.

The Order violated Canons 1, 2, and 3 of the Code of Judicial Conduct. The Canons require judges to ensure the fairness, impartiality, and integrity of the judiciary. The order also violated Canon 3B(8), which forbids *ex parte* contacts absent a true emergency. Even in a true emergency the person is entitled to a hearing within 10 days of the *ex parte* Order.

The Commission now admonishes Judge Banina for violating the Code of Judicial Conduct and the laws of the State. Judge Banina will not formally be charged with ethical misconduct. He cooperated fully with the Commission in this matter and acknowledges he violated the Code of Judicial Conduct.

[Read the Public Admonition](#) 

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(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**

http://courts.IN.gov

FOR IMMEDIATE RELEASE
January 21, 2009**Contact: Kathryn Dolan**
317.234.4722**SUPREME COURT SETS DATE FOR SUSPENSION OF ALLEN COUNTY JUDGE**

The Indiana Supreme Court has issued an opinion setting the suspension date for Allen Superior Court Judge Kenneth R. Scheibenberger. The three day suspension, without pay, will begin Wednesday, February 11, 2009.

In November 2007 Judge Scheibenberger created a disturbance in another courtroom. A personal family matter led Judge Scheibenberger to become angry with a defendant and his family. As a result of his actions, the Indiana Commission on Judicial Qualifications brought four disciplinary charges against him.

After the formal charges were filed, Judge Scheibenberger and the Commission filed a "Statement of Circumstances and Conditional Agreement for Discipline." In November 2008 the Indiana Supreme Court agreed to the proposed discipline. (case number 02S00-0807-JD-396)

This suspension ends the disciplinary proceedings. Judge Scheibenberger will pay the cost of the proceedings. The amount has not yet been determined by the Indiana Supreme Court. An order detailing the amount will be issued by the Court at a later date.

[Read the Supreme Court's Opinion](#) 



FOR IMMEDIATE RELEASE
January 26, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN MICHAEL W. GEORGE V. STATE OF INDIANA AT WEST LAFAYETTE JR./SR. HIGH SCHOOL - WEST LAFAYETTE

Case Originates from Shelby Superior Court

The Indiana Court of Appeals will hear oral argument in *Michael W. George v. State of Indiana* on Tuesday, January 27th at 10 a.m. in the Lecture Room of West Lafayette Jr./Sr. High School. A panel of Chief Judge John G. Baker, Judge Margret G. Robb, and Judge Cale J. Bradford will hear the case on appeal from Shelby Superior Court.

The case involves Michael George's conviction for possession of a controlled substance, a Class D felony. Police stopped George for speeding and discovered his driver's license was suspended. George's vehicle was impounded, and an inventory search of the vehicle resulted in the seizure of morphine pills. On appeal, George contends that the inventory search was unconstitutional and that the trial court therefore erred when it admitted into evidence items obtained from the search. Arguing for the appellant, Michael W. George, will be Stephen Gray, and arguing for the appellee, State of Indiana, will be Mellisica Flippen.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 200 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

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 judges on the Court of Appeals issue more than 2,800 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals, visit www.in.gov/judiciary/appeals. For the Court's "Appeals on Wheels" initiatives, as well as additional information on *Michael W. George v. State of Indiana*, visit <http://www.in.gov/judiciary/appeals/arguments.html>.

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FOR IMMEDIATE RELEASE
January 28, 2009

Contact: Kathryn Dolan
317.234.4722

OFFICERS ELECTED TO STATE BOARD OF LAW EXAMINERS, INCLUDING EVANSVILLE ATTORNEY AS PRESIDENT

The Indiana Supreme Court's State Board of Law Examiners elected new officers to serve a one year term. Leslie C. Shively, Jon B. Laramore, Maria Pabon Lopez, and Gilbert King, Jr. began their service December 1, 2008 and will remain officers on the Board through November 30, 2009.

The Board of Law Examiners is responsible for ensuring that individuals admitted to practice law have met the requirements specified in the Admission and Discipline Rules of the Indiana Supreme Court. That includes the duty of writing and grading the essay portion of the examination given to applicants seeking admission to the Indiana Bar.

Biographical information is included below detailing each newly elected officer.

- **Leslie C. Shively, President:** Mr. Shively was appointed to the Board in 2002 and will complete his service in November 2010. He was admitted to the Indiana Bar in 1980 after graduating from Indiana University School of Law. He also has a M.B.A. from Indiana University. He practices in Evansville, Indiana in real estate, zoning and land use. Mr. Shively is a member of civic and charitable organizations including the YMCA Dunigan Branch and the Methodist Youth Home. He is the past president of the University of Southern Indiana Varsity Club, and previously served on the Boards of the Conrad Baker Foundation, Community Action Program of Evansville, Vanderburgh County American Cancer Society, Civic Theatre of Evansville, Vanderburgh County 4-H Center, Inc. He is a frequent presenter at seminars for the Indiana Continuing Legal Education Foundation as well as other organizations. He is a native of Evansville and is married to Linda M. Shively.
- **Jon B. Laramore, Vice-President:** Mr. Laramore was appointed to the Board in 2006. He is the lead partner in Baker & Daniels' appellate practice group and an experienced appellate advocate. Before joining Baker & Daniels, he served as legal counsel to Indiana Governors Frank O'Bannon and Joseph E. Kernan. His other service in state government included terms as Commissioner of the Department of Local Government Finance and Chairman of the State Board of Tax Commissioners and eight years in various capacities in the Indiana Attorney General's Office. He has special expertise in constitutional and administrative law, and he teaches, writes and speaks frequently about the Indiana Constitution. He is a graduate of Princeton University and Harvard Law School, a former adjunct professor at Indiana University School of Law - Indianapolis, and has been listed in Best Lawyers in America since 2007.
- **Maria Pabon Lopez, Secretary:** Professor Lopez was appointed to the Board in 2007. She is a graduate of Princeton University and the University of Pennsylvania Law School, where she was an Associate Editor of the University of Pennsylvania Law Review. She joined the faculty of the Indiana University School of Law-Indianapolis in the fall of 2002. Formerly a lecturer in advocacy and research at the University of Missouri-Columbia School of Law, she also served as a staff attorney and team leader of the Family Law Group of the Legal Aid of Central Texas. She was an assistant U.S. Attorney, Criminal Division, for the U.S. Department of Justice, District of Puerto Rico in San Juan, and was staff attorney and director of the Family Violence Legal Line, Women's Advocacy Project in Austin, Texas. Professor López was formerly an assistant to the Puerto Rico Attorney General and an associate at the law firms Pepper, Hamilton & Scheetz in Philadelphia and McConnell, Valdes in San Juan, Puerto Rico. Professor Lopez is a scholar of immigration law and immigrant rights and has published articles in journals such as the Georgetown Immigration Law Journal, Hastings Women's Law Journal, and the Harvard Latino Law Review and is currently working on a book about the education of immigrant children. Her other research interest is in women and the law. She is a member of

the bars of Indiana, Pennsylvania, Puerto Rico and Texas.

- **Gilbert King, Jr., Treasurer:** Mr. King was appointed to the Board in 2004 and also has served on the Board's foreign license committee. He was admitted to practice in Indiana in 1974 and maintains a private law practice in Gary, Indiana, which includes government defense and labor law. He has wide experience in municipal law and public finance and has held a number of legal positions for the City of Gary. He is a graduate of the University of Kentucky Law School. Mr. King is active in numerous civil and legal organizations.

Board of Law Examiners Executive Director, Linda Loepker, is appreciative of the board members service. She explained, "The time commitment that all of our Board members make is significant. Each is dedicated to maintaining the integrity of the legal profession in Indiana. With their help we test more than 800 applicants each year. We also ensure that personal interviews are done with every candidate who applies for admission." In addition to its admission duties, the Board is responsible for certifying legal interns and for approving the formation, for the purposes of practicing law, of professional corporations, limited liability companies, and limited liability partnerships.

In addition to the officers elected, the Board members include Barbara L. Brugnaux, Cynthia S. Gillard, Gary K. Kemper, Eileen Johnsen Sims, Charlotte F. Westerhaus, and Michael M. Yoder.

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
January 28, 2009

Contact: Kathryn Dolan
317.234.4722

SUPREME COURT APPOINTS NEW MEMBERS TO THE BOARD OF LAW EXAMINERS

The Indiana Supreme Court appointed two new members to the State Board of Law Examiners. Chief Justice Randall T. Shepard announced the appointment of The Honorable Barbara L. Brugnaux and Gary K. Kemper. Each will serve a 5 year term that began December 1, 2008.

The 10 member Board of Law Examiners is responsible for ensuring that individuals admitted to practice law have met the requirements specified in the Admission and Discipline Rules of the Indiana Supreme Court. That includes the duty of writing and grading the essay portion of the examination given to applicants seeking admission to the Indiana Bar.

Judge Brugnaux replaces Sheila M. Corcoran, of Evansville, who completed ten years of service to the Board in November 2008. Mr. Kemper replaces Bartholomew Circuit Court Judge Stephen R. Heimann, who also completed ten years of service to the Board in November 2008. Chief Justice Shepard is extremely grateful to both Ms. Corcoran and Judge Heimann. "By dedicating ten years of service to the Board they have shown great leadership. Their influence on the Indiana legal community is reflected in the fine attorneys that practice throughout our state."

Biographical information is included below detailing each newly appointed member.

- **Barbara Brugnaux** comes to the Board after serving as a Vigo Superior Court Judge since 1996. She will also continue service to the judiciary as a senior judge. She received her J.D. in 1985 from Indiana University. While on the bench she served as a member of many Indiana Judicial Center (IJC) committees, was a three time chair of the IJC's Court Alcohol and Drug Program Advisory Committee and served on the Judicial Conference of Indiana's Board of Directors. In 2002 she became an Indiana Judicial College Graduate and in 2007 she completed the Indiana Graduate Program for Judges. She is active in numerous legal and civil organizations, including TREES, Inc., Terre Haute Rotary Club and Vigo County Historical Society.
- **Gary Kemper** comes to the Board with 38 years of criminal and civil litigation experience, practicing primarily in southern Indiana. He received his undergraduate degree from Hanover College, where he was inducted into the Hall of Fame for his accomplishments in basketball and tennis. He is a Cum Laude graduate of Indiana University School of Law at Bloomington, where he was also a member of Order of the Coif. He is active in a number of local, state and national civic and legal organizations. He lives in Madison, Indiana with his wife Sue.

The Board of Law Examiners also recently elected the following new officers: President Leslie C. Shively, of Evansville, Vice-President Jon B. Laramore, of Indianapolis, Secretary Maria Pabon Lopez, of Indianapolis, and Treasurer Gilbert King, Jr., of Gary. Each member began their service December 1, 2008 and will remain an officer on the Board through November 30, 2009.



FOR IMMEDIATE RELEASE
January 29, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN A.B. v. STATE OF INDIANA AT HERITAGE CHRISTIAN HIGH SCHOOL - INDIANAPOLIS

Case Originates from Marion Superior Court

The Indiana Court of Appeals will hear oral argument in *A.B. v. State of Indiana* on Friday, January 30th at 10 a.m. at Heritage Christian High School in Room H33. A panel of Judge Melissa S. May, Judge Terry A. Crone, and Judge Cale J. Bradford will hear the case on appeal from Marion Superior Court.

On appeal, Appellant challenges the trial court's determination that he committed a delinquent act, specifically auto theft, a Class D felony if committed by an adult. The Appellant contends that his presence in the driver's seat of a stolen vehicle approximately one hour after the vehicle was stolen was insufficient to establish that he exerted unauthorized control over the vehicle. The Appellant claims that, at most, the evidence supported a suspicion that he might have been involved in the theft of the vehicle and that such a suspicion is not enough to establish his guilt beyond a reasonable doubt. Arguing for the Appellant, A.B. will be Michael E. Caudill and arguing for the Appellee, State of Indiana will be Henry Flores.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 200 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
February 6, 2009

Contact: Kathryn Dolan
317.234.4722

RECOGNIZING A NATIVE SON: WHY THE INDIANA SUPREME COURT IS HOSTING A BIRTHDAY BASH FOR ABRAHAM LINCOLN

The Indiana Supreme Court is partnering with the Indiana State Bar Association to host a statewide birthday bash for Abraham Lincoln. About 30,000 school children will learn about Lincoln through the program "Why Lincoln Was A Lawyer." Hundreds of judges and attorneys across the state will speak to students on Thursday, February 12, 2009, which is the 200th anniversary of Lincoln's birth.

Program Highlights

- Free Lincoln lesson plans can be found at <http://courts.IN.gov/citc/lessons/lincoln/>
- The children's book *Abe Lincoln's Hat* and other materials will be given to participating schools
- Volunteers are finding their own ways to embrace the project. For example, Columbia City Mayor Jim Fleck grew a beard to get in the Lincoln spirit!

Illinois' claim to Lincoln is so well publicized that it is often overlooked that Indiana is Honest Abe's boyhood home. Lincoln lived in Spencer County, Indiana during his most formative years, ages 7 to 21.

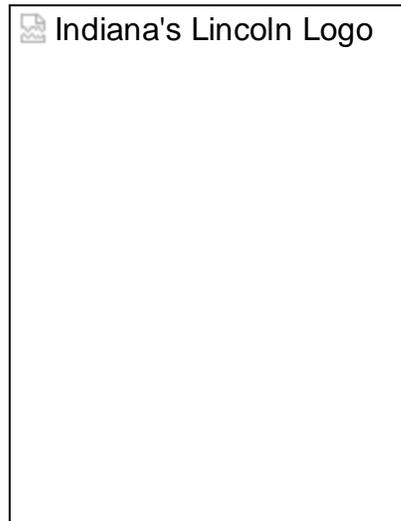
On February 12th, Indiana school children will take pride in their Hoosier heritage and association with Lincoln. Chief Justice Randall T. Shepard spoke about Lincoln as a native son in the 2009 State of the Judiciary. He received rousing applause when he evoked the words of former Governor Otis Bowen, "Indiana made Lincoln and Lincoln made Illinois!"

The February 12th program honors Lincoln the Hoosier and Lincoln the President through a unique curriculum focusing on his life as an attorney. "Why Lincoln Was A Lawyer" was created by Courts in the Classroom, the educational outreach program of the Indiana Supreme Court. The lesson plans and talking points created for grades K-12 were designed to showcase the civic virtues Lincoln exemplified.

Chief Justice Shepard will visit Crispus Attucks Medical Magnet High School to talk about Lincoln and the law. "This is an opportunity to help students learn about the rights and responsibilities of being a citizen. We want our young people to become engaged citizens and using Abraham Lincoln as a model allows us to convey our hopes for the future of our state and our nation."

The Lincoln program speaks to the heart of what it means to be a citizen and what it means to play a role in our democracy. There are many Lincoln quotes worth remembering and many great speeches worth reciting—for school children across the state, February 12th will be a day to examine why Lincoln's life is worth emulating.

Media interested in finding a school in their area can contact Kathryn Dolan, Indiana Supreme Court Public Information Officer at (317) 234-4722 or kdolan@courts.state.in.us.



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30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
February 18, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA SUPREME COURT HIRES ATTORNEY AS DIRECTOR OF APPELLATE COURT TECHNOLOGY

The Indiana Supreme Court has named Robert Rath as the first-ever Director of Appellate Court Technology. Rath is uniquely qualified for the position with extensive information technology experience, a law degree, and bilingual skills. Chief Justice Randall T. Shepard recently named Rath to the position and said, "Having Robert join our Court family allows us to gain an experienced manager with an incredibly diverse background."

As Director of Appellate Court Technology, Rath will play a crucial role in developing a stronger vision for how the Court utilizes technology. Rath will review Court processes and identify how changing technology may improve Court functions and services. "Technology can play a critical role in enhancing business performance. Whether a project aims to improve productivity or to enable new business processes, it is very important to have an understanding of what that business is trying to accomplish. As an attorney, I have a profound appreciation for the Court's mission. Our team's charter goes far beyond electronic filing or on-line collaboration—it is about our system of justice. I look forward to playing a role in improving Indiana appellate court technology."



Robert Rath,
Director of Appellate Court Technology

The National Center for State Courts (NCSC) recommended Indiana hire an Appellate Court IT Director. A consultant from the NCSC helped evaluate candidates for the position. The Supreme Court also formed a selection committee made up of Directors from the Division of State Court Administration, Court of Appeals, Indiana Judicial Center, and Clerk of the Appellate Courts. The decision to hire Rath allows Indiana to dedicate one person to developing a strategy for technology improvements.

Rath comes to the Supreme Court from private practice. Prior to having his own law office and consulting practice, Rath served as an information technology manager for Thomson, Inc., and Sara Lee Corporation. Fluent in Spanish, Rath enjoyed the opportunity to be immersed in another culture and spent a number of years working in Mexico. Rath earned his law degree from Indiana University School of Law – Indianapolis and business degrees from Indiana University Kelley School of Business – Bloomington and Indiana Wesleyan University. He currently lives in the Indianapolis area with his wife and three children.

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
February 20, 2009

Contact: Kathryn Dolan
317.234.4722

EVANSVILLE NATIVE APPOINTED TO SUPREME COURT COMMISSION

The [Indiana Commission on Judicial Qualifications](#) has a new member representing the first district, which is the southern part of the state. Christine H. Keck was appointed by Governor Mitch Daniels. Keck's term began in November 2008 and continues through December 2010. Keck replaces Joan M. Hurley of Sellersburg.

As a member of the Commission, Keck will help screen and investigate allegations of misconduct concerning Indiana judges. The Commission determines whether a particular complaint has merit and when appropriate, the Commission files judicial disciplinary charges. The Qualifications Commission does not remove, suspend, or formally discipline a judge; only the Indiana Supreme Court has jurisdiction to impose formal judicial discipline.

Keck is the Director of Strategy and Business Development for Renewable Energy at Energy Systems Group in Newburgh, Indiana. She calls her appointment to the Commission a privilege and said, "I'm honored to serve the great State of Indiana in this capacity as a representative from the Southern District and look forward to working alongside Chief Justice Shepard, a fellow Evansville native, for whom I have such deep respect and admiration."



Christine Keck

Chief Justice Randall T. Shepard is the Chair of the Commission. The other six members include three lay citizens appointed by the Governor and three lawyers elected by other lawyers. The members of the Commission also serve on the Judicial Nominating Commission. The Judicial Nominating Commission recruits and interviews applicants when there is a vacancy on the Indiana Supreme Court, the Court of Appeals, or the Tax Court. The Governor appoints one of the Commission's three nominees.



FOR IMMEDIATE RELEASE
February 24, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *FWPBA & JONES V. CITY OF FORT WAYNE* AT LAWRENCE NORTH HIGH SCHOOL - INDIANAPOLIS

Case Originates from Allen Superior Court

The Indiana Court of Appeals will hear oral argument in *FWPBA and Jones v. City of Fort Wayne* on Wednesday, February 25th at 1:25 p.m. in the Little Theater room at Lawrence North High School. A panel of Judge L. Mark Bailey, Judge Paul D. Mathias and Judge Cale J. Bradford will hear the case on appeal from Allen Superior Court.

The case involves an off-duty police officer who was in an accident in her patrol car. Officer Michaeline Jones, who participates in the City's Home Fleet Vehicle Policy ("HFV Policy"), suffered non-fracture injuries and sought reimbursement for her out-of-pocket medical expenses from the City. Claiming that she was off-duty at the time of the accident, the City denied Officer Jones' request for reimbursement. On appeal, the appellants contend that the trial court erred in granting summary judgment in favor of the City. Specifically, appellants claim that the City should be held liable for injuries suffered by Officer Jones as a result of the accident involving her home fleet police vehicle following the conclusion of her shift because she was injured "while performing her duty" as a police officer pursuant to Indiana Code section 36-8-4-5. Arguing for the appellant, Michaeline Jones, will be Richard Beers, and arguing for the appellee, City of Fort Wayne, will be Patrick Proctor.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 200 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

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 judges on the Court of Appeals issue more than 2,800 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals, visit www.in.gov/judiciary/appeals. For the Court's "Appeals on Wheels" initiatives, as well as additional information on *FWPBA and Jones v. City of Fort Wayne*, visit <http://www.in.gov/judiciary/appeals/arguments.html>.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
February 26, 2009

Contact: Kathryn Dolan
317.234.4722

CAMPAIGN BEGINS TO TRAIN MORE THAN 700 INDIANA JUDGES, MEDIATORS AND LAWYERS ON HOW TO HANDLE MORTGAGE CASES

Indiana attorneys will be trained to join the fight to help stem the mortgage crisis through pro bono representation. Chief Justice Randall T. Shepard recently announced a plan to train more judges, mediators and lawyers than any other state on how to deal with foreclosure cases. The massive training effort begins March 6th with a special education session dedicated to mortgage foreclosure issues that the Indiana Supreme Court is co-sponsoring along with Indiana Legal Services, Inc. and the Legal Aid Society of Southwest Ohio. At this training, and at others, the Indiana Supreme Court will offer scholarships to private attorneys who complete the training and agree to handle one mortgage foreclosure case on a pro bono basis.

**"HOW DO WE GET
OUT OF THIS MESS?"**

Friday, March 6th

8:30 a.m. – 4 p.m.

Indiana Housing and Community
Development Authority
30 South Meridian St., 8th Floor
Indianapolis, IN 46204

[Learn More About this Event](#)

The goal is to train hundreds of attorneys, mediators and judges across the state on how to help families in jeopardy of losing their homes. The program includes an effort to provide free legal help to homeowners in need of assistance. Chief Justice Shepard explained, "It makes sense that a person who is facing a financial burden so severe that they may lose their home cannot afford to hire an attorney to review their foreclosure case. That is why we are recruiting volunteer attorneys to help people who are in need of assistance."

Indiana Lieutenant Governor Becky Skillman is leading the statewide effort to ward off the housing meltdown through the Indiana Housing and Community Development Authority. The Indiana Foreclosure Prevention Network already includes lenders, government agencies, housing counselors, and community non-profits. Chief Justice Shepard has also pledged the support of the judicial branch.

The March 6th training session is the first of many which will be specially designed to educate judges and lawyers about new loan modification programs and mediation opportunities. Training for mediators in foreclosure cases will soon be available. For more information on this session and others, visit courts.in.gov/home.

Indiana trial courts have seen about a 50% increase in the number of foreclosure cases filed in the past five years. Sorting out which of those cases should be eligible for loan modification and those where it is not possible takes knowledge, skill, commitment and compassion. The Indiana Supreme Court is dedicated to helping courts across the state as they deal with the influx of foreclosure cases. In doing so, the Court hopes to help homeowners and play a role in bringing about economic recovery.



FOR IMMEDIATE RELEASE
March 2, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN INDIANA PATIENT'S COMPENSATION FUND v. GARY PATRICK - AT WABASH COLLEGE Case Originates from Marion Circuit Court

The Indiana Court of Appeals will hear oral argument in *Indiana Patient's Compensation Fund v. Gary Patrick* on Tuesday, March 3rd at 3 p.m. in Baxter Hall at Wabash College. A panel of Judge Patricia A. Riley, Judge Melissa S. May, and Judge Margret G. Robb will hear the case on appeal from Marion County Circuit Court.

This case involves a claim for damages for emotional distress brought by a father who witnessed the death of his adult son. The Indiana Patient's Compensation Fund (PCF) is appealing from the trial court's entry of summary judgment in favor of father. The issue on appeal is whether the trial court erred in denying PCF's Motion For Summary Judgment and awarding emotional distress damages to father where PCF claims: (a) such damages are not recoverable under the Adult Wrongful Death Act and (b) father does not have an "independent claim" under the Medical Malpractice Act for the emotional distress he alleges he incurred as a result of the malpractice in the treatment of his son. Arguing for the appellant, Indiana Patient's Compensation Fund, will be Anne L. Cowgur, and arguing for the appellee, Gary Patrick, will be Jerry A. Garau.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 200 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

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The 15 judges on the Court of Appeals issue more than 2,800 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals, visit www.in.gov/judiciary/appeals. For the Court's "Appeals on Wheels" initiatives, as well as additional information on *Indiana Patient's Compensation Fund v. Gary Patrick*, visit <http://www.in.gov/judiciary/appeals/arguments.html>.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
March 3, 2009

Contact: Kathryn Dolan
317.234.4722

SUPREME COURT SEEKS PUBLIC COMMENT AS IT CONSIDERS CLARIFYING WHAT CONSTITUTES PRO BONO WORK AND A RULE CHANGE REGARDING CHANGE OF VENUE

The Indiana Supreme Court is interested in obtaining comments from judges, attorneys and the public as it considers changes in two specific areas.

- The Rules Committee is recommending adding commentary to Professional Conduct Rule 6.1 to clarify what types of activities do and do not qualify as Pro Bono work, which is legal help an attorney provides to a client for no fee or a significantly reduced fee.
- The Rules Committee is also recommending that after a final decree in dissolution of marriage and paternity cases, a party shall not be entitled to a change of judge in connection with a petition to modify, except where a legally recognized reason for a change of venue is shown.

Details about the specific proposed commentary and rule change can be found at courts.IN.gov/rules/proposed.

The possible rule changes are being reviewed by the Committee on Rules of Practice and Procedure. The Committee was created by the Court to conduct a continuous study of the Indiana Rules of Procedure and other rules as directed by the Court. The Committee is charged with reporting to the Court recommendations and proposed amendments to promote simplicity in procedure, just determination of litigation, and elimination of unjustified expense and delay.

The nine-member Committee is collecting public comments about the possible rule changes until April 30, 2009. The comments can be sent via email or in writing to the following addresses:

localrulescomments@courts.state.in.us

Lilia G. Judson
Executive Director
Indiana Supreme Court
Division of State Court Administration
30 South Meridian Street, Suite 500
Indianapolis, IN 46204

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
March 3, 2009**Contact: Kathryn Dolan**
317.234.4722

SUPREME COURT SEEKS PUBLIC COMMENT ON WHETHER CUSTODIAL POLICE INTERROGATIONS SHOULD BE RECORDED

The Indiana Supreme Court is interested in comments from judges, attorneys, and members of the public regarding whether custodial police interrogations should be recorded.

The Court has posted information about the topic of police interrogation recordings at courts.IN.gov/notices/comment.html. The website also includes a survey that permits comments to be submitted to the Court.

The survey results and comments will be reviewed by the Committee on Rules of Practice and Procedure. The Committee was created by the Court to conduct a continuous study of the Indiana Rules of Procedure and other rules as directed by the Court. The Committee is charged with reporting to the Court recommendations and proposed amendments to promote simplicity in procedure, just determination of litigation, and elimination of unjustified expense and delay.

The nine-member Committee is collecting public comments until April 30, 2009.



FOR IMMEDIATE RELEASE
March 4, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *BRUCE SCALAMBRINO, ET AL. v. TOWN OF MICHIANA SHORES, ET AL.* - AT HAMMOND CITY HALL, COUNCIL CHAMBERS Case Originates from LaPorte Superior Court No. 2

The Indiana Court of Appeals will hear oral argument in *Bruce Scalabrino, et al. v. Town of Michiana Shores, et al.* on Thursday, March 5th at 1 p.m. (Central time) at the Hammond City Hall, Council Chambers. A panel of Judge Patricia A. Riley, Judge Michael P. Barnes, and Judge Margret G. Robb will hear the case on appeal from LaPorte Superior Court No. 2.

This case involves a suit filed against the Town of Michiana Shores, several individual defendants, and T-Mobile regarding a lease between the Town and T-Mobile allowing erection of a cell phone tower on Town property. Appellants-Plaintiffs sought a temporary restraining order, preliminary injunction, declaratory judgment, and permanent injunction against the lease. Appellants-Plaintiffs appeal the trial court's grant of summary judgment to the Defendants, contending there are genuine issues of material fact regarding whether the lease violates Town zoning ordinances, whether amendments to the zoning ordinances were properly adopted, and whether the amendments constitute illegal spot zoning. Arguing for the appellant, Bruce Scalabrino, et al., will be Matthew Hagenow, and arguing for the appellees will be Jeffrey Gunning – Town of Michiana Shores, et al. – and Joseph Jaskowiak – T-Mobile.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 200 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

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SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
March 9, 2009**Contact: Kathryn Dolan**
317.234.4722**TWO INDIANA LAWMAKERS APPOINTED TO PUBLIC DEFENDER COMMISSION**

The Indiana Supreme Court announced the appointment of two new members to the Public Defender Commission. State Representative Vernon G. Smith and State Representative Greg Steuerwald have joined the 11 member Commission. Both Smith and Steuerwald were appointed by Indiana House Speaker Patrick Bauer.

Representative Smith, of Gary, replaces former Representative Phil Hoy. Smith represents House District 14. He also serves on the House Education Committee and the Courts and Criminal Code Committee. "I am pleased that the Speaker appointed me to serve. The work of the Commission is most important given the number of citizens who often cannot afford to pay for legal defense. I look forward to serving on the Commission.

Representative Steuerwald, of Avon, replaces former Representative Amos Thomas. Steuerwald represents District 40. He also serves on the Government and Regulatory Committee and the Courts and Criminal Code Committee. Representative Steuerwald is honored to join the Commission, "Public defenders play important roles in our criminal justice system, and the Public Defender Commission is one of the ways to ensure indigent criminal defendants receive high-quality courtroom counsel."

The Indiana Public Defender Commission recommends standards to ensure high quality indigent defense is provided statewide. Counties that adhere to those standards are eligible for reimbursement from the Public Defense Fund for capital and non-capital indigent defense expenditures. The state legislature appropriated \$15.25 million for the Public Defense Fund for the current fiscal year. The Division of State Court Administration provides administrative support and services for the Public Defender Commission.

The Commission is comprised of 11 members: 3 are appointed by the Governor; 3 are appointed by the Chief Justice; 1 member is appointed by the Indiana Criminal Justice Institute; 2 are members of the House of Representatives appointed by the Speaker of the House; and 2 are members of the Senate appointed by the President pro tempore of the Senate. More information on the Commission can be found by going to <http://www.in.gov/judiciary/pdc/>.



State Representative Vernon G. Smith



State Representative Greg Steuerwald

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
March 10, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA SUPREME COURT SELECTS ATTORNEY TO SERVE AS TEMPORARY JUDGE IN MADISON COUNTY

The Indiana Supreme Court has named attorney Geoffrey B. Yelton to serve as temporary judge of Madison Superior Court 4, Chief Justice Randall T. Shepard announced today. Yelton replaces the Honorable David W. Hopper, who passed away February 25th.

According to Indiana Supreme Court trial rules, a judicial vacancy is filled by the Court until the Governor names a successor or until further order of the Court. Chief Justice Shepard was saddened to hear the news of Judge Hopper's passing and sends condolences on behalf of the Court to Judge Hopper's family and his Madison County court family. On February 26th, Chief Shepard opened Court with the following statement, "The Court meets this morning at a moment of sadness for the Indiana Judiciary due to the passing of Judge David Hopper, and we go about our assignment encouraged by the example of his contribution to Justice."

Judge Hopper served as judge of Madison County Court 1 from 1981-1990. He also previously served as a commissioner and juvenile referee in Hamilton County from 1991-1996. In 1997, Judge Hopper was again elected Judge of Madison County Court 1 and served in the capacity until December 31, 2008. In January 2009, Judge Hopper began his service as Judge of the Madison Superior Court 4, which was created by the legislature upon the abolition of the County Court. He is also a 1986 Indiana Judicial College graduate. The program is an advanced educational opportunity for judges in the state.

Newly appointed Judge Yelton also praised the work of his predecessor and said, "I always appreciated Judge Hopper's commitment to the system of justice. While we may have different approaches, I hope to continue his commitment to justice." Yelton was admitted to practice law in the State of Indiana in 1983. He served as civil magistrate for all Madison County courts from 1995-2000.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
March 10, 2009**Contact: Kathryn Dolan**
317.234.4722**INDIANA SUPREME COURT SELECTS JUDGE MICHAEL WITTE
TO SERVE AS TEMPORARY JUDGE IN WAYNE COUNTY**

The Indiana Supreme Court has named the Honorable G. Michael Witte to serve as temporary judge of Wayne Superior Court 1, Chief Justice Randall T. Shepard announced today. Witte replaces Judge P. Thomas Snow, who was recently named Chairman of the Alcohol & Tobacco Commission.

The Governor named Judge Snow as chairman, leaving a judicial vacancy in the Wayne Superior Court. According to Indiana Supreme Court trial rules, the vacancy is filled by the Court until the Governor names a successor or, or until further order of the Court. Chief Justice Shepard was appreciative that Judge Witte agreed to serve and said, "Judge Witte has been an integral part of the administration of justice in our state for more than twenty years. He is honest, fair, and thoughtful in his decision making process."

Witte is currently a senior judge. He was elected to the bench in Dearborn County in 1985. He was the first Asian-American to serve as judge in the state of Indiana. Judge Witte is pleased to accept the Court's appointment and said, "I congratulate Judge Snow and wish him the best as Chairman of the Alcohol and Tobacco Commission. I am honored to serve as Judge in Wayne County and look forward to working with my fellow judges and the staff members of Superior Court 1."

Judge Witte is vice-chair of the American Bar Association Judicial Division and a nationally recognized speaker in the field of diversity. He was a recent panelist for the American Bar Association program "Achieving a Diverse Judiciary and Its Impact on Public Confidence in the Judicial System." In February, he also spoke at Harvard Law School for the American Bar Association program "Obtaining and Retaining a Diverse Judiciary." He served on the Indiana Commission on Courts from 2005-2007 and was named the 2008 Distinguished Asian Alumni by the Indiana University Asian Alumni Association.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**

http://courts.IN.gov

FOR IMMEDIATE RELEASE
March 13, 2009**Contact: Kathryn Dolan**
317.234.4722**LAKE COUNTY LAWYERS BEING TRAINED TO HANDLE
MORTGAGE FORECLOSURE CASES**

The Indiana Supreme Court is continuing its campaign to help stem the mortgage crisis through pro bono representation with a training session in Lake County. In January, Chief Justice Randall T. Shepard announced a plan to train more judges, mediators and lawyers than any other state on how to deal with foreclosure cases. The March 18th training session is part of that campaign. The session is co-sponsored by the Lake County Bar Association and the Indiana Supreme Court.

The one-hour continuing legal education session will be presented by Indiana Legal Services attorney Stephanie Shappell Katich. She leads the group's Foreclosure Defense Program in Northwest Indiana. Seating is limited to 45 participants and there is a \$25 fee. The fee will be waived for members of the Lake County Bar Association Family Law Section. The Indiana Supreme Court will reimburse the \$25 fee for any private attorney who agrees to take a mortgage foreclosure case on a *pro bono* basis.

The March 18th session is just one of many sessions that will be held over the next few months as the Indiana Supreme Court continues its effort to train 700 legal professionals on how to best help families in jeopardy of losing their homes. The outreach includes an effort to provide free legal help to homeowners in need of assistance. The first training session, held on March 6th in Indianapolis, included 100 attendees. Indiana Lieutenant Governor Becky Skillman is leading the statewide effort to ward off the housing meltdown through the Indiana Housing and Community Development Authority. Chief Justice Shepard has pledged the support of the judicial branch.

Indiana trial courts have seen about a 50% increase in the number of foreclosure cases filed in the past five years. The Indiana Supreme Court is dedicated to helping courts across the state deal with the influx of foreclosure cases. Sorting out which of those cases are eligible for loan modification and those where that is not possible takes knowledge, skill, commitment and compassion. By actively participating in solving the foreclosure crisis, the Court hopes to play a role in bring about a more healthy economy for the state and the nation.

**"THE PERFECT STORM:
FORECLOSURE LEAVES
MANY ADRIFT"****Wednesday, March 18th**
5:30 p.m., Griffith, Indiana
[Learn More About this Event](#)[Visit the Mortgage Foreclosure
Taskforce Website](#)

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
March 20, 2009

Contact: Kathryn Dolan
317.234.4722

APRIL TRAINING SET FOR LAWYERS WHO WILL HANDLE MORTGAGE FORECLOSURE CASES

The Indiana Supreme Court is continuing its campaign to help stem the mortgage crisis through pro bono representation with a training session in Indianapolis. In January, Chief Justice Randall T. Shepard announced a plan to train more judges, mediators and lawyers than any other state on how to deal with foreclosure cases. The April 3rd training session is part of that campaign. The conference is hosted by IU School of Law - Indianapolis, in cooperation with the Baker & Daniels Public Interest Law Fellowship, and in partnership with the Indiana Housing and Community Development Authority, Indiana Legal Services, Inc., and the Indiana Supreme Court.

The six-hour continuing legal education conference will address the latest developments in the mortgage industry and teach attorneys how to address the problems facing homeowners in crisis.

Joanne Orr, IU School of Law-Indianapolis clinical professor and advisor for the program believes it is tremendously important that the law school join the effort to help homeowners in need. "We have a prime location in the capital and can reach out to local attorneys. We want to be a key part of Chief Justice Shepard's plan to bring together the necessary public and private partners to solve this problem."

The Indiana Supreme Court has already co-sponsored two previous training sessions. There will be more sessions in the future as the Court continues its effort to train hundreds of legal professionals on how to best help families in jeopardy of losing their homes. The outreach includes an effort to provide free legal help to homeowners; therefore, the Indiana Supreme Court will offer conference scholarships to private attorneys who agree to take a mortgage foreclosure case on a *pro bono* basis. There is a \$50 conference fee for private attorneys and a \$15 fee for non-profit attorneys.

Indiana Lieutenant Governor Becky Skillman is leading the statewide effort to ward off the housing meltdown through the Indiana Housing and Community Development Authority. Chief Justice Shepard has pledged the support of the judicial branch. Indiana trial courts have seen about a 50% increase in the number of foreclosure cases filed in the past five years. The Indiana Supreme Court is dedicated to helping courts across the state deal with the influx of foreclosure cases. Sorting out which of those cases are eligible for loan modification and those where that is not possible takes knowledge, skill, commitment and compassion. By actively participating in solving the foreclosure crisis, the Court hopes to play a role in bringing about a more healthy economy for the state and the nation.

Indiana Mortgage Foreclosure Defense & Prevention Conference

Friday, April 3rd

8:00 a.m. - 4:00 p.m.,
Indianapolis, Indiana
Ph. 317-274-1911

[Learn More About this Event](#)

[Visit the Mortgage Foreclosure
Taskforce Website](#)



FOR IMMEDIATE RELEASE
March 25, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *BRIAN MONTGOMERY V. STATE OF INDIANA - Terre Haute* Case Originates from Marion Superior Court

The Indiana Court of Appeals will hear oral argument in *Brian Montgomery v. State of Indiana* on Thursday, March 26th at 10 a.m. in room Dede II in the Hulman Memorial Student Union Building at Indiana State University. A panel of Judge Patricia A. Riley, Judge James S. Kirsch, and Judge Margret G. Robb will hear the case on appeal from Marion County Superior Court.

This case involves Brian Montgomery's conviction of dealing in cocaine, a Class A felony. The issue on appeal is whether the trial court erred in admitting evidence obtained by police during a warrantless search of his hotel room. Montgomery claims there was neither valid consent to the search nor exigent circumstances justifying the entry. Arguing for the appellant, Brian Montgomery, will be Stephen Gray, and arguing for the appellee, State of Indiana, will be Tiffany N. Romine.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 200 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

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SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
March 27, 2009

Contact: Kathryn Dolan
317.234.4722

CUSTOMIZED VIDEOS AVAILABLE TO HELP COURTS WITH SELF REPRESENTED LITIGANTS

The Indiana Supreme Court is extending the application deadline for customized versions of the "Family Matters: Choosing to Represent Yourself in Court" video. The video was originally produced in 2008 to provide general information for people considering representing themselves in court. The Supreme Court will also produce customized versions, with county specific information. The deadline to apply for a county specific video is April 10, 2009.

The goal of the video is to provide information to help people make informed decisions regarding legal representation. The video provides details about the legal process and the responsibilities a person accepts when they appear in court without an attorney. It was produced by the Indiana Supreme Court's Division of State Court Administration, through the Family Court Project with partnership from the Indiana Bar Foundation. It is available online, courts.IN.gov/webcast/prose.html, and was distributed in DVD format across the state.

In addition to the statewide version, customized versions of the video were completed for three pilot counties —Johnson, Lake, and Monroe. They each developed a plan for integrating the video into their existing Family Court programs. The videos include specific information about the local courts and legal resources in each community. Funding is now available to develop local versions of the video for 15 other counties. While preference will be given to counties participating in the Family Court Project, all counties are encouraged to apply. There is no match or any other cost to the counties to participate in this project.

To apply for a customized video, visit courts.in.gov/family-court. Questions can be directed to:

[Loretta Oleksy](#)
Family Court Project Manager
Indiana Supreme Court, Division of State Court Administration
30 South Meridian St., Suite 500
Indianapolis, IN 46204
317.233.0784

APPLY FOR A CUSTOMIZED VIDEO

Application: [Self Represented
Litigant Video Project for Trial
Courts](#) 

[Visit the Family Court Website](#)



FOR IMMEDIATE RELEASE
March 30, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN ROSALYNN WEST v. BETTY WADLINGTON, ET AL. - INDIANAPOLIS

Case Originates from Marion Superior Court

The Indiana Court of Appeals will hear oral argument in *Rosalynn West v. Betty Wadlington, et al.* on Tuesday, March 31st at 5 p.m. at the Wynne Courtroom at the Indiana University School of Law building— Indianapolis. A panel of Judge L. Mark Bailey, Judge Paul D. Mathias, and Judge Michael P. Barnes will hear the case on appeal from Marion County Superior Court.

This case involves a defamation and invasion of privacy suit. The issue on appeal is whether the Free Exercise clause of the First Amendment prevented the trial court from hearing Rosalynn West's claims. West sued her fellow churchgoers, Betty Wadlington and Jeanette Larkins, and Larkins' employer, the City of Indianapolis, claiming defamation and invasion of privacy. West's complaint stems from a letter about West that Wadlington wrote and addressed to their church board of trustees and board of deacons. Wadlington included this letter in an email she sent to Larkins at her work email address, who then forwarded the email on to over eighty other email addresses. The Defendants filed a motion to dismiss West's complaint for lack of subject matter jurisdiction, arguing that the Free Exercise clause of the First Amendment prevented the court from determining whether the statements in the email were defamatory or false. The trial court granted the motion to dismiss. Arguing for the appellant, Rosalynn West, will be Michael D. Head, and arguing for the appellees, Jeanette Larkins and the Indianapolis Metropolitan Police Dept., will be Nicole Kelsey.

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The 15 judges on the Court of Appeals issue more than 2,800 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals, visit www.in.gov/judiciary/appeals. For the Court's "Appeals on Wheels" initiatives, as well as additional information on *Rosalynn West v. Betty Wadlington, et al.*, visit <http://www.in.gov/judiciary/appeals/arguments.html>.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
March 30, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA SUPREME COURT CONSIDERS CHANGES TO ALTERNATIVE DISPUTE RESOLUTION RULES

The Indiana Supreme Court is seeking comments from judges, attorneys and the public as it considers proposed rule amendments governing Alternative Dispute Resolution. The proposed changes include the following:

- Amending Rule 2.7 to add a section (F) that would permit a non-lawyer mediator to complete certain documents as part of the mediation process without violating the rules governing the unauthorized practice of law.
- Adding a new Rule (2.12) that would permit a mediator to provide legal information, but not legal advice to parties, without violating the rules governing the unauthorized practice of law.

Details about the specific proposed rule change can be found at courts.IN.gov/rules/proposed.

The possible rule changes are being reviewed by the nine-member Committee on Rules of Practice and Procedure. The Committee has not taken a position on either of these proposals and is seeking opinions from the bench, bar, and public before making a recommendation to the Supreme Court.

The Committee was created by the Court to conduct a continuous study of the Indiana Rules of Procedure and other rules as directed by the Court. The Committee is charged with reporting to the Court recommendations and proposed amendments to promote simplicity in procedure, just determination of litigation, and elimination of unjustified expense and delay.

The Committee is collecting public comments about the possible rule changes until June 7, 2009. The comments can be sent via email or in writing to the following addresses:

localrulescomments@courts.state.in.us

Lilia G. Judson
Executive Director
Indiana Supreme Court
Division of State Court Administration
30 South Meridian Street, Suite 500
Indianapolis, IN 46204

More information on the Rules Committee can be found at courts.in.gov/committees/rules.html



FOR IMMEDIATE RELEASE
March 31, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *JAY B. STOKES v. STATE OF INDIANA - NAPPANEE* Case Originates from Kosciusko Circuit Court

The Indiana Court of Appeals will hear oral argument in *Jay B. Stokes v. State of Indiana* on Wednesday, April 1st at 1:30 p.m. at Northwood High School. A panel of Judge L. Mark Bailey, Judge Melissa S. May, and Judge Michael P. Barnes will hear the case on appeal from Kosciusko Circuit Court.

This case involves the convictions of Jay B. Stokes on charges of attempted armed robbery, unlawful possession of a firearm by a serious violent felon, and being an habitual offender. Stokes appeals for the following reasons: 1) there should have been a mistrial because an alternate juror was involved in the jury deliberations; 2) the State improperly indicated to the jury that Stokes had been involved in other crimes; 3) there was not enough evidence presented that he took anything from the liquor store he was accused of trying to rob or that he was the person who committed the crimes that made him an habitual offender; and 4) his sentence is excessive. Arguing for the appellant, Jay B. Stokes, will be Jay Rigdon, and arguing for the appellee, State of Indiana, will be Ellen Meilaender.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and following the submission of the case members of the audience are invited to ask questions about the judicial process in Indiana. The Court has heard more than 200 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

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The 15 judges on the Court of Appeals issue more than 2,800 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals, visit www.in.gov/judiciary/appeals. For the Court's "Appeals on Wheels" initiatives, as well as additional information on *Jay B. Stokes v. State of Indiana*, visit <http://www.in.gov/judiciary/appeals/arguments.html>.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
April 3, 2009

Contact: Kathryn Dolan
317.234.4722

ADVOCATES FOR ABUSED AND NEGLECTED CHILDREN PROVIDE STATE LAWMAKERS WITH A PROGRESS REPORT

Indiana lawmakers will receive a progress report from the State Office of Guardian Ad Litem/Court Appointed Special Advocates (GAL/CASA) on April 7th at the State House. Media is invited to attend and learn more about the program working on behalf of abused and neglected children.

GAL/CASA program staff and volunteers from across the state will meet with lawmakers during a continental breakfast. It is an opportunity for lawmakers to receive the progress report from their local program staff and volunteers.

The State Office of GAL/CASA was established in 1989 by the General Assembly. Indiana law requires the appointment of a GAL/CASA for every child in abuse and neglect, and termination of parental rights cases. The State Office, which is administered by the Indiana Supreme Court through its Division of State Court Administration, distributes matching grants through funds provided by the Legislature.

Sixty-five counties have certified GAL/CASA programs and receive state matching grants. Advocates are trained community volunteers who meet with foster children and provide recommendations to the court as to the children's needs while they are in foster care. GAL/CASA volunteers help ensure that children have a voice in the proceedings and that they are able to return home or are placed in another permanent living environment.

Programs across the state are currently in need of volunteers. Volunteers advocated for over 14,000 children in 2008; however, there are more than 4,000 children on a waiting list and in need of an advocate. For more information on GAL/CASA visit courts.IN.gov/galcasa.

GAL/CASA Progress Report

Tuesday, April 7th
8 a.m. - 10 a.m.
State House Rotunda

[Visit the GAL/CASA Website](#)



FOR IMMEDIATE RELEASE
April 6, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *SHEEHAN CONSTRUCTION COMPANY v. CONTINENTAL CASUALTY COMPANY*, — EVANSVILLE

Case Originates from Marion Superior Court

The Indiana Court of Appeals will hear oral argument in *Sheehan Construction Company v. Continental Casualty Company* on Tuesday, April 7th at 4 p.m. in Carter Hall D at the University Center at the University of Southern Indiana. A panel of Judge Patricia A. Riley, Judge Melissa S. May, and Judge Elaine B. Brown will hear the case on appeal from the Marion Superior Court.

The case involves a dispute over the scope of coverage of comprehensive general liability insurance policies Continental Casualty issued to Sheehan Construction, a general contractor, and Indiana Insurance issued to Somerville Construction, a subcontractor. A class of plaintiffs alleged their homes sustained water damage because of faulty workmanship by Sheehan's subcontractors. The insurers obtained summary judgment on the ground damage naturally resulting from defective workmanship is not an "accident" for which the policies provide coverage. Sheehan and the Class assert the insurance industry broadened the scope of its standard policies in 1986 to cover such damage. Arguing for the Class and Sheehan will be David McNamar, and arguing for the insurers will be Joseph Borders and Joseph Deitz.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 200 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

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 judges on the Court of Appeals issue more than 2,800 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals, visit www.in.gov/judiciary/appeals. For the Court's "Appeals on Wheels" initiatives, as well as additional information on *Sheehan Construction Company, v. Continental Casualty Company*, , visit <http://www.in.gov/judiciary/appeals/arguments.html>.



FOR IMMEDIATE RELEASE
April 7, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *GABINO GONZALEZ v. STATE OF INDIANA*, — CLARKSVILLE Case Originates from Vanderburgh Superior Court

The Indiana Court of Appeals will hear oral argument in *Gabino Gonzalez v. State of Indiana* on Wednesday, April 8th at 12:45 p.m. at the Sam and Paul Robinson Performing Arts Center at Providence Jr./Sr. High School. A panel of Judge Patricia A. Riley, Judge L. Mark Bailey, and Judge Melissa S. May will hear the case on appeal from Vanderburgh Superior Court.

The case involves the conviction of Gabino Gonzalez of criminal mischief and driving while intoxicated. Gonzalez was driving his pickup truck while he was intoxicated and hit a school bus. Before his trial he was negotiating a guilty plea and while it was pending he wrote a letter to the school corporation in which he apologized for the accident and admitted he was drinking that day. The trial court allowed the State to enter that letter into evidence. Gonzalez argues on appeal that error occurred because a letter written as part of guilty plea negotiations is inadmissible at a trial, and because the letter was hearsay. Apparently, Gonzalez had written a different letter in Spanish but the letter presented at trial was a translation by someone else. Arguing for the appellant, Gabino Gonzalez, will be Matthew Jon McGovern, and arguing for the appellee, State of Indiana, will be Matthew Whitmire.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 200 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

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FOR IMMEDIATE RELEASE
April 8, 2009

Contact: Chris Loughmiller
317.232.6907

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *MANSFIELD v. McSHURLEY* **Purdue University, Stuart Center - Fowler Auditorium**

The Court of Appeals of Indiana will hear oral argument in *Mansfield v. McShurley* on Tuesday, April 14, 2009 at 5:00 PM in the Fowler Auditorium at the Stuart Center, Purdue University. A panel of Judge Margret G. Robb, Judge Cale J. Bradford and Judge Melissa S. May will hear the case on appeal from Delaware County Circuit Court.

The case concerns the apparent election of Mansfield as mayor of Muncie. There was a recount after which his opponent, McShurley, was declared the winner. Mansfield challenged that result and McShurley moved to dismiss. The trial court dismissed Mansfield's challenge because an election contest must be brought within fourteen days after election day. Mansfield notes that for the two weeks after election day, he was the apparent winner of the election and therefore could not challenge it. He argues strict compliance with the statutory deadline is not required, and that the trial court also erred in dismissing his amended complaint that questioned the exclusion of certain voters. Arguing for the appellant, Mansfield, will be William R. Groth of Indianapolis, Indiana and arguing for the appellee will be David M. Brooks of Indianapolis, Indiana.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch. Following the submission of the case, members of the audience are invited to ask questions about the judicial process in Indiana. The Court has heard more than 200 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

The Court of Appeals of Indiana is the state's second highest court. It reviews appeals from trial court decisions. A decision of the Court of Appeals is final unless granted further review by the Supreme Court of Indiana.

The fifteen judges on the Court of Appeals issue more than 2,800 written opinions each year, sitting in three judge panels. For more information about the Court of Appeals, visit <http://www.in.gov/judiciary/appeals>. For the Court's "Appeals on Wheels" initiatives as well as additional information, visit <http://www.in.gov/judiciary/appeals/arguments.html>.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE****April 13, 2009****Contact: Kathryn Dolan****317.234.4722****DOMESTIC RELATIONS COMMITTEE SEEKS PUBLIC COMMENT
ON PROPOSED CHANGES TO INDIANA'S CHILD SUPPORT
GUIDELINES**

The Domestic Relations Committee of the Judicial Conference of Indiana is seeking comments from judges, attorneys and the public as it reviews Indiana's Child Support Rules and Guidelines.

Proposed changes include a new federal requirement for the child to have health insurance coverage, guidance on the treatment of social security disability benefits received by the child, additional commentary on the parenting time credit, and guidance on minimum child support amounts.

More information about the proposed changes can be found at the following address: <http://courts.in.gov/rules/proposed/2009/childsupport.html>

The Domestic Relations Committee is made up of judges from across the state. The Committee encourages comments and will accept them until May 13, 2009. Once comments are submitted, the Committee will review the responses and prepare a revised draft for submission to the Indiana Supreme Court. Comments can be sent via the following website or in writing to the following address:

- <http://courts.in.gov/rules/proposed/2009/childsupport.html>
- Jeffrey Bercovitz
Director, Juvenile and Family Law
Indiana Judicial Center c/o the Domestic Relations Committee
30 South Meridian Street, Suite 900
Indianapolis, Indiana, 46204-3564

The Indiana Judicial Center serves as staff support for the Domestic Relations Committee. The Center is the state's judicial research and continuing education agency. For more information on the Indiana Judicial Center visit <http://courts.in.gov/center/>.



FOR IMMEDIATE RELEASE
April 17, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT *IN RE T.A. AND K.S., L.F. V DEPARTMENT OF CHILD SERVICES - LAFAYETTE* Case Originates from Pulaski Circuit Court

The Indiana Court of Appeals will hear oral argument in *In re T.A. and K.S., L. F. v. Department of Child Services* on Monday, April 20th at 10 a.m. in the Ivy Tech Hall at Ivy Tech – Lafayette. A panel of Judge Patricia A. Riley, Judge Margret G. Robb, and Judge Cale J. Bradford will hear the case on appeal from Pulaski Circuit Court.

The case involves the removal of T.A. and K.S. from the home of their mother by the Pulaski County Department of Child Services (DCS), pending an investigation into the sudden death of their 14 year old sibling, J.S. After an autopsy report concluded J.S.'s death was accidental and directly caused by a prescription error, the mother and DCS agreed to a timeline for the return of T.A. and K.S. culminating on August 3, 2007. DCS failed to return the children on August 3rd. The mother filed a motion to hold DCS in contempt on August 6, and the trial court ordered DCS to return the children to the mother on August 9th. DCS later filed a motion to discharge the mother's motion for contempt, which the trial court granted after a hearing. The mother filed a motion to correct error, which the trial court denied, and she now appeals. Arguing for the appellant, the mother of T.A. and K.S., will be Kevin C. Tankersley, and arguing for the appellee, Department of Child Services, will be Frances H. Barrow.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 200 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

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SUPREME COURT

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30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
April 20, 2009**Contact: Kathryn Dolan**
317.234.4722**INDIANA SUPREME COURT AWARDS NEARLY \$160,000 IN FAMILY COURT GRANTS**

Chief Justice Randall T. Shepard announced today that the Indiana Supreme Court has awarded \$159,000 in grant money to 13 counties across the state through its Division of State Court Administration. The grants will support local Family Court Projects.

The Family Court Project encourages a coordinated approach to serve the needs of families involved in multiple court cases. Options for coordination include:

- One Judge - One Family
- Information Sharing Between Courts
- Facilitation and Pre-trial Conferences
- Affordable Alternative Dispute Resolution
- Family-Focused Service and Referrals
- Expeditious Processing of Pro Se Cases

The coordination aims to avoid inconsistent orders and promote more informed decision making. Family Courts stress common-sense, non-adversarial solutions. The project began in 1999 with cooperation from the Indiana General Assembly. Since then, the Supreme Court has distributed over \$1,825,000 to support the 23 Family Courts across the state. In 2008, over 3000 families were served by local Family Court projects.

The grants are considered "seed money" and pilot counties are expected to transition within a reasonable time from seed funding to local funding. "The Family Court Project is an excellent example of courts using creative approaches to address issues facing a family so their disputes can be resolved quickly, affordably and in a way that is less adversarial to preserve relationships," said Chief Justice Shepard.

The following counties are receiving grants for 2009.

Tippecanoe	\$40,000	Judge Daniel
Clark	\$30,000	Judge Carmichael
Bartholomew	\$20,000 (shared)	Judge Heimann, Magistrate Mollo
Brown	\$20,000 (shared)	Judge Stewart
Jackson	\$20,000 (shared)	Judge MacTavish
Lawrence	\$20,000 (shared)	Judge McCord
Marion	\$20,000	Judge Moberly
Vanderburgh	\$15,000	Judge Lloyd
Porter	\$10,000	Judge Harper
Lake	\$10,000	Judge Arredondo, Judge Bonaventura, Judge Tavitias

Johnson	\$7,000	Judge Loyd
Henry	\$5,000	Judge Willis
Owen	\$2,000	Judge Nardi

Family Court Steering Committee Members include the Honorable Margret Robb of the Court of Appeals of Indiana, Lilia Judson who serves as the Executive Director of the Division of State Court Administration, Dave Remondini who serves as the Chief Deputy Executive Director of the Division of State Court Administration, Leslie Rogers Dunn who is the State Director for Guardian Ad Litem/Court Appointed Special Advocates, and Loretta Olesky who is the Family Court Project Manager.

More information on the Family Court Project is available at courts.in.gov/family-court.



FOR IMMEDIATE RELEASE
April 24, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN STATE OF INDIANA v. ERRICK G. BENSON AT WARSAW COMMUNITY HIGH SCHOOL—WARSAW

Case Originates from Allen Superior Court

The Indiana Court of Appeals will hear oral argument in *State of Indiana v. Errick G. Benson* on Friday, April 24th at 10 a.m. at Warsaw Community High School. A panel of Chief Judge John G. Baker, Judge Terry A. Crone, and Judge Cale J. Bradford will hear the case on appeal from Allen Superior Court.

The case involves the State of Indiana's appeal of the trial court's order suppressing certain evidence that was discovered after the defendant, Errick G. Benson, was apprehended following his alleged flight from an investigatory stop. On appeal, the State argues that the trial court's suppression of the evidence was erroneous because the evidence was discovered during a valid search incident to Benson's arrest for resisting law enforcement. Arguing for the appellant, State of Indiana., will be Cynthia L Ploughe and arguing for the appellee, Errick G. Benson, will be Gregory L. Fumarolo.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 200 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

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SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
April 24, 2009

Contact: Kathryn Dolan
317.234.4722

DRUG AND ALCOHOL PROGRAM SEEKS PUBLIC COMMENT

The advisory committee for court sponsored drug and alcohol programs will hold a public hearing on proposed changes to court programming. Judges, attorneys and the public are invited to review the proposed amendments to the Rules for Court-Administered Alcohol and Drug Programs and attend a public hearing.

Friday, May 15th
9 a.m. – 10:00 a.m.
Indiana Supreme Court Courtroom
State House Third Floor
Indianapolis

Proposed changes include updates for program personnel continuing education hours, program management, and client assessments. More information about the proposed changes can be found at the following address:
courts.in.gov/rules/proposed/2009/cadp.html.

The Indiana Judicial Center has responsibility for certification, training, and support for Court Alcohol and Drug Programs. The Center has an Advisory Committee for Court Alcohol and Drug Programs through the Judicial Conference of Indiana. The Committee is made up of judges and program directors from across the state. About 55 courts across the state have drug and alcohol programs. After receiving public comment, The Committee will submit the proposed rules to the Board of Directors of the Judicial Conference for adoption.

Those interested in speaking at the hearing should contact the Indiana Judicial Center before May 13, 2009. Jennifer Weber, a Judicial Center Staff Attorney, can be reached by calling (317) 232-1313 or jweber@courts.state.in.us. Speakers will be limited to no more than five minutes each. An organization should designate one person to speak on behalf of the organization.

Those interested in submitting written comments to the Committee may do so until May 13, 2009. The written comments will be incorporated into the hearing and can be mailed to the following address:

Court Alcohol and Drug Program Advisory Committee
c/o Indiana Judicial Center
30 South Meridian Street, Suite 900
Indianapolis, IN 46204-3564

The Judicial Center is the state's judicial research and continuing education agency. For more information on the Indiana Judicial Center visit courts.in.gov/center.



FOR IMMEDIATE RELEASE
April 27, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS OF INDIANA BECOMES LAW OFFICE CLIMATE CHALLENGE PARTNER

INDIANAPOLIS – The Court of Appeals of Indiana is pleased to be named as a Law Office Climate Challenge Partner by the Section of Environment, Energy, and Resources (SEER) of the American Bar Association.

By participating in the Best Practices for Office Paper Management and WasteWise components, the court has met all requirements needed to become a partner.

“We are very pleased to be recognized by the American Bar Association as a Law Office Climate Challenge Partner,” said Chief Judge John G. Baker. “As the first court in the country to join this program, I think our dedication to the betterment of the environment is clearly displayed.”

The Law Office Climate Challenge provides the legal profession with the opportunity to join in the environmental sustainability movement. The Court of Appeals of Indiana has taken a number of steps to improve the environment, including implementing a paper recycling plan in all offices, changing purchasing practices such that all copier and printer paper is 100% recycled and other office supplies are 30-100% recycled content, and implementing a policy whereby opinions to be handed down are circulated electronically instead of making a hard copy for each office.

In addition to becoming a Law Office Climate Challenge Partner, the Court of Appeals of Indiana has also been recognized by the U.S. Environmental Protection Agency as a WasteWise Partner.

For more information regarding the program, please visit <http://www.abanet.org/environ/climatechallenge/partners.shtml>.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
April 29, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA SUPREME COURT UNVEILS JUDGES SPEAKERS BUREAU

The Indiana Supreme Court is extending an invitation to teachers across the state to consider having a trial court judge visit their classroom. The Court developed a Judges Speakers Bureau to allow easier connections between judges interested in talking with students and schools interested in having guest speakers. Details are available at the following website:

<http://courts.IN.gov/citc/speakers>

The Community Relations Committee of the Judicial Conference of Indiana helped develop the Indiana Judges Speakers Bureau with the Supreme Court's education program, Courts in the Classroom. The 12 member Community Relations Committee is made-up of judges from across the state. The goal of the Committee is to bring positive awareness to the courts and develop a relationship with the media. Marion County Superior 2 Judge Robert Altice is the chair of the Committee. "We asked judges across the state to volunteer for this outreach project and got a wonderful response," said Judge Altice who also explained, "It is a chance for judges to encourage students in their community and educate them about the judicial branch. Field trips to the court may not be possible for every school district—this is a way to bring the court into the classroom."

Volunteer judges will speak about the courts and other law-related topics to facilitate an understanding of the Indiana judicial system. Speakers can be used for special events such as Law Day and Constitution Day, or as part of a class lesson plan. The online directory will allow teachers to contact a listed judge by phone or email. For more information on the Judges Speakers Bureau, please visit the website or contact Jennifer Bauer of the Indiana Judicial Center at (317) 232-1313.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
April 30, 2009

Contact: Kathryn Dolan
317.234.4722

SUCCESS OF LINCOLN PROGRAM BRINGS SPEAKERS BACK INTO INDIANA CLASSROOMS FOR LAW DAY

The Indiana Supreme Court is hosting an encore presentation of its popular, "Why Lincoln Was A Lawyer" program for Law Day. In 1958, President Dwight D. Eisenhower proclaimed Law Day to strengthen our great heritage of liberty, justice, and equality under the law. It is celebrated every May First, and this year's theme is centered on Abraham Lincoln.

More than 2900 students will hear from a Lincoln speaker in honor of Law Day and its theme, "A Legacy of Liberty —Celebrating Lincoln's Bicentennial." Judges, lawyers and paralegals from across the state will visit classrooms on Friday, May 1st to talk about Abraham Lincoln.

"Why Lincoln Was A Lawyer" was originally developed for the 200th Anniversary of Lincoln's birth on February 12, 2009. The Indiana Supreme Court partnered with the Indiana State Bar Association to host a statewide birthday bash for Lincoln. Hundreds of judges and attorneys spoke to about 30,000 students across the state.

This Lincoln celebration was created by Courts in the Classroom, the educational outreach program of the Indiana Supreme Court. The lesson plans and talking points created for grades K-12 were designed to showcase the civic virtues Lincoln exemplified. The program honors Lincoln the Hoosier and Lincoln the President through a unique curriculum focusing on his life as an attorney. The free lesson plans can be found at courts.in.gov/citc.

Courts In The Classroom develops many educational programs for teachers and students and sponsors four fieldtrip opportunities for schools each year. For more information about Courts In The Classroom programs contact Dr. Elizabeth Osborn at (317) 233-8682 or eosborn@courts.state.in.us.

Media interested in finding a school with a Lincoln speaker in their area can contact Kathryn Dolan, Indiana Supreme Court Public Information Officer at (317) 234-4722 or kdolan@courts.state.in.us.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
May 1, 2009

Contact: Kathryn Dolan
317.234.4722

MEDIA ADVISORY: Proposal Under Consideration To Strengthen Volunteer Advocacy for Abused and Neglected Children

The Indiana Supreme Court is working with National Court Appointed Special Advocates to strengthen the partnership between CASA and The American Legion. A proposal is under consideration by The American Legion to provide further support to Court Appointed Special Advocates. Media are invited to learn more about the proposal and how a continued partnership will help children.

Monday, May 4th
1:45 p.m.

Indianapolis Sheraton Indianapolis City Centre
21st Floor, Room: Panorama A
31 West Ohio

Chief Justice Randall T. Shepard will meet with National Court Appointed Special Advocates CEO Michael Piraino on May 4th in Indianapolis. Piraino and Indiana [State GAL/CASA](#) Director Leslie Dunn will meet with American Legion leaders, including Dennis Boland, President of The American Legion Child Welfare Foundation, Monday as well.

The National CASA Association represents the more than 68,000 volunteers in over 970 locations across the country. Last year, CASA and GAL volunteers served nearly a quarter million children, about one-third of the over 780,000 children in foster care.

The American Legion serves as a voice for veterans. The non-profit group is a community-service organization with 2.6 million members in more than 14,000 American Legion posts worldwide. The American Legion Child Welfare Foundation supports National CASA's efforts to recruit and train CASA volunteers for the children that need them. The American Legion Child Welfare Foundation has also provided grants to National CASA in support of its mission. In Indiana, Guardian Ad Litem/Court Appointed Special Advocates is a mostly volunteer program. It is run independently in 67 counties. CASA volunteers come from all walks of life and, after at least 30 hours of training, are appointed by judges to speak for the safety and well being of abused and neglected children. Research shows that a child with a CASA volunteer is half as likely to spend time in long term foster care and is substantially more likely to find a safe permanent home.

Indiana Directors from across the state recently provided lawmakers with a 2008 Progress Report which highlighted the following:

- 2,498 GAL/CASA volunteers advocated for abused and neglected children
- GAL/CASA programs recruited and trained 911 new volunteers in 2008
- The new volunteers represent a 50% increase in the number of new volunteers from 2007
- GAL/CASA volunteers provided a voice for 14,004 children in abuse/neglect cases
- GAL/CASA volunteers provided a voice for 2,897 children in termination of parental rights cases
- Volunteers donated 422,841 hours advocating for Indiana's children
- Those hours saved the State of Indiana an estimated \$21 million
- **There are still over 4,000 children waiting for a volunteer to guide them through foster care, and advocate for their best interests in court**

The Indiana legislature provides funding for the statewide programs. The Indiana Supreme Court distributes that funding and provides support to the program through its Division of State Court Administration.

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**

http://courts.IN.gov

**FOR IMMEDIATE RELEASE
May 5, 2009****Contact: Kathryn Dolan
317.234.4722****SPRING CLEANING IS A TIME TO FIND AND SAVE HISTORIC
JUDICIAL PHOTOGRAPHS**

The Indiana Supreme Court is encouraging judges, citizens, courthouse employees, lawyers, and others related to the legal profession to take stock of their photographic memorabilia. The Court is interested in gathering and preserving historic photographs to tell the story of the Indiana judicial branch.

Several years ago, the Court began collecting historic photographs of county courthouses. The project to document the history of the Indiana judicial branch continues, with the focus shifting to the history of Indiana attorneys and their training. The Court is looking for local bar association composite photos, law school class pictures, and depictions of courthouses and law-related scenes. The Court will create an inventory documenting the existence of significant photographs and will reproduce certain photographs for permanent preservation.



Vincennes attorneys, photo taken about 1900

Indiana's judicial branch has a colorful history that has not always been well documented. A one volume history of the bench and bar appeared in 1896. Justice Leader J. Monks edited a three volume history in 1917. Other works include details and photographs of the judicial branch and prominent members. However, it is clear that a more complete catalog of information needs to be created.

John J. Newman, former Indiana State Archivist and longtime Supreme Court Director of Information Management, is coordinating the program. He is seeking any photographs or related items. Newman already uncovered a black and white photograph from about 1900 that includes a who's who of the Vincennes legal world. Judge Jim Osborne of Knox Superior 2 brought the photograph to Newman's attention when he learned of the project. Newman explained the importance of the photograph, "This is a significant addition to our collection because group photographs of local bar associations are unusual and from this period quite rare. This photograph illustrates members of the oldest law firm still practicing in Indiana."

Mr. Newman can be reached via email at jnewman@courts.state.in.us, by fax at 317-233-6586 or through voicemail at 317-233-3017.



FOR IMMEDIATE RELEASE
May 7, 2009

Contact: Sandhya Graves
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *EDWARD ROSE OF INDIANA, LLC v. METROPOLITAN BOARD OF ZONING APPEALS* - FRANKLIN

Case Originates from Marion Superior Court

The Indiana Court of Appeals will hear oral argument in *Edward Rose of Indiana, LLC v. Metropolitan Board of Zoning Appeals* on Friday, May 8th at 10 a.m. in Richardson Chapel at Franklin College. A panel of Chief Judge John G. Baker, Judge L. Mark Bailey, and Judge Margret G. Robb will hear the case on appeal from Marion Superior Court.

This case involves a variance of development standards petition filed by Edward Rose of Indiana, LLC requesting a variance to legally establish an identification / informational pole sign that already existed on its property. The Metropolitan Board of Zoning Appeals denied the petition for failure to meet the burden of proof as to the three statutory criteria found in Indiana Code section 36-7-4-918.5(a). Edward Rose appealed the BZA's decision to the trial court, which held that Edward Rose had satisfied two of the three statutory criteria but had failed to prove the third. Edward Rose appeals the trial court's finding that it had failed to prove that strict application of the zoning ordinance would "result in practical difficulties in the use of the property." Arguing for the appellant, Edward Rose of Indiana, LLC, will be Russell L. Brown, and arguing for the appellee, Metropolitan Board of Zoning Appeals, will be Alexander Will.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 200 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

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 judges on the Court of Appeals issue more than 2,800 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals, visit www.in.gov/judiciary/appeals. For the Court's "Appeals on Wheels" initiatives, as well as additional information on *Edward Rose of Indiana, LLC v. Metropolitan Board of Zoning Appeals*, visit <http://www.in.gov/judiciary/appeals/arguments.html>.

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
May 8, 2009

Contact: Kathryn Dolan
317.234.4722

CHIEF JUSTICE SHEPARD TO SPEAK AT UNIVERSITY OF EVANSVILLE COMMENCEMENT

Indiana Supreme Court Chief Justice Randall T. Shepard will serve as the commencement speaker for the May 9th University of Evansville graduation. Chief Justice Shepard, an Evansville native, will speak at 1:30 p.m. CDT in Roberts Stadium.

Chief Justice Shepard is honored the University of Evansville asked him to address the 2009 graduates. He explained, "I am looking forward to meeting with students, parents, and faculty during this exciting weekend. It is a time to congratulate their achievements and encourage the students to move forward with success. My speech is entitled, 'Graduating into the Great Recession!' My plan is to describe why I think they can view both their economic prospects and the value of their investment in higher education with justifiable optimism."

The University of Evansville published a news release with details about the commencement. The release can be found online at <http://www.evansville.edu/news/newsarticle.cfm?articleId=1172>.

[Read the full text of the Speech, "Graduating Into the Great Recession"](#)



Indiana Chief Justice
Randall T. Shepard

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
May 11, 2009

Contact: Kathryn Dolan
317.234.4722

GREENWOOD IS FIRST CITY COURT USING NEW SUPREME COURT COMPUTER SYSTEM

"The Greenwood City Court is the first city court in the state to install the Indiana Supreme Court's computerized case management system," Indiana Supreme Court Justice Frank Sullivan, Jr., said today. "I salute Greenwood City Court Judge Lewis Gregory for his leadership in installing this 21st-century technology that will make processing cases more efficient and enhance public safety."

Justice Sullivan, Judge Gregory, and others will demonstrate the new computer system and answer questions at a special briefing on Wednesday, May 13, at noon, at the Greenwood City Court, 186 Surina Way, Greenwood 46143. The event is open to the public.

Judge Gregory explained "I am delighted that the Indiana Supreme Court chose the Greenwood City Court as the pilot city court location for installing its new case management system. We are very pleased with the way it is operating and excited about its prospects for speeding the processing of cases and improving public safety."

The Supreme Court's computer system, called "[Odyssey](#)," was installed in the Greenwood City Court under the auspices of the Supreme Court's [Judicial Technology and Automation Committee](#) (JTAC). It is part of the Court's effort to equip every Indiana court with a 21st-century case management system and connect each court's system with each other's and law enforcement, state agencies, and others who need and use court information.

One of the features of the Odyssey system now operating in Greenwood is that it receives electronically traffic tickets "written" by the Indiana State Police and other law enforcement agencies using scanning equipment in their patrol cars. Another feature is that it sends electronically information on the disposition of traffic cases from the court to the Bureau of Motor Vehicles.

The Odyssey system was first installed in ten Indiana courts on a pilot basis in December, 2007. It is now operating in 23 Indiana courts in seven counties, including the Marion County traffic court, the busiest court in the state. These courts comprise approximately 16% of all the cases filed in Indiana.

"The Greenwood City Court represents a milestone in our effort to modernize court technology in Indiana," Sullivan said. "City and town courts play a critical role in handling traffic infraction cases and Greenwood is now their model for using the latest technology to receive notices of traffic infractions from law enforcement, to dispose of the cases, and to transmit the disposition to the Bureau of Motor Vehicles. Most of this work previously had to be done by hand."

There are 75 city and town courts in Indiana. These courts handle primarily traffic infractions and their volume is substantial. The Greenwood City Court alone handled nearly 5,500 infractions in 2007, which is 38% of all infractions in Johnson County. Statewide, city and town courts handled 29% percent of the state's infraction cases.

Odyssey is scheduled to be installed in many additional courts soon, including the New Haven City Court on July 1. Courts pay no installation costs, training costs, license fees, or annual maintenance costs for Odyssey; those costs are paid by JTAC using the proceeds of a court filing fee dedicated to the project by the General Assembly. Information on cases in Odyssey is available at no cost to the public on the web by visiting <http://courts.IN.gov>.

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
May 13, 2009**Contact: Kathryn Dolan**
317.234.4722**STRONG INDIANA PRESENCE AT AMERICAN BAR ASSOCIATION CONFERENCE ON ATTORNEY SPECIALIZATION**

Seven people with Hoosier connections recently attended the American Bar Association 2009 National Roundtable on Lawyer Specialty Certification in Savannah, Georgia. The event is an annual gathering of those who are interested in attorney specialization. Most of the seven have connections to the Indiana Commission for Continuing Legal Education. The Commission provides accreditation and regulation for attorney specialization programs.

Julia Orzeske, Indiana Commission for Continuing Legal Education Executive Director attended the conference and was particularly proud of the strong Indiana presence. Orzesky explained, "Specialization is a rapidly growing field in Indiana. The number of specialists has doubled in the last five years. In 2008, the number grew 6% from the previous year, even in a slowing economy."



Hoosier conference attendees include, Rhea Kirk, J.J. Paul, III, Joy Tolbert, Julia Orzeske, Susan Gainey, C. Daniel Motsinger, Barbara Bichelmeyer

In addition to Orzeske, the following attorneys attended the conference: Rhea C. Kirk, Executive Director National College for DUI Defense; J. J. Paul, III, Voyles Zahn Paul Hogan and Merriman; Joy Tolbert, Attorney for Specialization, Indiana Commission for Continuing Legal Education; Susan Gainey, Kightlinger and Gray, Past Chair and member of Indiana Commission for Continuing Legal Education Committee on Specialization; C. Daniel Motsinger, Krieg DeVault, and Treasurer of the American Board of Certification; Barbara Bichelmeyer, PhD, Professor Indiana University, Chair of Indiana Commission for Continuing Legal Education Committee on Specialization.

The group attended educational and professional development on topics such as running a certification program, creating valid and reliable specialty tests, partnering to improve specialization, and conducting effective peer reviews.

There are currently 253 attorneys with specialty certifications in Indiana. The state has had a specialization program since 1998. The areas recognized as specialty areas in Indiana include:

- Civil Trial Advocacy (40 specialists)
- Criminal Trial Advocacy (3 specialists)
- Elder Law (15 specialists)
- Consumer Bankruptcy (12 specialists)
- Business Bankruptcy (23 specialists)
- Creditors' Rights (6 specialists)
- Family Law (62 specialists)
- Estate Planning and Administration (100 specialists)

Attorney specialization is just one area of focus for the Indiana Commission for Continuing Legal Education. The

Commission provides regulation and accreditation for education coursework. By administering, developing and regulating continuing legal education requirements, mediation training standards and attorney specialization programs the Commission works to enhance the quality of legal services and professionalism in Indiana. The Indiana Supreme Court oversees the Commission.

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30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**

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FOR IMMEDIATE RELEASE
May 15, 2009**Contact: Kathryn Dolan**
317.234.4722**CHIEF JUSTICE SHEPARD TO RECEIVE HONORARY DEGREE
FROM THE UNIVERSITY OF NOTRE DAME**

[Chief Justice Randall T. Shepard](#) will receive an honorary degree from the University of Notre Dame on May 17th. The 164th University Commencement Ceremony will be held at 2 p.m. in the Joyce Center on the South Bend campus.

Chief Justice Shepard extends his congratulations to the 2,900 students receiving degrees over the commencement weekend. "It is with great pleasure that I join the class of 2009 on this joyful weekend. They begin the next phase of their lives at a time when there is uncertainty about the economy and job prospects may be frustrating. I encourage them to move forward with great hope and enthusiasm. Their decision to invest in higher education is more valuable than ever and will undoubtedly pay off."

Originally from Evansville, Chief Justice Shepard was appointed to the Indiana Supreme Court by Governor Robert D. Orr in 1985 at the age of 38. He became Chief Justice of Indiana in March 1987. A seventh generation Hoosier, he graduated from Princeton University cum laude and from the Yale Law School. He earned a Master of Laws degree in the judicial process from the University of Virginia. In May 2009, Chief Justice Shepard received an honorary degree from the University of Evansville.

Indiana Chief Justice
Randall T. Shepard

[More information about the 2009 commencement](#) is available from the University of Notre Dame.

SUPREME COURT

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30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
May 21, 2009**Contact: Kathryn Dolan**
317.234.4722**INDIANA SUPREME COURT JUSTICE ROBERT RUCKER SERVES
AS VALPARAISO UNIVERSITY LAW SCHOOL COMMENCEMENT
SPEAKER**

Indiana Supreme Court Justice Robert D. Rucker will serve as the commencement speaker for the 2009 Valparaiso University School of Law graduation. The commencement will be held Saturday, May 23rd at 10 a.m. at the Chapel of the Resurrection on campus.

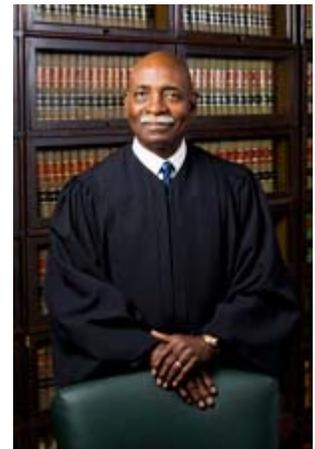
Justice Rucker is a 1976 Valparaiso University Law School graduate. He is honored his alma mater asked him to address the 160 graduates of the class of 2009. He explained, "It is exciting to come back to campus and meet with students, parents, and faculty. I know these graduates have been through a rigorous curriculum and are prepared to take on the challenges ahead with great enthusiasm. I offer my most sincere congratulations to this class."

Justice Rucker grew up in Gary, Indiana, and is a veteran of the Vietnam War. He is a graduate of Indiana University (B.A. 1974) and Valparaiso University School of Law (J.D. 1976). In 1998, he earned a Master of Laws degree in the judicial process from the University of Virginia Law School.

As an attorney, Justice Rucker served on the board of directors of the Indiana Trial Lawyers Association and on the board of directors of the Northwest Indiana Legal Services Organization. He also served as a deputy prosecuting attorney for Lake County, City Attorney for the City of Gary, and engaged in the general practice of law in East Chicago.

In 1991, Justice Rucker was appointed to serve on the Indiana Court of Appeals by Governor Evan Bayh. In 1999, he was appointed to the Indiana Supreme Court by Governor Frank O'Bannon.

The commencement ceremony will be webcast live. To watch the webcast or to learn more about Valparaiso University visit their website at <http://www.valpo.edu/commencement/lawdegrees.php>.



Justice Robert D. Rucker

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
June 2, 2009**Contact: Kathryn Dolan**
317.234.4722**SUCCESSFUL TRAINING CONTINUES WITH 25 MORTGAGE FORECLOSURE TRAINING SESSIONS FOR JUDGES, MEDIATORS AND LAWYERS**

More than 25 training sessions designed for Indiana attorneys, mediators and judges to help homeowners facing foreclosure are scheduled for the summer months. The first session of the "Back Home In Indiana--Guiding Homeowners Through Foreclosure" campaign is June 3rd in Noblesville. For more information about this session and others visit <http://courts.IN.gov/home>.

In January, Chief Justice Randall T. Shepard announced a plan to train more judges, mediators and lawyers than any other state on how to deal with foreclosure cases. The massive training effort began March 6th and will continue through the summer at locations across the state. Counties with sessions scheduled include Allen, Bartholomew, Brown, Clark, Decatur, Elkhart, Floyd, Hamilton, Hendricks, Jackson, Jefferson, Jennings, Lake, Marion, Monroe, Orange, Ripley, Saint Joseph, Shelby, Tippecanoe, Vanderburgh and Wayne.

The goal is to train hundreds of attorneys and judges across the state on how to help families in jeopardy of losing their homes. The sessions will include a taped program specially designed to educate judges, mediators and lawyers about new loan modification programs and mediation opportunities.

The campaign includes an effort to provide free legal help to homeowners in need of assistance. Pro bono representation is being encouraged by Chief Justice Shepard who explained, "We have very talented and generous attorneys in our state who are interested in helping people get on the road to recovery. Facing the stress and financial burden of foreclosure is not something we want people to do alone. We are recruiting volunteer attorneys to help people who are in need of assistance."

Indiana Lieutenant Governor Becky Skillman is leading the statewide effort to ward off the housing meltdown through the Indiana Housing and Community Development Authority. The Indiana Foreclosure Prevention Network already includes lenders, government agencies, housing counselors, and community non-profits. Chief Justice Shepard has pledged the support of the judicial branch as well.

Indiana trial courts have seen about a 50% increase in the number of foreclosure cases filed in the past five years. Sorting out which of those cases should be eligible for loan modification and those where it is not possible takes knowledge, skill, commitment and compassion. The Indiana Supreme Court is dedicated to helping courts across the state as they deal with the influx of foreclosure cases. In doing so, the Court hopes to help homeowners and play a role in bringing about economic recovery.

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**

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FOR IMMEDIATE RELEASE
June 4, 2009**Contact: Kathryn Dolan**
317.234.4722**100TH LAW ENFORCEMENT AGENCY USING SUPREME COURT E-TICKET SYSTEM**

The LaPorte County Sheriff's Office is the 100th law enforcement agency to begin using the Indiana Supreme Court's award winning electronic Citation and Warning System (eCWS) or e-Ticket. The system allows law enforcement officers to use a hand held device to scan a bar code on a driver license to instantly create a traffic ticket. The e-Ticket can then be sent to courts and the BMV. Members of the public and the press are invited to learn more about e-Ticket at a special briefing.

Supreme Court Justice Frank Sullivan, Jr., Sheriff Michael F. Mollenhauer, and others will demonstrate e-Ticket and answer questions about the system at the briefing. The briefing will include an explanation on why e-Tickets are safer for police and the public and why they are more efficient for taxpayers.

The e-Ticket system was created in 2007 by the Indiana Supreme Court under the direction of State Court Administration's Judicial Technology and Automation Committee (JTAC). "This is a proud milestone for the LaPorte County Sheriff's Department and the Indiana Supreme Court," Justice Frank Sullivan, Jr., said. "This is 21st-century technology that will make patrolling and ticketing more efficient and safe for officers. Traffic tickets can be uploaded to a web-based system where cases can automatically be filed with the Indiana Supreme Court's statewide case management system called Odyssey and the Bureau of Motor Vehicles (BMV). This eliminates data errors and saves countless dollars on administrative time, paper filing and tracking."

Sheriff Michael Mollenhauer explained the importance of e-Ticket for safety. "We are most pleased to say it enhances public safety by getting officers and motorists off the roadside more quickly. The time needed for a traffic stop is greatly reduced with e-Ticket. We are also fortunate the system was provided to us without any cost to local law enforcement or taxpayers."

E-Ticket software and training are provided to law enforcement agencies at JTAC's cost. It was developed with state and federal grant dollars. The Indiana Supreme Court works in partnership with the Indiana State Police, Indiana Criminal Justice Institute and law enforcement officials including the Indiana Association of Chiefs of Police, the Indiana Sheriffs' Association, and local departments across the state.

Over a million warnings and tickets have already been created using e-Ticket. More information can be found online at <http://courts.in.gov/jtac/programs/ecws.html>.

LIVE Demonstration**Monday, June 8th**
12:00 p.m. Central
Standard TimeLaPorte County Security
Complex
Assembly Rooms 1 & 2
813 State Street
LaPorte, Indiana 46350

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
June 8, 2009**Contact: Kathryn Dolan**
317.234.4722**NORTH VERNON AND COLUMBUS TO HOST FORECLOSURE TRAINING SESSIONS FOR ATTORNEYS, MEDIATORS AND JUDGES**

An Indiana Supreme Court program designed to train attorneys, mediators and judges on how to help homeowners facing foreclosure will be held in North Vernon and Columbus. "Back Home In Indiana—Guiding Homeowners Through Foreclosure" is part of a campaign to stem the foreclosure crisis.

The training sessions are sponsored by the Indiana Pro Bono Commission, Indiana Judicial District 11 and the Indiana Supreme Court. They will be held at the following locations:

Tuesday, June 9th	Thursday, June 11th
2 p.m. - 5 p.m.	2 p.m. - 5 p.m.
Jennings County Senior Center	Simmons Winery
515 Buckeye	8111 E 450 N
North Vernon, IN 47265	Columbus, IN 47203

The sessions include a taped program specially designed to educate judges, mediators and lawyers about new loan modification programs and mediation opportunities. A banquet will be held in conjunction with each of the sessions to thank attorneys who have donated free or reduced fee legal services to those in need. For more information on the North Vernon and Columbus training sessions and banquets contact the Executive Director of Legal Aid-District Eleven, Inc., Tamara Jo Sparks, at (812) 314-2721 lade@iquest.net.

The "Back Home In Indiana—Guiding Homeowners Through Foreclosure" sessions are part of a campaign announced by Chief Justice Randall T. Shepard. In January, Chief Justice Shepard pledged to train more judges, mediators and lawyers than any other state on how to deal with foreclosure cases. Indiana Lieutenant Governor Becky Skillman is leading the statewide effort to ward off the housing meltdown through the Indiana Housing and Community Development Authority and the Indiana Foreclosure Prevention Network. Chief Justice Shepard has pledged the support of the judicial branch.

Indiana trial courts have seen about a 50% increase in the number of foreclosure cases filed in the past five years. Sorting out which of those cases should be eligible for loan modification and those where it is not possible takes knowledge, skill, commitment and compassion. The Indiana Supreme Court is dedicated to helping courts across the state as they deal with the influx of foreclosure cases. In doing so, the Court hopes to help homeowners and play a role in bringing about economic recovery.

The campaign includes an effort to provide free legal help to homeowners in need of assistance. Pro bono representation is being encouraged by Chief Justice Shepard who explained, "We have very talented and generous attorneys in our state who are interested in helping people get on the road to recovery. Facing the stress and financial burden of foreclosure is not something we want people to do alone. We are recruiting volunteer attorneys to help people who are in need of assistance."

The massive training effort began in March and continues with sessions scheduled in the following counties: Allen, Bartholomew, Brown, Clark, Decatur, Elkhart, Floyd, Hamilton, Hendricks, Jackson, Jefferson, Jennings, Lake, Marion, Monroe, Orange, Ripley, Saint Joseph, Shelby, Tippecanoe, Vanderburgh and Wayne. For more information about the sessions visit <http://courts.IN.gov/home>.

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
June 9, 2009

Contact: Kathryn Dolan
317.234.4722

SENATOR BRENT STEELE APPOINTED TO PUBLIC DEFENDER COMMISSION

The Indiana Supreme Court announced the appointment of Senator Brent Steele to the Public Defender Commission. David Long, Indiana Senate President Pro Tempore, appointed Steele to the Commission in March 2009.

Senator Brent Steele was appointed to replace Senator Joe Zakas, who served on the Commission since 2004. Senator Steele represents District 44, which includes the counties of Jackson, Lawrence, Monroe, Orange and Washington. "One of the cornerstones of American democracy is the right of the accused to defense in court," Senator Steele said. "The Indiana Public Defender Commission is a crucial component of the criminal justice system in our state by ensuring indigent defense in capital cases complies with state standards and that counties are adequately reimbursed for indigent defense expenses. I am honored to have been appointed to this important commission."



Senator Brent Steele

In addition to being appointed a member of the Public Defender Commission, Senator Steele is the chairman for the Senate's Corrections, Criminal & Civil Matters Committee. He also serves on the Senate's Judiciary, Ethics and Insurance & Financial Institutions committees. Senator Steele resides in Bedford, Indiana where he practices law at Steele & Steele, LLC.

The Commission was formed to distribute money from the public defense fund. The fund was created by the legislature to reimburse counties for the costs associated with indigent defense legal representation in capital and non-capital cases. The fund is designed to improve the delivery of legal representation by requiring compliance with the Indiana Public Defender Commission Standards. State law authorizes counties to receive reimbursements of 50% of expenditures for indigent defense services in capital cases and up to 40% in non-capital cases. The United States and Indiana Constitutions mandate these services.

All 92 counties are eligible for reimbursements of indigent defense costs in capital cases, if they comply with Indiana Supreme Court Criminal Rule 24. The Commission gives priority to requests for reimbursement of defense expenses in death penalty cases. From 1990 to date, Indiana counties have received in excess of \$9 million from the Public Defense Fund to assist counties with their capital case defense costs.

Currently, 50 Indiana counties qualify for reimbursement from the Public Defense Fund for non-capital public defense expenses. These counties comprise over 65% of Indiana's population. The Indiana Public Defender Commission meets four times during each fiscal year to audit and approve claims by the counties. For fiscal year 2008-2009, the Indiana legislature provided \$15.25 million to reimburse counties for indigent defense services in capital and non-capital cases. At the close of the fiscal year, the Commission will have distributed \$15.07 million to the counties.

The Commission is comprised of 11 members: 3 are appointed by the Governor; 3 are appointed by the Chief Justice; 1 member is appointed by the Indiana Criminal Justice Institute; 2 are members of the House of Representatives appointed by the Speaker of the House; and 2 are members of the Senate appointed by the President pro tempore of the Senate. The Division of State Court Administration provides administrative support and services for the Public Defender Commission.

The Supreme Court recently announced the appointments of State Representative Vernon G. Smith and State Representative Greg Steuerwald who were appointed to the Commission by Indiana House Speaker Patrick Bauer. More information on the Commission can be found by going to <http://courts.in.gov/pdc>.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
June 12, 2009

Contact: Kathryn Dolan
317.234.4722

\$150,000 IN COURT IMPROVEMENT GRANTS AVAILABLE TO HELP THE WELL-BEING OF CHILDREN

[The Indiana Court Improvement Program \(CIP\)](http://courts.in.gov/cip/child-grants.html) is accepting grant applications for projects designed to improve the safety, well-being and permanency of children and families involved in child abuse and neglect proceedings. Up to \$150,000 will be given out in grant money. The applications are due July 1, 2009. Grant applications can be found online at <http://courts.in.gov/cip/child-grants.html>.

The purpose of the grants is to improve the judicial system for children and families involved in child abuse and neglect proceedings. A variety of projects may be approved; the following are a few

- Court Recording Technology
- CHINS Mental Health programs
- CHINS Drug Court programs
- Case management systems for child abuse and neglect cases
- Training videos
- Legal training
- Child abuse and neglect training
- Educational brochures, guides, pamphlets

The Indiana Court Improvement Program is funded by grants received from the U.S. Department of Health and Human Services, Administration for Children, Youth and Families. The Indiana Supreme Court and members of the Court Improvement Program Executive Committee establish priorities and guide the direction of the program. The Division of State Court Administration serves as the fiscal administrator of the federal grants and the Indiana Judicial Center provides program administration.

The Court Improvement Program Administrator, Angela Reid-Brown explained, "We know helping children and families involved in child abuse and neglect proceedings is a top priority for our courts, but it can be difficult to put an improvement idea into action. This grant money can make your idea into reality. I am happy to discuss ideas with court administrators, grant writers, or judges. Together, we can make a difference in improving the safety, well-being and permanency for children and families in your community."

A grant review team will review applications and make a recommendation to the CIP Executive Committee, which makes the final decision. The Executive Committee may consider the extent to which proposal goals are realistic and measurable, whether the proposal is a replication of another CIP-funded program or project, demonstration of the need, demonstration that the applicant has met the local match requirements, and overall quality of the application.

Applications should be mailed to the Indiana Judicial Center, Attention Angela Reid-Brown, 30 South Meridian Street, Suite 900, Indianapolis, IN 46204. For more information about the Court Improvement Program grant application or to receive assistance completing the application, please contact Angela Reid-Brown at 317-232-1313 or arbrown@courts.state.in.us.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
June 16, 2009**Contact: Kathryn Dolan**
317.234.4722**EVANSVILLE TO HOST FORECLOSURE TRAINING SESSIONS
FOR ATTORNEYS, MEDIATORS, AND JUDGES**

An Indiana Supreme Court program designed to train attorneys, mediators and judges on how to help homeowners facing foreclosure will be held in Evansville on June 17th. "Back Home In Indiana—Guiding Homeowners Through Foreclosure" is part of a campaign to stem the foreclosure crisis.

The session includes instructors and a taped program specially designed to educate judges, mediators and lawyers about new loan modification programs and mediation opportunities. The training session is sponsored by the Indiana Commission For Continuing Legal Education, Indiana Pro Bono Commission, District 13 and the Indiana Supreme Court. Media interested in attending should contact the Pro Bono District 13 Plan Administrator, Beverly Corn at 812-434-4886 or bcorn@courtbuilding.com.

The "Back Home In Indiana—Guiding Homeowners Through Foreclosure" session is part of a campaign announced by Chief Justice Randall T. Shepard. In January, Chief Justice Shepard pledged to train more judges, mediators and lawyers than any other state on how to deal with foreclosure cases.

The campaign includes an effort to provide free legal help to homeowners in need of assistance. Pro bono representation is being encouraged by Chief Justice Shepard who explained, "We have very talented and generous attorneys in our state who are interested in helping people get on the road to recovery. Facing the stress and financial burden of foreclosure is not something we want people to do alone. We are recruiting volunteer attorneys to help people who are in need of assistance."

The massive training effort began in March and continues with sessions scheduled in the following counties: Allen, Bartholomew, Brown, Clark, Decatur, Elkhart, Floyd, Hamilton, Hendricks, Jackson, Jefferson, Jennings, Lake, Marion, Monroe, Orange, Ripley, Saint Joseph, Shelby, Tippecanoe, Vanderburgh and Wayne.

Indiana Lieutenant Governor Becky Skillman is leading the statewide effort to ward off the housing meltdown through the Indiana Foreclosure Prevention Network. Chief Justice Shepard has pledged the support of the judicial branch as trial courts have seen about a 50% increase in the number of foreclosure cases filed in the past five years. Sorting out which of those cases should be eligible for loan modification and those where it is not possible takes knowledge, skill, commitment and compassion. The Indiana Supreme Court is dedicated to helping courts across the state as they deal with the influx of foreclosure cases. In doing so, the Court hopes to help homeowners and play a role in bringing about economic recovery. For more information about the sessions visit <http://courts.IN.gov/home>.

EVENT DETAILS**WEDNESDAY, JUNE 17TH**

9 a.m. - 4 p.m.

University of Southern

Indiana's Rice Library

8600 University Boulevard

Evansville, IN 47712

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
June 18, 2009**Contact: Kathryn Dolan**
317.234.4722**BLOOMINGTON TO HOST FORECLOSURE TRAINING SESSION FOR ATTORNEYS**

An Indiana Supreme Court program designed to train attorneys on how to help homeowners facing foreclosure will be held in Bloomington on June 19th. "Back Home In Indiana—Guiding Homeowners Through Foreclosure" is part of a campaign to stem the foreclosure crisis.

The session includes a taped program specially designed to educate judges and lawyers about new loan modification programs and mediation opportunities. The training session is sponsored by the Indiana Pro Bono Commission, District 10 Pro Bono, the Indiana Commission on Continuing Legal Education and the Indiana Supreme Court. Andrews Harrell Mann Carmin and Parker, Bunger & Robertson, and Mallor Clendening Grodner & Bohrer are paying costs associated with food, publicity and materials. Media interested in attending should contact the Pro Bono District 10 plan administrator, Diane Walker at (812) 339-3610 or Dist10probono@gmail.com.

The "Back Home In Indiana—Guiding Homeowners Through Foreclosure" session is part of a campaign announced by Chief Justice Randall T. Shepard. In January, Chief Justice Shepard pledged to train more judges, mediators and lawyers than any other state on how to deal with foreclosure cases.

The campaign includes an effort to provide free legal help to homeowners in need of assistance. Pro bono representation is being encouraged by Chief Justice Shepard who explained, "We have very talented and generous attorneys in our state who are interested in helping people get on the road to recovery. Facing the stress and financial burden of foreclosure is not something we want people to do alone. We are recruiting volunteer attorneys to help people who are in need of assistance."

The massive training effort began in March and continues with sessions scheduled in the following counties: Allen, Bartholomew, Brown, Clark, Decatur, Elkhart, Floyd, Hamilton, Hendricks, Jackson, Jefferson, Jennings, Lake, Marion, Monroe, Orange, Ripley, Saint Joseph, Shelby, Tippecanoe, Vanderburgh and Wayne.

Indiana Lieutenant Governor Becky Skillman is leading the statewide effort to ward off the housing meltdown through the Indiana Foreclosure Prevention Network. Chief Justice Shepard has pledged the support of the judicial branch as trial courts have seen about a 50% increase in the number of foreclosure cases filed in the past five years. Sorting out which of those cases should be eligible for loan modification and those where it is not possible takes knowledge, skill, commitment and compassion. The Indiana Supreme Court is dedicated to helping courts across the state as they deal with the influx of foreclosure cases. In doing so, the Court hopes to help homeowners and play a role in bringing about economic recovery. For more information about the sessions visit <http://courts.IN.gov/home>.

EVENT DETAILS

FRIDAY, JUNE 19TH
9:30 a.m. – 1:30 p.m.
Monroe County Public
Library, Room 1B
303 E. Kirkwood
Bloomington, IN 47408

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
June 22, 2009**Contact: Kathryn Dolan**
317.234.4722**GREENCASLE TO HOST FORECLOSURE TRAINING SESSION FOR ATTORNEYS**

An Indiana Supreme Court program designed to train attorneys and judges on how to help homeowners facing foreclosure will be held in Greencastle on June 23rd. "Back Home In Indiana—Guiding Homeowners Through Foreclosure" is part of a campaign to stem the foreclosure crisis.

The session includes a taped program specially designed to educate judges and lawyers about new loan modification programs and mediation opportunities. The training session is sponsored by the Indiana Pro Bono Commission, District 7 Pro Bono, Putnam County Bar Association and the Indiana Supreme Court. Media interested in attending should contact Monica Fennell, Executive Director of the Indiana Pro Bono Commission at (317) 269-2415 or mfennell@inbf.org.

The "Back Home In Indiana—Guiding Homeowners Through Foreclosure" session is part of a campaign announced by Chief Justice Randall T. Shepard. In January, Chief Justice Shepard pledged to train more judges, mediators and lawyers than any other state on how to deal with foreclosure cases.

The campaign includes an effort to provide free legal help to homeowners in need of assistance. Pro bono representation is being encouraged by Chief Justice Shepard who explained, "We have very talented and generous attorneys in our state who are interested in helping people get on the road to recovery. Facing the stress and financial burden of foreclosure is not something we want people to do alone. We are recruiting volunteer attorneys to help people who are in need of assistance."

The massive training effort began in March and continues with sessions scheduled in the following counties: Allen, Bartholomew, Brown, Clark, Decatur, Elkhart, Floyd, Hamilton, Hendricks, Jackson, Jefferson, Jennings, Lake, Marion, Monroe, Orange, Ripley, Saint Joseph, Shelby, Tippecanoe, Vanderburgh and Wayne.

Indiana Lieutenant Governor Becky Skillman is leading the statewide effort to ward off the housing meltdown through the Indiana Foreclosure Prevention Network. Chief Justice Shepard has pledged the support of the judicial branch as trial courts have seen about a 50% increase in the number of foreclosure cases filed in the past five years. Sorting out which of those cases should be eligible for loan modification and those where it is not possible takes knowledge, skill, commitment and compassion. The Indiana Supreme Court is dedicated to helping courts across the state as they deal with the influx of foreclosure cases. In doing so, the Court hopes to help homeowners and play a role in bringing about economic recovery. For more information about the sessions visit <http://courts.IN.gov/home>.

EVENT DETAILS**TUESDAY, JUNE 23**

9:00 a.m. – 12:00 p.m.

Putnam Co. Public Library
103 East Poplar Street
Greencastle, Indiana 46135

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE

OF INDIANA

<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
June 22, 2009**Contact: Kathryn Dolan**
317.234.4722

WALKERTON TOWN COURT JUDGE ADMONISHED BY INDIANA COMMISSION ON JUDICIAL QUALIFICATIONS

The [Indiana Commission on Judicial Qualifications](#) has issued a Public Admonition against the Honorable Roger L. Huizenga, Walkerton Town Court in St. Joseph County. Supreme Court rules give the Commission the discretion to issue a Commission Admonition instead of filing formal charges when the judge consents to that resolution and when the Commission determines that a Public Admonition sufficiently address the misconduct alleged. Public Admonitions are kept on file with the Commission and also can be read by the public on the Commission's website. The Admonition against Judge Huizenga details his violation of the Indiana Code of Judicial Conduct for two separate incidents.

In one incident, Judge Huizenga was investigated for his actions that took place November 14, 2007. On that day, a defendant approached Judge Huizenga in his office about tickets she received for speeding and an expired license plate infraction. Judge Huizenga informed the defendant that she would have to pay the speeding ticket, but the expired license plate infraction would be dismissed if the license plate was renewed within thirty days. The defendant agreed to the offer but later failed to renew her plate, which resulted in the suspension of her driver's license. No deputy prosecutor was present for the conversation between Judge Huizenga and the defendant. The conversation is considered *ex parte* and is not allowed. *Ex Parte* is a Latin word defined as "by or for one party" and refers to situations in which only one party and not the other appears before a judge. Except for limited exceptions not applicable to this matter, the Indiana Code of Judicial Conduct prohibits a judge from having a conversation with one party about substantive matters of the case when the other party is not present and is not given an opportunity to be heard.

Judge Huizenga acknowledges that this conduct violated Canons 1 and 2 of the Code of Judicial Conduct, which requires judges to ensure the fairness, impartiality, and integrity of the judiciary. He also admits that he violated Canon 3B(8), which forbids judges from initiating, permitting, or considering *ex parte* communications.

In a separate incident, Judge Huizenga was investigated for actions that took place from November 1995 through March 13, 2009 when Judge Huizenga employed his wife as the court clerk. In 1998, the Commission issued an [Advisory Opinion](#) setting out guidelines and restrictions for judges considering hiring relatives or friends. In that opinion, Indiana judges were advised to contact the Commission to discuss the potential employment of relatives and further were informed that "the employment or appointment of a spouse likely will never be appropriate." Judge Huizenga did not contact the Commission to ask about the propriety of his wife's continued employment with the court. However, after the initiation of the Commission's investigation, Judge Huizenga did cooperate with the Commission by encouraging his wife to resign, which she ultimately did.

Judge Huizenga acknowledges that this conduct violated Canon 3C(4) and Rule 2.12, which state that a judge should avoid nepotism and favoritism.

The Public Admonition concludes the Commission's investigation, and Judge Huizenga will not formally be charged with ethical misconduct. Judge Huizenga fully cooperated with the Commission and acknowledges he violated the Code of Judicial Conduct. The Public Admonition can be found at <http://courts.in.gov/jud-qual/admonitions.html>.

The Indiana Commission on Judicial Qualifications screens and investigates allegations of misconduct concerning Indiana judges. The Commission is a seven-member body comprised of Chief Justice Randall T. Shepard, who is the Chair of the Commission, three lawyers elected by Indiana lawyers, and three non-lawyers appointed by the

Governor. The Commission determines if a complaint has merit and when appropriate, the Commission files judicial disciplinary charges. The Commission does not remove, suspend, or formally discipline a judge; only the Indiana Supreme Court has jurisdiction to impose formal judicial discipline. The members of the Commission on Judicial Qualifications also serve on the Judicial Nominating Commission. The Judicial Nominating Commission recruits and interviews applicants when there is a vacancy on the Indiana Supreme Court, the Court of Appeals, or the Tax Court. The Governor appoints one of the Commission's three nominees.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
June 24, 2009

Contact: Kathryn Dolan
317.234.4722

NEW HAVEN CITY COURT USING NEW SUPREME COURT COMPUTER SYSTEM

The New Haven City Court is using a new 21st century computer system provided by the Indiana Supreme Court. The system, known as "Odyssey" connects the New Haven City Court to other counties' courts, law enforcement, and state agencies, and makes court information available to the public. Judge Geoff Robison and Indiana Supreme Court Justice Frank Sullivan, Jr., will answer questions about the system and explain why Odyssey is an improvement for court staff, law enforcement, and taxpayers.

Odyssey's connection to the electronic Citation and Warning System (eCWS) also known as e-Ticket is of crucial importance to court management. In 2007, approximately 11,000 traffic tickets were filed in the New Haven City Court. With Odyssey, the New Haven City Court can now receive electronic traffic tickets written by the Indiana State Police, the New Haven Police Department, the Allen County Sheriff's Department, the Monroeville Police Department, and the Woodburn Police Department. The court is also able to send the e-Ticket data to the Bureau of Motor Vehicles (BMV) after court action.

Media will be able see the e-Ticket system which allows law enforcement officers to use a hand held device to scan a bar code on a driver's license to instantly create a traffic ticket and file it with New Haven City Court. The briefing will allow time for reporter stand-ups and teases to demonstrate how e-Ticket and Odyssey works. Scheduled ride-alongs with a participating law enforcement agency can also be arranged. To attend the news conference or to make arrangements for a ride-along contact Supreme Court Public Information Officer, Kathryn Dolan at kdolan@courts.state.in.us.

"The New Haven Court is the second city court in the state to install this computerized case management system," explained Justice Sullivan. "Judge Robison should be congratulated for being a leader in bringing new technology to the Allen County courts. This is an instrumental step in helping our court system run more efficiently for the citizens we serve."

Judge Robison expressed his appreciation to the Supreme Court for including New Haven City Court as an early adopter of the new court computer system. "I am thrilled that the Indiana Supreme Court helped us install this new case management system in Allen County. Not only will Odyssey help us manage the 11,000 traffic tickets we handle each year, but it allows us to reduce paperwork which can save money. Daily tasks, like searching for a defendant's case is more efficient with this system."

Odyssey was first installed in ten Indiana courts on a pilot basis in December 2007 under the direction of the Division of State Court Administration's [Judicial Technology and Automation Committee](#) (JTAC). It is part of the Court's effort to equip every Indiana court with a 21st-century case management system and connect courts with each other and state agencies. Courts pay no installation costs, training costs, license fees, or annual maintenance costs for Odyssey. Those costs are paid by JTAC from the proceeds of a court filing fee dedicated to the project by the General Assembly.

Odyssey is now operating in 25 Indiana courts in nine counties, including the Marion County traffic court, the busiest court in the state. These courts comprise approximately 16% of all the cases filed in Indiana. Odyssey is scheduled

EVENT DETAILS

Tuesday, June 30th
1:00 p.m. EDT

New Haven City Council
Chambers, 1st Floor
Administration Side
815 Lincoln Highway East
New Haven, Indiana 46774

to be installed in many additional courts soon. Information on cases in Odyssey is available at no cost to the public on the web by visiting <http://courts.IN.gov>.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
June 24, 2009

Contact: Kathryn Dolan
317.234.4722

PARKE COUNTY CIRCUIT COURT USING NEW SUPREME COURT COMPUTER SYSTEM

The Parke Circuit Court and Parke County Clerk's office is using a new 21st century computer system provided by the Indiana Supreme Court. The system, known as "Odyssey" connects the Parke County Court and Clerk offices to other counties' courts, law enforcement, and state agencies, and makes court information available to the public. Judge Samuel Swaim, Clerk Kimberly Shorter and Indiana Supreme Court Justice Frank Sullivan, Jr., will answer questions about the system and explain why Odyssey is an improvement for court staff, law enforcement, and taxpayers.

EVENT DETAILS

**Monday, June 29th at
11:30 a.m. EDT**
Parke County Circuit Court
116 W. High Street
Rockville, Indiana 47872

With Odyssey, the Parke County Clerk is able to receive electronic traffic tickets "written" by the Indiana State Police and other local law enforcement agencies. Parke County Circuit Court is also able to send electronic information on traffic cases to the Bureau of Motor Vehicles (BMV). "The Parke County Circuit Court is one of the first counties in the state to install this computerized case management system," explained Justice Sullivan. "I look forward to congratulating Parke County court leaders in person, especially Judge Swaim, Clerk Shorter, and their staffs for their leadership in using court technology."

Judge Swain expressed his appreciation to the Supreme Court for including Parke County as an early adopter of the new court computer system. "I am delighted that the Indiana Supreme Court worked with Parke County officials to install this new case management system. We are very pleased with the way it is operating and excited about its prospects for speeding the processing of cases and improving public safety."

Odyssey was first installed in ten Indiana courts on a pilot basis in December 2007 under the direction of the Division of State Court Administration's [Judicial Technology and Automation Committee](#) (JTAC). It is part of the Court's effort to equip every Indiana court with a 21st-century case management system and connect courts with each other and state agencies. Courts pay no installation costs, training costs, license fees, or annual maintenance costs for Odyssey. Those costs are paid by JTAC from the proceeds of a court filing fee dedicated to the project by the General Assembly.

"The Parke County Circuit Court and Clerk have never been able to afford to transition from typewriters to a computer system. Now, Odyssey allows us to save money by reducing paperwork. Everyday tasks like combining multiple payments for one customer, searching for an account, or printing a receipt are now possible. It helps us manages cases and the collection of fines in a much more efficient manner," said Clerk Shorter

Odyssey is now operating in 25 Indiana courts in nine counties, including the Marion County traffic court, the busiest court in the state. These courts comprise approximately 16% of all the cases filed in Indiana. Odyssey is scheduled to be installed in many additional courts soon. Information on cases in Odyssey is available at no cost to the public online at <http://courts.IN.gov>.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
June 26, 2009

Contact: Kathryn Dolan
317.234.4722

NEW BUSINESS HOURS FOR OFFICE OF THE CLERK OF THE SUPREME COURT, COURT OF APPEALS AND TAX COURT

The Main Office of the Clerk of the Indiana Supreme Court, Court of Appeals, and Tax Court will have new business hours beginning July 1, 2009. The new business hours will be 8:30 a.m. - 4:30 p.m. Monday through Friday.

This change will bring the public hours of the Clerk's Main Office in line with the public hours of the Supreme Court, Court of Appeals, and Tax Court and bring uniform business hours to the various arms of the Clerk's Office, including the Records Division and the Roll of Attorneys desk.

After-hours filing will continue to be available seven days a week through the rotunda filing drop box which is located inside the State House at the second-floor east entrance. [The clerk's online docket is also available around the clock.](#)

The Clerk serves as the official record keeper for Indiana's appellate courts. All papers filed in cases before the Indiana Supreme Court, Court of Appeals, or Tax Court are submitted through the Clerk's Main Office, located in room 216 of the State House, 200 West Washington Street, Indianapolis, Indiana 46204. The Clerks' Records Division and the Roll of Attorneys desk are located in Room W062 of the Indiana State Government Center (South Building), 402 West Washington Street, Indianapolis, Indiana 46204.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
June 29, 2009**Contact: Kathryn Dolan**
317.234.4722**INDIANA SUPREME COURT SUPPORTS STATEWIDE PHONE-A-THON AIMED AT FORECLOSURE PREVENTION**

The Indiana Supreme Court encourages Hoosiers facing foreclosure to consider making an important call on June 30th. Lt. Governor Becky Skillman announced a statewide phone-a-thon that will give troubled borrowers the opportunity to access foreclosure prevention assistance. On June 30, between 5:00 p.m. and 10:00 p.m. EDT, Hoosiers having trouble paying their mortgage will have the opportunity to call a toll-free number and speak with a member of the Indiana Foreclosure Prevention Network (IFPN).

During this event, troubled borrowers will be able to ask questions and discuss their situation with an IFPN counselor, attorney or other qualified volunteer. Based on their mortgage situation, borrowers will receive a follow-up packet with details about the next steps they should take.

"Hoosiers are feeling the effects of the national housing crisis. This newest initiative from the Indiana Foreclosure Prevention Network is an innovative way to give Hoosiers the help they need to preserve homeownership and avoid foreclosure," said Lt. Governor Becky Skillman. "I encourage anyone having trouble paying their mortgage to pick up the phone on June 30 and make the call."

Chief Justice Randall T. Shepard echoed the Lieutenant Governor's sentiments and said, "We do not want homeowners to face this crisis alone. I encourage those who are worried about losing their home to make this call." To support the IFPN, the Indiana Supreme Court is training judges, mediators and attorneys on how to better handle mortgage foreclosure cases. For more information on the program, "Back Home In Indiana—Guiding Homeowners through Foreclosure" visit courts.in.gov/home.

The phone-a-thon is a free service provided by the Indiana Foreclosure Prevention Network. The call-in number varies depending on which county a person lives in, but every Indiana resident has access to a toll-free phone number. Below are the toll-free numbers throughout the state. A list of counties being serviced by each number is available at www.ifpn.info.

Northern Indiana
1-800-274-5961**Central Indiana**
1-800-233-0020**Southern Indiana**
1-800-987-9848

Before calling on June 30, troubled borrowers are encouraged to gather the following items: loan account number, a brief description of circumstances, recent income documents, and a list of household expenses.

More than 25 organizations, including not for profit organizations, state officials and government agencies, lenders, attorneys and housing organizations have played an important part in the creation and promotion of this event. To learn more about this event, to see Public Service Announcements or to view a program about foreclosure

prevention, please visit www.ifpn.info.

Media contacts:

Jay Kenworthy, Office of Lt. Gov. Becky Skillman, 317.232.5674, jkenworthy@lg.IN.gov

Megan Graves, Indiana Foreclosure Prevention Network, 317.331.2984, megraves@ihcda.IN.gov

Kathryn Dolan, Indiana Supreme Court Public Information Officer, 317.234.4722, kdolan@courts.state.in.us

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

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FOR IMMEDIATE RELEASE
July 2, 2009

Contact: Kathryn Dolan
317.234.4722

DOCUMENTARY SERIES PREMIER FEATURING INDIANA JUVENILE COURT AIRS ON MSNBC

The investigative series "Lake County Juvenile Justice" is premiering Saturday, July 4, 2009 at 10pm ET on MSNBC. In July 2008, The Indiana Supreme Court announced it was once again allowing documentary filmmaker Karen Grau access to the Lake County juvenile court.

Grau describes the series as a program that "explores where juvenile crime begins, how it evolves over time and what's at stake for kids, families and professionals in the system." Grau's company, Calamari Productions, shot the 6 one-hour episodes in the Hon. Mary Beth Bonaventura's courtroom. For details about the series and Calamari Productions visit www.calamariproductions.com.

When Grau was given access to shoot inside the juvenile court she said the goal of the series was to shed light on the issues facing the courts and the children served by the court. With that understanding, the Supreme Court agreed to allow cameras in the courtroom. Chief Justice Shepard explained, "It is important to keep citizens informed about the issues facing the juvenile justice system. A national program produced by a respected journalist is one avenue to promote that understanding."

Having worked with Grau in the past, Judge Bonaventura also agreed the series would educate parents and teens. In February 2000, Grau produced the documentary "In the Child's Best Interest." It aired on WTHR, the Indianapolis NBC affiliate as well as all PBS affiliates statewide. In April 2002, she produced two separate documentaries for NBC Dateline and MSNBC called "For Their Own Good" and "In A Child's Best Interest." That was followed by the 2006 MSNBC two-hour special "No Place for a Child." In February 2007, "Juvies", an 8-part documentary series that featured Judge Bonaventura's courtroom aired on MTV. Grau is the recipient of the Edward R. Murrow Award, along with multiple awards for programming on children and the courts.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
July 6, 2009**Contact: Kathryn Dolan**
317.234.4722**FORT WAYNE TO HOST FORECLOSURE TRAINING SESSION
FOR ATTORNEYS AND MEDIATORS**

An Indiana Supreme Court program designed to train judges, attorneys and mediators on how to help homeowners facing foreclosure will be held in Fort Wayne on July 8th. "Back Home In Indiana—Guiding Homeowners Through Foreclosure" is part of a campaign to stem the foreclosure crisis.

The session includes a taped program and classroom instruction specially designed to educate lawyers and mediators about new loan modification programs and mediation opportunities. The training session is sponsored by the Indiana Commission for Continuing Legal Education, the Indiana Pro Bono Commission, District Three Pro Bono and the Indiana Supreme Court. Media interested in attending should contact the local plan administration for District 3, Judy Whitelock, at 260-407-0917 or judy@volunteerlawyerneindiana.com.

The "Back Home In Indiana—Guiding Homeowners Through Foreclosure" session is part of a campaign announced by Chief Justice Randall T. Shepard. In January, Chief Justice Shepard pledged to train more judges, mediators and lawyers than any other state on how to deal with foreclosure cases.

The campaign includes an effort to provide free legal help to homeowners in need of assistance. Pro bono representation is being encouraged by Chief Justice Shepard who explained, "We have very talented and generous attorneys in our state who are interested in helping people get on the road to recovery. Facing the stress and financial burden of foreclosure is not something we want people to do alone. We are recruiting volunteer attorneys to help people who are in need of assistance."

The massive training effort began in March and continues with sessions scheduled in the following counties: Allen, Bartholomew, Brown, Clark, Decatur, Elkhart, Floyd, Hamilton, Hendricks, Jackson, Jefferson, Jennings, Lake, Marion, Monroe, Orange, Ripley, Saint Joseph, Shelby, Tippecanoe, Vanderburgh and Wayne.

Indiana Lieutenant Governor Becky Skillman is leading the statewide effort to ward off the housing meltdown through the Indiana Foreclosure Prevention Network. Chief Justice Shepard has pledged the support of the judicial branch as trial courts have seen about a 50% increase in the number of foreclosure cases filed in the past five years. Sorting out which of those cases should be eligible for loan modification and those where it is not possible takes knowledge, skill, commitment and compassion. The Indiana Supreme Court is dedicated to helping courts across the state as they deal with the influx of foreclosure cases. In doing so, the Court hopes to help homeowners and play a role in bringing about economic recovery. For more information about the sessions visit <http://courts.IN.gov/home>.

EVENT DETAILS**WEDNESDAY, JULY 8TH**

9:00 a.m. - 4:00 p.m.

Allen Co. Bar Association

924 S Calhoun St.

Fort Wayne, IN 46802

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE

OF INDIANA

<http://courts.IN.gov>FOR IMMEDIATE RELEASE
July 20, 2009Contact: Kathryn Dolan
317.234.4722

U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES HONORS CHIEF JUSTICE SHEPARD FOR HELPING ABUSED AND NEGLECTED CHILDREN

The U.S. Department of Health and Human Services honored Chief Justice Randall T. Shepard as Indiana's recipient of the Administration on Children, Youth and Families Commissioner's Award.

Joseph Bock, Acting Associate Commissioner of the Administration on Children, Youth and Families Children's Bureau, expressed appreciation to the 37 honorees, including Chief Justice Shepard, "Our country is experiencing some of the most critical times in many decades. The work of protecting the most vulnerable children and supporting their families is more important than ever. The Commissioner's Awardees have a long and rich history of serving people in need. It is through the unwavering individual dedication and collaborative efforts of these champions of children and families that we continue to address the needs of society and bring our nation's social problems to the public's attention."

The award was presented at the 17th National Conference on Child Abuse and Neglect in Atlanta, Georgia. While Chief Justice Shepard was not able to attend the conference, he appreciates the recognition from the Administration For Children, Youth, and Families. Chief Justice Shepard also sends his congratulations to the other recipients. "Each state has its own complex issues associated with abuse and neglect. Still, we are all working towards the same goal and with each state doing its best to solve the problems it faces we will make a difference for children and families in our country."

The Indiana Supreme Court is dedicated to looking for the best way to serve children and families in the court system through a number of projects and initiatives. The Court is proud to collaborate with lawmakers, the Governor and the Department of Child Services on many of the projects.

- **The Indiana Court Improvement Program** accepts grant applications for projects designed to improve the safety, well-being and permanency of children and families involved in abuse and neglect proceedings.
- **The Family Court Project** provides funds to courts to develop pilot programs to better serve children and families with an emphasis on developing models to coordinate multiple cases involving the same family. The agency also produced an informational video, "Family Matters: Choosing To Represent Yourself In Court" to help families make informed decisions about going to court without an attorney.
- The Division of State Court Administration is responsible for designing and updating the forms used in **protection order proceedings** and is exploring ways to improve the protection order process. The Division also provides grants, training and support to local volunteer based **Guardian ad Litem/Court Appointed Special Advocate** programs across the state.

For more information on these programs or the Indiana Supreme Court visit courts.in.gov.

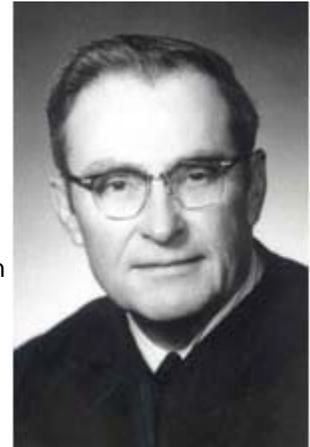


SUPREME COURT

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30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
July 21, 2009**Contact: Kathryn Dolan**
317.234.4722**INDIANA SUPREME COURT RECOGNIZES CONTRIBUTIONS OF
LONG-TIME JUSTICE RICHARD MARTIN GIVAN**

The Justices and staff of the Indiana Supreme Court were deeply saddened to hear of the passing of Justice Richard Givan. His public service to the State of Indiana included 26 years as a jurist on the high court, including nearly 13 years as Chief Justice. In addition to his remarkable legal career, he is remembered fondly by court staff as a loyal friend and great storyteller. His portrait is proudly on display in the Supreme Court Courtroom in the State House and serves as a lasting reminder of his tremendous role in state government.



Justice Richard M. Givan was Indiana's ninety-sixth justice. He was elected to the Court in 1968 and served continuously until his retirement in December 1994. He served as the Chief Justice from November 1974 to March 1987. He was the founding chairman of the Indiana Judicial Center, which provides education to judges across the state. While on the Court, Justice Givan heard nearly six-thousand cases. He authored more than fifteen-hundred majority opinions. Justice Givan dissented in more than four-hundred cases.

Those in attendance at his retirement dinner in January 1995 were amused to find his favorite "Givanisms" printed for them to take home. Justice Givan commonly used sayings including, "you pile on too many apples, you can't shove the cart" and "it's not that he doesn't know there's a problem, it's that he doesn't know that he doesn't know that there is a problem." The colloquialisms continue to remind colleagues and friends of Justice Givan's colorful personality.

Chief Justice Randall T. Shepard served on the Court with Justice Givan from 1985-1994. During that time, Justice Shepard came to know Justice Givan as an energetic judge and friend. "This is difficult news for the Court to hear, so I know it is a very painful time for Justice Givan's family. I have wonderful memories of the time I shared with Justice Givan on the bench. He was a thoroughly practical man, deeply rooted in Indiana's legal community, and interested in new ways of improving courts. He often said, 'When the automobile was invented my father's buggy worked just fine, but he bought a car anyway,'" said Chief Justice Shepard.

Supreme Court Justice Brent Dickson, who joined the Court in January 1986, also has fond memories of his time working with Justice Givan. Justice Dickson said, "I admire his wonderful spirit of selfless public service and his often-demonstrated commitment to the law, common sense, integrity, honesty, courage, and industry." Like many who relate stories of Justice Givan, Justice Dickson has a few favorite "Givanisms" including, "this is like a one-car traffic jam."

Justice Dickson admired more than his colleagues' quick wit. He calls him a model for dealing with the apparent conflict between personal beliefs and judicial duties. Justice Dickson explained, "As a devout Quaker, he advocated for the repeal of the Indiana death penalty statute while serving in the legislature. Yet when he became a Supreme Court Justice he authored a great many opinions affirming death sentences by trial courts. He explained that his obligation under his oath of judicial office to uphold the laws of the State of Indiana prevailed over his personal, moral and religious beliefs. After he retired from the court, Dick Givan resumed his opposition to the death penalty and even testified against it before a legislative committee."

Jerome L. Withered, a practicing lawyer who served as a law clerk to Justice Givan in the 1970s, recalls fondly his days as a clerk and explained, "Justice Givan was the consummate teacher. Nearly every day, something in a brief

or an opinion would remind him of a story, and he would tell us the story—always with a lesson on how to deal with a client, or to handle a difficult courtroom situation, or to argue a point more forcefully." Attorney Withered described Justice Givan as down-to-earth and unpretentious, "He used to joke that with Mrs. Givan and four daughters at home, he had to come to the office so he could make a decision once in a while. But the fact is, he never had trouble making decisions, likening his role as a judge to that of an umpire: call the balls and strikes as you see them without regard to who the players or teams are. It was not easy to predict his rulings."

Born June 7, 1921, in Indianapolis, Richard Givan graduated from Decatur Central High School in 1939. Justice Givan received an LL.B. from Indiana University in 1951 and was admitted to the Indiana bar in 1952. While he was a law school student, he was assistant librarian for the Indiana Supreme Court in 1949, and then became a research assistant for the Indiana Supreme Court. He was the first person to serve as a law clerk at the Court. He was appointed deputy public defender of Indiana after graduation from law school and served in that post until 1954. From 1954 to 1966, he was Assistant Attorney General of Indiana, pleading cases before both the Indiana and U.S. Supreme Courts. In 1967, he was a Representative and a ranking member of the Judiciary Committee in the House. He was also chairman of the board of directors of the Indiana Judicial Conference from 1974 to 1987, served on the board of managers of the Indiana Judges Association from 1975 to 1987, and became an Indiana Judicial College graduate in 1989.

In addition to his legal career, Justice Givan served as a pilot in the U.S. Army Air Corps during World War II and was later a flight instructor with the Air Corps Reservists. A fourth generation lawyer, his great-grandfather, Noah S. Givan, was a circuit judge in Dearborn County, Indiana before 1900. His grandfather, Martin J. Givan, was a Dearborn County trial lawyer. His father, Clinton H. Givan, was a Marion County Superior Court Judge and practiced law in Indianapolis for forty years.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
July 24, 2009**Contact: Kathryn Dolan**
317.234.4722**ELKHART & SAINT JOSEPH COUNTIES LEAD EFFORT TO IMPROVE PROTECTIVE ORDER REGISTRY**

The Indiana Supreme Court is partnering with law enforcement, clerks and domestic violence groups to help better protect victims of abuse. Elkhart and Saint Joseph Counties are leading this effort by serving as pilot counties for an expanded protective order registry. Supreme Court Justice Frank Sullivan, Jr. will be joined by Saint Joseph County Prosecutor Mike Dvorak and Elkhart County Prosecutor Curtis Hill, local judges and victim advocates for special news briefings to describe the importance of the expanded registry. Justice Sullivan will travel to both Saint Joseph and Elkhart Counties to thank court leaders for their commitment to the registry and answer press questions.

Saint Joseph and Elkhart Counties are serving as pilot counties for a new public access component of the protective order registry. The expanded registry will allow a victim to complete required forms online with the help of a domestic violence advocate. Once the forms are completed, they can be printed and taken to the county clerk for filing. The clerk can then focus on getting the information to a judge to review. When a judge issues a protective order the information is sent to local, state, and federal law enforcement. This pilot system is expected to save time and increase efficiency for the courts. It will also allow a person requesting a protective order to start the process with the help of a trained domestic violence advocate.

In 2007, Saint Joseph County had 367 new protective orders filed and Elkhart County had 508 new orders filed during that same period. Under the old system, those hundreds of requestors obtained their protective orders by going to the Saint Joseph or Elkhart County Clerk's office where they filed their petitions requesting a protective order. The process can include waiting in line and waiting for clerk staff to help them properly complete the paperwork.

The expanded registry is being piloted in Elkhart and Saint Joseph Counties and six other counties across the state including Marion, Grant, Madison, Wabash, Tippecanoe, and Allen. It is being implemented by the Supreme Court's Division of State Court Administration Judicial Technology and Automation Committee (JTAC). Justice Sullivan, who Chairs JTAC, believes the expanded registry is one of the most significant accomplishments of the Committee, "We are helping to save lives with this partnership. This new public access function is being added after suggestions from domestic violence advocates and local clerks. By working closely with Indiana State Police, Elkhart and Saint Joseph County domestic violence advocates, and our state legislature we have developed a system that will do more to protect victims."

Chief Justice Randall T. Shepard spoke about the importance of the upgrade in the 2009 State of the Judiciary, "Improving the effectiveness of domestic abuse protective orders is not something you postpone in hard times, it's something you race to accomplish." It is a sentiment echoed by Laura Berry Berman, the Executive Director of the Indiana Coalition Against Domestic Violence who explained, "We are strong supporters of the registry and want people to understand this is more than a technology upgrade—it will allow our volunteers to give victims the assistance they need and link them to community resources." Elkhart and Saint Joseph County domestic violence advocates will attend the press briefings to answer questions about the process.

ELKHART COUNTY**MONDAY, JULY 27th**

11 a.m. E.D.T

Office of the Prosecuting Attorney
301 S. Main St., Suite 100
Elkhart, Indiana 46516**ST. JOSEPH COUNTY****Monday, JULY 27th**

2 p.m. E.D.T

Family Justice Center
711 E. Colfax Avenue
South Bend, Indiana 46900

The Indiana Supreme Court received a \$135,235 grant from the Indiana Criminal Justice Institute to improve the electronic Protection Order Registry. The money has helped pay for the development of the public access site. The Protective Order Registry is used in 91 counties. More information is available at www.in.gov/judiciary/jtac/programs/poregistry.html.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
July 28, 2009

Contact: Kathryn Dolan
317.234.4722

LAPORTE CHIEF PROBATION OFFICER RECIPIENT OF PRESTIGIOUS ANNUAL AWARD

LaPorte Chief Probation Officer Stephen T. Eyrick has been named to "The Order of Augustus" by the Probation Officers Advisory Board of the Judicial Conference of Indiana. The annual award is presented to an outstanding probation officer who exemplifies the ideals of John Augustus. Indiana Supreme Court Chief Justice Randall T. Shepard presented Mr. Eyrick with the honor at a recent probation officers conference.

The Probation Officers Advisory Board Vice-Chair Susan Lightfoot explained the significance of the award by calling attention to its namesake—John Augustus. An 1800's Boston bootmaker, Augustus is considered the father of probation. "We give this award to a person whose commitment and personal dedication have exemplified the ideals and philosophy of John Augustus. The creed of John Augustus was, 'To raise the fallen, reform the criminal, and so far as my humble abilities would allow, to transform the abode of suffering and misery to the home of happiness.' Steve follows in that strong tradition and is making his community a better place."



Mr. Eyrick began his public service career in LaPorte County as a Deputy Sheriff in 1984. He became a probation officer in 1986 and has served as Chief Probation Officer for Superior Court #4 since 1990. Eyrick points to faith, family and friends as the cornerstones of his success. He explained, "This award is gratifying; I am truly humbled. First and foremost I thank my family, including my wife and our two children. But there is another family, my co-workers. A person spends half his waking time with co-workers. I could not run a department, see offenders, or help develop and coordinate the direction of the probation department were it not for my staff. They are deserving of sharing this award with me."

The Honorable William Boklund and Magistrate Greta Friedman of LaPorte County support and congratulate Mr. Eyrick as the recipient of this award. Both judges point to his work bringing the ignition interlock program and video conferencing capabilities to LaPorte County. Attorney Shaw Friedman of LaPorte described Mr. Eyrick as "instrumental" in creating Harmony House, a facility to provide children a home-like setting for supervised visitation.

The Probation Officers Advisory Board consists of 23 probation officers, 17 who are elected from Indiana's judicial districts, and 6 who are appointed by the Chief Justice. The Advisory Board is supported by the Indiana Judicial Center, which develops and provides continuing education and research assistance for judges, probation officers, and other court personnel. As the staff agency for the Judicial Conference of Indiana, the Judicial Center provides support to nearly 30 state-level judicial committees dedicated to improving the operation of Indiana's judicial system. For more information on the Advisory Board and the Judicial Center, visit www.courts.IN.gov/center/.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
July 31, 2009

Contact: Kathryn Dolan
317.234.4722

30 STUDENTS ATTEND INDIANA SUPREME COURT PROGRAM TO PREPARE FOR LAW SCHOOL

30 students participated in the Indiana Conference for Legal Education Opportunity (ICLEO) Summer Institute in Indianapolis, Indiana. ICLEO is a program designed to assist Indiana minority, low income or educationally disadvantaged college graduates in pursuing a law degree and a career in the Indiana legal community. Biographical information on each of the following students is available below.

[Kofi Anokwa](#)
[Naun Benitez](#)
[Dana Bolden](#)
[Jeremy Burton](#)
[Cristal Cabrera](#)
[Tanisha Carothers](#)
[Viorel Ciobanu](#)
[Saulo Delgado](#)
[Celita Duncan](#)
[Elizabeth Ferruffino](#)

[Alexis Figueroa](#)
[Adria Franco](#)
Fabian Gauna
[Daniel Herbster](#)
[Fatima Johnson](#)
[Shayle Keating](#)
[Kimberly Kendall](#)
[Christopher Kimbrough](#)
[Arie Lipinski](#)
[Carlton Martin](#)

[Arsene Millogo](#)
[Alexander Ostrovsky](#)
[Ruben Pusha](#)
[Carly Robbins](#)
[Cipriano Rodriguez](#)
Joshua Scott
[Maurice Scott](#)
[Teresha Twyman](#)
[Xuejun Wu](#)
[Steven Zamora](#)

ICLEO was established in 1997 by the Indiana General Assembly and Governor Frank O'Bannon at the urging of Chief Justice Randall T. Shepard. Chief Justice Shepard explained, "These are intelligent and eager students who will be welcome additions to the legal profession. Many of them have overcome great obstacles to gain academic success. This program is a stepping stone to help them achieve their dreams."

Each year, ICLEO accepts 30 college graduates into the program. The students attend a six-week Summer Institute held at one of the four Indiana law schools. This year, the program is at Indiana University School of Law-Indianapolis. The students are introduced to areas of law which they encounter during their first year of law school. They also receive tips for law school success and professional development advice. With challenging scholastics and practical advice, ICLEO is designed to prepare the students for the rigors of their upcoming law school experience. The Indiana Supreme Court's Division of State Court Administration provides staff support and financial management for ICLEO.

After successful completion of the Indiana CLEO Summer Institute, students are eligible for an annual stipend ranging from \$6,500 - \$9,000. Stipends may be awarded for up to three successive years if the student remains eligible. After graduation, ICLEO Fellows continue to have a supportive network of legal mentors comprised of alumni and program supporters.

For more information contact Indiana Supreme Court Public Information Officer, Kathryn Dolan at kdolan@courts.state.in.us. For information about the application process, please contact the Indiana CLEO office at (317) 232-2542 or (800) 452-9963 or visit <http://courts.IN.gov/cleo>.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
August 6, 2009**Contact: Kathryn Dolan**
317.234.4722**INDIANA SUPREME COURT LAW SCHOOL FOR JOURNALISTS**

The Indiana Supreme Court will host a law school for journalists on August 24th in Michigan City, Indiana. The 1.5 hour session is designed to serve as a tutorial on how to read court documents, cover juvenile cases and quickly access online information. The session is free to attend, but participants must register by August 14th.

To register, contact Indiana Supreme Court Public Information Officer Kathryn Dolan at kdolan@courts.state.in.us by Friday, August 14th. Please include your name, media affiliation and indicate your experience level covering the courts as limited, intermediate or advanced.

**LAW SCHOOL FOR
JOURNALISTS****Monday, August 24th**

10:00 a.m.- 11:30 a.m.

LaPorte Superior Court #1
(second floor)300 Washington Street
Michigan City, Indiana 46360

With support from the Judicial Conference of Indiana's Community Relations Committee and in partnership with the Indiana Supreme Court, the session agenda includes the following:

Criminal Case Study-Hamilton County Judge Gail Bardach

Develop a better understanding of the process by taking a closer look at a criminal case. This session will provide an explanation of legal terminology and offer tips on how to read court documents.

Juvenile Matters-Attorney Don Wruck, III

What makes juvenile proceedings different from adult cases? This session will concentrate on how children are treated by the judicial system including what it means for a child to be alleged a delinquent or a child in need of services (CHINS).

Online Resources- Supreme Court Public Information Officer Kathryn Dolan

Learn how to quickly get trial court statistics, information on attorney and judicial discipline and appellate case information.

For more information about the Indiana Judicial Branch visit www.courts.IN.gov.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
August 17, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA SUPREME COURT APPOINTS EVANSVILLE AND GARY ATTORNEYS TO THE DISCIPLINARY COMMISSION

The Indiana Supreme Court has appointed Catherine A. Nestrick of Evansville and Tony Walker of Gary to the Disciplinary Commission. The Court has also reappointed Anthony Prather of Indianapolis to the Commission. Ms. Nestrick and Mr. Walker replace attorneys Diana L. Bender of Evansville and Robert L. Lewis of Gary. The Court extends its thanks to both Ms. Bender and Mr. Lewis for their commitment to the Commission. Their terms of service expired June 30, 2009.

Catherine Nestrick will serve a five-year term and is expected to serve on the Commission until June 2014 or until a successor is appointed. She is a partner with the Evansville law firm of Bamberger, Foreman, Oswald and Hahn, LLP. She concentrates her practice in commercial litigation, and is the co-chair of her firm's litigation practice group. Ms. Nestrick is also the current president of the Legal Aid Society of Evansville, and a member of the Indiana Pro Bono Commission. She is the immediate past president of the Evansville Bar Association and a former president of the Evansville-Vanderburgh County Law Library Foundation.

She is a former board member of the Volunteer Lawyer Program of Southwestern Indiana, Inc. and was an Evansville Athena Award Nominee in 2003. She has received several awards for her *pro bono* efforts in Southwestern Indiana from the Indiana Bar Foundation, the EBA and the VLP. Ms. Nestrick is a former adjunct faculty with the University of Southern Indiana, and she is a frequent speaker on business and litigation topics. Nestrick explained, "I am looking forward to serving the attorneys and citizens of Indiana in this important role."



Catherine Nestrick



Tony Walker

Tony Walker will also serve a five-year term and is expected to serve on the Commission until June 2014 or until a successor is appointed. He is the Managing Attorney of The Walker Law Group, P.C. Attorney Walker specializes in representing churches, schools, and government agencies. He is a graduate of the University of Massachusetts-Amherst, where he received a degree in Social Thought and Political Economy. He also studied political science at Clark Atlanta University and earned his law degree from DePaul University in Chicago. Attorney Walker clerked for the Honorable Robert D. Rucker of the Indiana Supreme Court when he was an Indiana Court of Appeals Judge. Mr. Walker also served as Legislative Counsel to the late Congresswoman Julia Carson. Attorney Walker presently serves as the Executive Producer of several radio programs airing on Merrillville's WLTH. He serves on the boards of the Gary Public Library, KIPP Lead Charter School, and is past chairman of the Urban League of Northwest Indiana. He is a former member of the Gary Police Foundation and Second Chance Foundation boards. He is honored to serve on the Commission and said,

"Attorneys are keepers of the public trust in our system of government and thus must represent and reflect the highest standards of ethical and professional conduct to assure the public that justice can prevail. As a profession that largely self-regulates, we need a Supreme Court Disciplinary Commission and I am humbled the Court has trusted me with this responsibility."

R. Anthony Prather was first appointed to the Commission in March 2004. The Court has reappointed him to a five-year term and expects he will remain on the Commission until June 2014 or until a successor is appointed. He is a partner in the Indianapolis office of Barnes & Thornburg LLP. He represents management interests exclusively in all aspects of labor and employment law and litigation.

Mr. Prather also negotiates executive employment, separation, and non-compete agreements for clients. He defends management in federal and state courts, before the Equal Employment Opportunity Commission, the Indiana Civil Rights Commission, the Department of Labor, and the National Labor Relations Board.

Mr. Prather has significant trial experience representing employers in both individual and class action litigation. Prior to joining Barnes & Thornburg, he served as general counsel for Bridgestone/Firestone and Ameritech, where he also tried cases; achieved several reported decisions in district and appellate courts; and also served as a supervisor and trial attorney for the EEOC for three years. Mr. Prather is honored that the Indiana Supreme Court appointed him to a second term, "I appreciate the opportunity to be of service to the Indiana Supreme Court, the bar, and the citizens of the State of Indiana."



R. Anthony Prather

The Indiana Disciplinary Commission also elected new officers at its July meeting. Corinne Finnerty of North Vernon is the new Chairperson, Fred Austerman of Richmond is Vice-Chair, and reappointed member Tony Prather is Secretary. Other members of the Commission include Sally Zweig of Indianapolis, Maureen I. Grinsfelder of Fort Wayne, J. Mark Robinson of New Albany, and Anthony M. Zappia of South Bend.

The Indiana Supreme Court's Disciplinary Commission investigates and prosecutes charges of attorney misconduct. The Disciplinary Commission members are appointed by the Court and include seven lawyers and two non-lawyers. It employs staff to investigate and prosecute cases. The Indiana Supreme Court has exclusive power to take action against a lawyer's license to practice law. For more information on the Commission visit courts.in.gov/discipline.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
September 10, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA STUDENTS SIGN REPLICA CONSTITUTION TO COMMEMORATE 1787 SIGNING

Indiana high school students will sign a replica U.S. Constitution as part of an interactive learning program sponsored by the Indiana Supreme Court. More than ninety students from 5 schools will take part in the annual September 17th Constitution Day event.

Thursday, September 17th

Indiana Supreme Court Courtroom, 3rd Floor of the
State House
10:00 a.m. – 11:15 a.m. (signing around 11:10 a.m.)

Print, radio, and television news media are invited. **Media should note that the most visible element, the student signing of the replica Constitution, will take place at the end of the program likely around 11:10 a.m.**



Students participating in the 2008 Constitution Day Celebration in the Indiana Supreme Court Courtroom.

The Indiana Supreme Court's educational outreach program, Courts In The Classroom, in partnership with the U.S. District Court for the Southern District of Indiana, developed the event to commemorate the anniversary of the September 17, 1787 signing of the U.S. Constitution. Students will read the preamble and the first amendment, discuss citizen rights and responsibilities, and sign a replica Constitution.

The following schools will participate: Arsenal Technical High School, Crispus Attucks Medical Magnet High School, Plainfield High School, Zionsville High School, and several homeschool students.

Speakers include Attorney General Greg Zoeller, Federal Magistrate Judge Tim Baker, and WRTV 6 Anchor/Reporter Dan Spehler. Students who are 18 or will turn 18 by Election Day will also have the opportunity to register to vote at the conclusion of the program. For more information on this and other educational programs, visit courts.in.gov/citc.

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FOR IMMEDIATE RELEASE
September 10, 2009

Contact: Kathryn Dolan
317.234.4722

MARION & MADISON COUNTIES LEAD EFFORT TO IMPROVE PROTECTIVE ORDER REGISTRY

The Indiana Supreme Court is partnering with law enforcement, clerks and domestic violence groups to help better protect victims of abuse. Marion and Madison Counties are leading this effort by serving as pilot counties for an enhanced protective order registry. Supreme Court Justice Frank Sullivan, Jr. will be joined by victim advocates for special news briefings to describe how the enhanced registry allows advocates to help victims more quickly request a protective order. On September 14th Justice Sullivan will speak about the new registry feature and how it speeds-up the time it takes to obtain an Order of Protection from the courts in both Marion and Madison Counties. He will thank participants for their commitment to the registry and answer press questions.

MARION COUNTY
MONDAY, September 14th
11 a.m. E.D.T
Julian Center
(please use front entrance)
2011 N. Meridian Street
Indianapolis, Indiana 46202

MADISON COUNTY
Monday, September 14th
3 p.m. E.D.T
Madison County Courthouse
(Council Chambers, 1st floor)
16 E. Ninth Street
Anderson, Indiana 46016

Marion and Madison Counties are serving as pilot counties for a new public access component of the protective order registry. The expanded registry will allow domestic violence advocates to complete required forms online at domestic violence shelters. Once the forms are completed, they can be printed and taken to the court clerk for filing. Since the information is already in the registry, the clerk can focus on getting the information to a judge to review. When a judge issues a protective order the information is sent to local, state, and federal law enforcement automatically and electronically. **This pilot system is expected to save time and increase efficiency for the courts. It will also allow a person requesting a protective order to start the process with the help of a trained domestic violence advocate.**

In 2007, Marion County had 4,177 new protective orders filed and Madison County had 1,264 new orders filed during that same period. Those thousands of requestors obtained their protective orders by going to the County Clerk's office where they filed their petitions requesting a protective order. The process can include waiting in line and waiting for clerk staff to help them properly complete the paperwork.

The expanded registry is being piloted in Marion and Madison Counties and six other counties across the state including Allen, Elkhart, Grant, Tippecanoe, Saint Joseph, and Wabash Counties. It is being implemented by the Supreme Court's Division of State Court Administration Judicial Technology and Automation Committee (JTAC). Justice Sullivan, who chairs JTAC, believes the expanded registry is one of the most significant accomplishments of the Committee, "We are helping to save lives with this partnership. This new public access function is being added after suggestions from domestic violence advocates and local clerks. By working closely with Indiana State Police, Marion and Madison County domestic violence advocates, and our state legislature we have developed a system that will do more to protect victims."

Chief Justice Randall T. Shepard spoke about the importance of the upgrade in the 2009 State of the Judiciary, "Improving the effectiveness of domestic abuse protective orders is not something you postpone in hard times, it's something you race to accomplish." It is a sentiment echoed by Laura Berry Berman, the Executive Director of the Indiana Coalition Against Domestic Violence who explained, "We are strong supporters of the registry and want

people to understand this is more than a technology upgrade—it will allow our volunteers to give victims the assistance they need and link them to community resources.” Marion and Madison County domestic violence advocates will attend the press briefings to answer questions about the process.

The Indiana Supreme Court received a \$135,235 grant from the Indiana Criminal Justice Institute to improve the electronic Protection Order Registry. The money has helped pay for the development of the enhanced registry site. The Protective Order Registry is used in 92 counties. More information is available at www.in.gov/judiciary/jtac/programs/poregistry.html.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
September 14, 2009

Contact: Kathryn Dolan
317.234.4722

WASHINGTON COUNTY USING NEW SUPREME COURT COMPUTER SYSTEM

The Washington County Courts and Clerk's office is using a new 21st century computer system provided by the Indiana Supreme Court. The system, known as "Odyssey" connects the Washington County Court and Clerk offices to other counties' courts, law enforcement, and state agencies, and makes court information available to the public. Circuit Court Judge Robert Bennett, Superior Court Judge Frank Newkirk, Clerk Shirley Batt and Indiana Supreme Court Justice Frank Sullivan, Jr., will answer questions about the system and explain why Odyssey is an improvement for court staff, law enforcement, and taxpayers.

FRIDAY, SEPTEMBER 18TH
1:00 P.M. EDT

Washington County Courthouse, Circuit Court
99 Public Square, #200
Salem, Indiana 47167

With Odyssey, the Washington County Clerk is able to receive electronic traffic tickets "written" by the Indiana State Police. Washington County Courts are also able to send electronic information on traffic cases to the Bureau of Motor Vehicles (BMV). "This 21st century technology is a result of great partnerships with the legislative and executive branches," explained Justice Sullivan. "Odyssey is designed to save taxpayer money by reducing paperwork and the duplication of services. I am pleased to congratulate Washington County court leaders in person, especially the Judges, Clerk, and their staffs for their leadership in using this new court technology."

Circuit Court Judge Robert Bennett expressed his appreciation to the Supreme Court for including Washington County as an early adopter of the new court computer system. "I am delighted that the Indiana Supreme Court worked with Washington County officials to install this new case management system. We are very pleased with the way it is operating and excited about its prospects for speeding the processing of cases and improving public safety." Superior Court Judge Frank Newkirk also complimented the system, "The Indiana Supreme Court and its staff have been working with us for several weeks to install this new case management system. It will help us process cases more quickly and provide easy access to the public."

Odyssey was first installed in ten Indiana courts on a pilot basis in December 2007 under the direction of the Division of State Court Administration's Judicial Technology and Automation Committee (JTAC). It is part of the Court's effort to equip every Indiana court with a 21st-century case management system and connect courts with each other and state agencies. Courts pay no installation costs, training costs, license fees, or annual maintenance costs for Odyssey. Those costs are paid by JTAC from the proceeds of a court filing fee dedicated to the project by the General Assembly.

"The Washington County Courts and Clerk have never been able to afford to transition from typewriters to a computer system. Now, Odyssey allows us to save money by reducing paperwork. Everyday tasks like combining multiple payments for one customer, searching for an account, or printing a receipt are now streamlined and up to date with technology. It helps us manages cases and the collection of fines and costs in a much more efficient manner," said Clerk Batt.

Odyssey is now operating in thirty-one Indiana courts in twelve counties, including the Marion County traffic court, the busiest court in the state. Odyssey is designed to be implemented statewide. Information on cases in Odyssey is available at no cost to the public online at courts.IN.gov.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
September 15, 2009**Contact: Kathryn Dolan**
317.234.4722

NEW SUPREME COURT EVIDENCE RULE FAVORS RECORDING OF POLICE INTERROGATIONS

The Indiana Supreme Court has amended the Indiana Rules of Evidence to prohibit evidence of a suspect's statement taken during police station questioning unless it was electronically recorded. There are exceptions to the rule. The new rule applies to statements made on or after January 1, 2011.

To review the entire rule, Indiana Evidence Rule 617, Unrecorded Statements During Custodial Interrogation, visit courts.in.gov/rules. The rule, which was approved by majority vote, states in part, "In a felony criminal prosecution, evidence of a statement made by a person during a Custodial Interrogation in a Place of Detention shall not be admitted against the person unless an Electronic Recording of the statement was made."

A place of detention means a jail, law enforcement agency station house, or facility owned and operated by law enforcement. An electronic recording means an audio-video recording. The exact definitions for "place of detention" and "electronic recording" can be found in Rule 617 online.

There are seven exceptions to the rule which can be found online as well. Generally, the exceptions include the following:

1. statements made as a part of routine processing or "booking"
2. statements made when the suspect does not agree to be electronically recorded
3. when there is an equipment malfunction
4. when the interrogation takes place in another jurisdiction
5. when law enforcement officers reasonably believe the crime under investigation is not a felony
6. the statement made is spontaneous and not in response to a question
7. substantial exigent circumstances exist which prevent the recording

The rule change is aimed at helping police, prosecutors, courts and juries in their search for truth, justice, and due process of law. As the Supreme Court order amending the rule details, a complete audio video recording, which captures the voice, facial expressions and body language of the suspect and interrogator can be a valuable tool for law enforcement, courts, and citizens. The electronic recording can provide strong evidence of guilt, confirm police gave suspects all required warnings, and ultimately lead to more guilty pleas. The recordings are also likely to lessen factual disputes in court and reduce the number of motions to suppress evidence. The Order states, "With the foregoing considerations in mind, the Court finds that the interests of justice and sound judicial administration will be served by the adoption of a new Rule of Evidence."

In March 2009, at the request of the Supreme Court, the Court's Committee on Rules of Practice and Procedure asked the public to comment on the idea of recording custodial interrogations. The Committee forwarded the comments to the Court for its consideration. The Court also reviewed a significant body of existing legal and scientific research including the rules, statutes, and actual results in over a dozen other states and jurisdictions that already follow this practice. The Rules of Evidence can be found at courts.in.gov/rules.



FOR IMMEDIATE RELEASE
September 17, 2009

Contact:
Judge Terry Shewmaker
Judge Mark Stoner
317.232.1313

A NEW WAY FORWARD: INDIANA JUDICIAL CONFERENCE ANNOUNCES STRATEGIC PLAN TO REFORM COURTS

The Indiana Judicial Conference unveiled a long-term strategic plan to improve the Indiana system of justice. "This is our roadmap for the future," explained Chief Justice Randall T. Shepard. "It is a set of priorities that will allow us to improve the professionalism, efficiency, and effectiveness of the Indiana Judiciary." The plan was presented to approximately five hundred judges in attendance at the annual September Judicial conference and adopted by the Board of Directors of the Indiana Judicial Conference.

The mission of the strategic plan is to improve Indiana's justice system by assisting with the resolution of disputes under the rule of law while protecting individual rights and liberties in a fair, impartial, equally accessible, prompt, professional, and efficient manner. To achieve that goal, a Strategic Planning Committee made up of judges gathered valuable input from judges across the state. Starting in December 2008 the Committee held fifteen meetings across Indiana which all judges were invited to attend. The resulting 27 page document is a blueprint for excellence that details the Judiciary's shared vision for the future.

"The Indiana courts must set priorities to use limited resources wisely," explained Chief Justice Shepard who appointed Judges Terry Shewmaker of the Elkhart Circuit Court and Mark Stoner of the Marion Superior Court as Co-Chairs of the Committee. Both judges point to Indiana's complex court system as evidence change is needed. Judge Shewmaker said, "For example, just explaining the jurisdiction of each Indiana court is difficult. It should be clear and easy to understand for our citizens." Judge Stoner made the same observation and explained, "We have duplication of efforts and inefficiencies that cost taxpayers money and should be streamlined or eliminated." The strategic plan calls for creating a 21st century court structure for the judicial branch.

The new court system will be designed to eliminate gaps in jurisdiction, more efficiently use judicial resources, provide equal access to the courts and promote local cooperation. The following are specific areas identified for improvement:

- **Judicial Education:** Increase the continuing legal education requirements for judges and develop minimum standards for court staff.
- **Simplify Court Structure:** Organize courts into administrative districts where all trial courts have the same jurisdiction. Incorporate city, town and township small claims courts into the trial courts.
- **Court Funding:** Provide state funding for courts and court related services.
- **Consolidation of Clerk Court Functions:** Reassign certain court-related clerk duties, like record keeping, to the trial courts. Create an opportunity for clerks to become professional court administrators. The Office of the Clerk would continue to supervise elections, issue marriage licenses, and collect money.
- **Uniform Judicial Selection:** Reduce the seven different methods of selecting trial court judges in the state to a uniform system.

Distributing resources across the state more equitably is a key component of the strategic plan. Because the state currently pays for some salaries and court programs and county councils pay for other salaries and programs court funding varies from county to county. The strategic plan calls for state funding of the trial courts in order to allocate resources fairly. Three studies are being conducted to determine the impact of funding changes. Figures are not yet available. Like the overall strategic plan, the goal of modernizing court funding is a reform designed to benefit citizens.

The Division of State Court Administration and the Indiana Judicial Center provided staff support to this effort. The Strategic Planning Committee is made up of the following judges who encourage continued discussion of the ideals set forth in the strategic plan:

John G. Baker, Chief Judge, Indiana Court of Appeals
J. Terrence Cody, Floyd Circuit Court
Thomas J. Felts, Allen Circuit Court

Frances C. Gull, Allen Superior Court
Peggy L. Quint Lohorn, Montgomery Superior Court #2
Terry C. Shewmaker, Elkhart Circuit Court, Committee Co-Chair
Mark D. Stoner, Marion Superior Court, Committee Co-Chair
Marianne L. Vorhees, Delaware Circuit Court
Mary G. Willis, Henry Circuit Court

Certain aspects of the plan are ready to be implemented, especially those dealing with education and training. Other aspects will require more specific implementation planning from all our partners including clerks, lawmakers, judges, bar associations, local government officials and interested citizens. "A New Way Forward: The Strategic Planning Committee's White Paper" can be found online at courts.in.gov/center/planning/forward.pdf.



FOR IMMEDIATE RELEASE
September 21, 2009

Contact: Kristen Ellis
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *THOMAS & DAUSMAN v. MURPHY AND BOGGS* AT IU SCHOOL OF LAW - INDIANAPOLIS

Case Originates from Marion Superior Court

The Indiana Court of Appeals will hear oral argument in *Thomas and Dausman v. Murphy and Boggs* on Wednesday, September 23rd at 5 p.m. in the Wynne Courtroom of IU School of Law-Indianapolis. A panel of Judge Patricia A. Riley, Judge James S. Kirsch, and Judge Paul D. Mathias will hear the case on appeal from Marion County Superior Court.

The case involves the convictions of Steven Thomas and Derrick Dausman on the charges of child molestation. Thomas and Dausman have each been found to possess insufficient comprehension to stand trial under Indiana statute. Their developmental disabilities have led them to be placed in an Indiana state mental health institution where each continues to receive "competency restoration services". On appeal, Thomas and Dausman contend that each man be placed in the least restrictive environment appropriate for his continued care and rehabilitation under Indiana statute. They claim that the State's failure to do so constitutes a violation of each man's rights under Indiana law and the United States Constitution. Arguing for the appellant, Thomas and Dausman, will be Gavin M. Rose, and arguing for the appellee, Murphy and Boggs, will be David A. Arthur.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 250 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

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 judges on the Court of Appeals issue more than 2,800 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals, visit www.in.gov/judiciary/appeals. For the Court's "Appeals on Wheels" initiatives, as well as additional information on *Thomas and Dausman v. Murphy and Boggs*, visit <http://www.in.gov/judiciary/appeals/arguments.html>.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
September 22, 2009**Contact: Kathryn Dolan**
317.234.4722

INDIANA SUPREME COURT HOLDS CERTIFIED COURT INTERPRETER CEREMONY AT STATE HOUSE

The Indiana Supreme Court is hosting a swearing in ceremony for 18 certified court interpreters who have successfully completed all five phases of the certification process in the last two years. The Spanish interpreters will be sworn in by Indiana Supreme Court Justice Robert D. Rucker at a ceremony that is open to the public.

Friday, September 25th
10:30 a.m. EDT
Supreme Court Courtroom, 3rd Floor State House

The Interpreter Certification Program began in 2003 in response to Indiana's growing non-English speaking population and the need for interpreter services for individuals who do not speak English as their native language. The Commission on Race and Gender Fairness recommended the Supreme Court establish a certified court interpreter program. The Court authorized the Executive Director of the Division of State Court Administration to join the National Center for State Courts' Court Consortium for State Court Interpreters. The Division began work to implement an Indiana court interpreter testing system for Spanish.

Since then, the program has been expanded to include a number of languages with a total of 73 interpreters, including those newly sworn-in. With standardized materials from the National Center for State Courts, the Supreme Court has certified interpreters in Arabic and in French, tested in Polish and Russian, and has the capability to test in many other languages. In 2008, the Supreme Court also awarded nearly \$240,000 in grant money to 40 county court systems to encourage trial courts to use certified interpreters.

The 25-member Race and Gender Fairness Commission studies the status of race and gender fairness in Indiana's justice system and investigates ways to improve race and gender fairness in the courts, legal system, and state and local government, as well as among legal service providers and public organizations. The Commission recommends to the Supreme Court the adoption of policies and procedures promoting race and gender fairness. Division of State Court Administration staff attorney, Camille T. Wiggins explained the importance of the ceremony, "This ceremony caps the determination, hard work and perseverance of these individuals to not only improve their skills and expertise in interpreting, but to join the ranks of other Indiana certified interpreters who endeavor to partner with the Court to make access to justice a reality to someone who stands in need of language assistance."

The Court Interpreter Advisory Board was also established to help guide the program in 2003. The program is sustained by the Court's general budget and the Indiana General Assembly appropriates money for the program. For more information on the program, visit courts.IN.gov/interpreter.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**

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FOR IMMEDIATE RELEASE
September 23, 2009**Contact: Kathryn Dolan**
317.234.4722**JUSTICE SULLIVAN PRAISES DANIELS ADMINISTRATION'S
SUPPORT FOR IMPROVED COURT TECHNOLOGY IN SPEECH AT
MAJOR NATIONAL COURT TECHNOLOGY CONFERENCE**

Indiana Supreme Court Justice Frank Sullivan, Jr., praised Indiana Governor Mitch Daniels's administration's strong support for improved court technology in a speech to a plenary session at the National Court Technology Conference in Denver Wednesday, September 23, 2009.

The National Court Technology Conference, known as CTC 2009, is sponsored by the National Center for State Courts and brings together the most progressive and accomplished court professionals with the most current innovations in technology. Justice Sullivan was invited to address a plenary session because of his experience leading Indiana's efforts in court technology projects, according to Jesse Rutledge, Vice President of External Affairs of the National Center for State Courts. Sullivan has chaired the Indiana Supreme Court's Judicial Technology and Automation Committee ([JTAC](#)) since its inception in 1999.

"I am of the view that there is no State in this country where there is closer and more constructive collaboration on technology between the judicial and executive branches of government than we have in Indiana," Justice Sullivan said in his speech. "Indiana courts exchange court information electronically with agencies throughout the Daniels Administration in a way that increases public safety and saves taxpayers money."

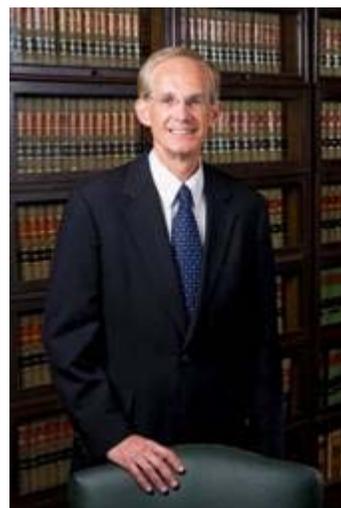
Justice Sullivan cited as one example the fact that every single traffic court in Indiana now notifies the Bureau of Motor Vehicles (BMV) electronically of the disposition of all traffic infractions; previously, it took weeks for court staff to prepare paper disposition reports, mail them to the BMV, and BMV staff to re-enter the data by hand. "This enhances public safety by keeping driver's records up to date – a police officer who makes a traffic stop now knows if the driver's license is suspended," said Sullivan, "and it saves taxpayers money by eliminating paper disposition reports by court staff and manual re-entry of data at the BMV."

In addition to projects with the BMV, Justice Sullivan said that Indiana courts also exchange court information electronically with the Indiana State Police, Indiana Department of Child Services (DCS), Indiana Department of Revenue, and the Indiana State Department of Health as agencies in the Daniels Administration. In addition, Justice Sullivan said, the Indiana Criminal Justice Institute, the Indiana Office of Technology, the State Board of Accounts, and the Indiana Department of Homeland Security, all agencies within the Daniels Administration, have strongly supported the work of JTAC in improving court technology.

Justice Sullivan singled out for particular recognition the Indiana Criminal Justice Institute, the Chairman of its Board of Trustees, John R. von Arx, and its executive director, Dr. T. Neil Moore. "The Criminal Justice Institute, through its leadership and funding, has been instrumental in fostering many of the collaborative projects that Indiana courts have successfully undertaken with executive branch agencies. It has been a central force in our success."

Justice Sullivan also expressed appreciation to the State Legislature. "Without the Indiana General Assembly's support of JTAC and its projects, we could not have made the progress we have," he said.

In his speech, Justice Sullivan listed the following examples in addition to the BMV project as "evidence of the strong



Indiana Supreme Court Justice Frank
Sullivan, Jr.

working relationship between the judicial and executive branches of Indiana state government”:

- Every single domestic violence court notifies local law enforcement, the State Police, and the FBI electronically upon the issuance of each protection order;
- The State Police and 120 other sheriff and police departments in Indiana use software developed by JTAC to issue electronic traffic citations and filed those citations with the court;
- Juvenile probation officers notify DCS electronically of delinquency cases for which DCS will be financing services for the youth involved;
- The Revenue Department uses software developed by JTAC to notify county clerks of outstanding tax warrants; and
- Clerks notify the State Health Department electronically when marriage licenses are issued.”

Justice Sullivan said that each of these individual projects is part of a much more ambitious initiative on the part of the Indiana Supreme Court to equip all Indiana courts with a uniform 21st century case management system called Odyssey that will connect electronically all courts with each other and with law enforcement, state agencies, and others that need and use court information. Installation of Odyssey is a multi-year project that is approximately 20% complete.

Justice Sullivan also noted that earlier this month the Indiana Supreme Court received the Special Achievement Award of the national Governors Highway Safety Association for its projects with the State Police and BMV fostering highway safety. Representatives of the Criminal Justice Institute and Governor Daniels's office joined the court in receiving the award.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
September 24, 2009

Contact: Kathryn Dolan
317.234.4722

OWEN COUNTY USING NEW SUPREME COURT COMPUTER SYSTEM

The Owen County Courts and Clerk's office is using a new 21st century computer system provided by the Indiana Supreme Court. The system, known as "Odyssey" connects the Owen County Court and Clerk offices to other counties' courts, law enforcement, state agencies, and makes court information available to the public. Circuit Court Judge Frank Nardi, Clerk Harley Melton and Indiana Supreme Court Justice Frank Sullivan, Jr., will answer questions about the system and explain why Odyssey is an improvement for court staff, law enforcement, and taxpayers.

TUESDAY, SEPTEMBER 29TH
10:00 a.m. EDT
Circuit Court Room, 3rd floor
60 S. Main
Spencer, Indiana 47460

With Odyssey, the Owen County Clerk is able to receive electronic traffic tickets "written" by the Indiana State Police and other local law enforcement agencies. Owen County Courts are also able to send electronic information on traffic cases to the Bureau of Motor Vehicles (BMV). "This 21st century technology is a result of great partnerships with the legislative and executive branches," explained Justice Sullivan. "Odyssey is designed to save taxpayer money by reducing paperwork and the duplication of services. Owen County Judge Nardi, Clerk Melton, and their staffs have shown great leadership in using this new court technology."

Judge Nardi expressed his appreciation to the Supreme Court for including Owen County as an early adopter of the new court computer system. "It puts Owen County at a great advantage to have Odyssey installed. We are pleased with how efficiently this new case management system is operating and excited about how it will allow us to manage cases and even help improve public safety."

Odyssey was first installed in ten Indiana courts on a pilot basis in December 2007 under the direction of the Division of State Court Administration's Judicial Technology and Automation Committee (JTAC). It is part of the Court's effort to equip every Indiana court with a 21st-century case management system and connect courts with each other and state agencies. Courts pay no installation costs, training costs, license fees, or annual maintenance costs for Odyssey. Those costs are paid by JTAC from the proceeds of a court filing fee dedicated to the project by the General Assembly.

Owen County Clerk Harley Melton expressed his appreciation for the new system and said, "I am delighted we were able to begin using Odyssey so quickly." Clerk Melton explained that his office is responsible for trust accounts, court costs, fines and judgments. "We reconcile our accounts down to the penny every day. That was never possible before. Odyssey allows us to reduce paperwork and everyday tasks like searching for an account or printing a receipt are done quickly."

Odyssey is now operating in 39 Indiana courts in thirteen counties, including the Marion County traffic court, the busiest court in the state. These courts comprise approximately 20% of all the cases filed in Indiana. Odyssey is designed to be implemented statewide. Information on cases in Odyssey is available at no cost to the public online at courts.IN.gov.



FOR IMMEDIATE RELEASE
September 28, 2009

Contact: Kristen Ellis
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *R.H. v. STATE* AT HAMILTON SOUTHEASTERN HIGH SCHOOL - FISHERS Case Originates from Marion Superior Court

The Court of Appeals of Indiana will hear oral argument in *R.H. v. State of Indiana* on Wednesday, September 30th at 1:25 p.m. in the Auditorium of Hamilton Southeastern High School. A panel of Judge Carr L. Darden, Judge Margret G. Robb, and Judge Paul D. Mathias will hear the case on appeal from Marion County Superior Court.

The case involves R.H.'s conviction for possession of marijuana, a Class A misdemeanor, if committed by an adult. Police received a call from a concerned person about an unfamiliar car parked on the street. When police approached R.H.'s car, a large amount of smoke came out of the window and an inventory search of the vehicle resulted in the seizure of marijuana bags. On appeal, R.H. contends that the inventory search was unconstitutional and that the trial court therefore erred when it admitted into evidence items obtained from the search. Arguing for the appellant, R.H., will be Anna Onaitis Holden, and arguing for the appellee, State of Indiana, will be Kelly Miklos.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 250 oral arguments "on the road" at law schools, colleges, high schools, and county courthouses since its centennial in 2000-2001.

The Court of Appeals of Indiana is the state's second-highest court. It reviews appeals from trial court decisions; a decision of the Court of Appeals of Indiana 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 judges on the Court of Appeals issue more than 2,800 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals, visit www.in.gov/judiciary/appeals. For the Court's "Appeals on Wheels" initiatives, as well as additional information on *R.H. v. State of Indiana*, visit <http://www.in.gov/judiciary/appeals/arguments.html>.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
September 30, 2009

Contact: Kathryn Dolan
317.234.4722

GOVERNORS HIGHWAY SAFETY ASSOCIATION RECOGNIZES INDIANA SUPREME COURT TRAFFIC PROGRAM

The Indiana Supreme Court has been honored with the Governors Highway Safety Association (GHSA) Peter K. O'Rourke Special Achievement Award for notable achievements in highway safety. The award was presented at the GHSA national highway safety meeting in Savannah, Georgia on August 31st.

The Indiana Supreme Court, Division of State Court Administration Judicial Technology & Automation Committee received the prestigious national honor for its positive impact on traffic safety in Indiana. The Awards Committee pointed to the Court's "development of a uniform, electronic ticketing system to enhance the efficiency and consistency of the traffic ticketing process in Indiana."



Left to right: Megan LaMade (Traffic Safety Research Associate), Jeanette Bennett (Law Enforcement Liaison), Sebastian Smelko (Governor's Policy Director), Mary DePrez (JTAC), Ryan Klitsch, and Phil Oliver (Law Enforcement Liaison)

The electronic Citation and Warning System (eCWS) also known as e-Ticket was created in 2007 by the Indiana Supreme Court under the direction of State Court Administration's Judicial Technology and Automation Committee (JTAC). "Our goal is to have a comprehensive traffic system that is safer for police and the public," explained Indiana Supreme Court Justice Frank Sullivan, Jr. who serves as the JTAC Chairman. "We also work to ensure it is more efficient for taxpayers. It is an honor to accept this award on behalf of our legislative and executive branch partners who have devoted resources to bringing this 21st-century technology to our state."

The system allows law enforcement officers to use a hand held device to scan a bar code on a driver's license and vehicle registration to quickly create a traffic ticket. The e-Ticket can then be sent electronically to the new court case management system, called Odyssey, being implemented throughout the state. Odyssey can send driver conviction and suspension information electronically to the BMV. This eliminates data errors and saves countless dollars on administrative time, paper filing and tracking. The time needed for a traffic stop is greatly reduced with e-Ticket which allows for enhanced officer and public safety.

Mary DePrez, JTAC's Director was honored to receive the award. "The Peter K. O'Rourke Special Achievement Award represents the hard work and dedication of numerous partners and is a tremendous honor," explained DePrez. "We are especially grateful for the financial support of the Federal Motor Carrier Safety Administration, the National Highway Traffic Safety Administration and our other partners who helped us put the e-Ticket system in place in Indiana."

More than 125 law enforcement agencies across Indiana are using e-Ticket. The software and training are provided to law enforcement agencies at JTAC's cost. The Indiana Supreme Court works in partnership with the Indiana State Police, Indiana Criminal Justice Institute, the BMV and law enforcement officials including the Indiana Association of Chiefs of Police, the Indiana Sheriffs' Association, and local departments across the state. Over a million warnings and tickets have already been created using e-Ticket. More information can be found online at

courts.IN.gov/jtac/programs/ecws.html.

The Governors Highway Safety Association (GHSA) is a nonprofit association representing the highway safety offices of states, territories, the District of Columbia and Puerto Rico. GHSA provides leadership and representation for the states and territories to improve traffic safety influence national policy and enhance program management. Its members are appointed by their Governors to administer federal and state highway safety funds and implement state highway safety plans. For more information on GHSA contact Jonathan Adkins at 202-789-0942 or visit www.ghsa.org

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**

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FOR IMMEDIATE RELEASE
September 30, 2009**Contact: Kathryn Dolan**
317.234.4722**INDIANA SUPREME COURT E-TICKET PROGRAM RECEIVES
BEST PRACTICES AWARD FROM NATIONAL SAFETY GROUP**

The Indiana Supreme Court has been honored with the Best Practices Award by the Association of Transportation Safety Information Professionals for its electronic Citation and Warning System (eCWS), also known as e-Ticket. The system allows law enforcement officers to use a hand held device to scan a bar code on a driver's license and vehicle registration to quickly create a traffic ticket. The e-Ticket can then be sent to the new case management system that is being implemented across the state. The award was presented at the 35th International Forum on Traffic Records & Highway Safety Information Systems in Arizona in July.

The e-Ticket system was created in 2007 by the Indiana Supreme Court under the direction of State Court Administration's Judicial Technology and Automation Committee (JTAC). "This is a proud moment for all our stakeholders, and demonstrates an extraordinary partnership with the judicial, executive, and legislative branches of state government," explained Indiana Supreme Court Justice Frank Sullivan, Jr. who serves as the JTAC Chairman. "This is 21st-century technology that is safer for police and the public and more efficient for taxpayers."



JTAC Field Support Specialist David Steward accepts the Best Practice Award from Association of Transportation Safety Information Professionals President Robert Rasmussen

The time needed for a traffic stop is greatly reduced with e-Ticket which allows for enhanced public safety by getting officers and drivers off the roadside more quickly. Traffic tickets can be uploaded to a web-based system where cases can be filed automatically with the Indiana Supreme Court's statewide case management system called Odyssey. Odyssey sends suspension and conviction case information electronically to the Bureau of Motor Vehicles (BMV). This eliminates data errors and saves countless dollars on administrative time, paper filing and tracking for officers, courts and the BMV.

David Steward, a JTAC Field Support Specialist attended the conference and awards ceremony. "It was an honor to accept the award on behalf of the Court family. Through federal and state grants, including Federal Motor Carrier Safety Administration and National Highway Traffic Safety Administration grants, many Indiana law enforcement agencies have the necessary equipment and e-Ticket software, which adds an important tool to improve traffic enforcement and public safety."

More than 125 law enforcement agencies across Indiana are using e-Ticket. The software and training are provided to law enforcement agencies at no cost. The Indiana Supreme Court works in partnership with the Indiana State Police, Indiana Criminal Justice Institute, the BMV and law enforcement officials including the Indiana Association of Chiefs of Police, the Indiana Sheriffs' Association, and local departments across the state. Over a million warnings and tickets have already been created using e-Ticket. More information can be found online at courts.IN.gov/jtac/programs/ecws.html.



FOR IMMEDIATE RELEASE
October 5, 2009

Contact: Kristen Ellis
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *DUSTIN NEFF V. STATE OF INDIANA* AT INDIANA UNIVERSITY SOUTH BEND Case Originates from Hamilton Superior Court

The Court of Appeals of Indiana will hear oral argument in *Dustin Neff v. State of Indiana* on Wednesday, October 7th at 2:30 p.m. in the Wiekamp Hall of Indiana University South Bend. A panel of Judge Michael P. Barnes, Judge Terry A. Crone, and Judge Cale J. Bradford will hear the case on appeal from Hamilton Superior Court.

The case involves Dustin Neff's conviction for child solicitation, a Class C felony. Neff, located in Madison County, chatted online with an individual in Georgia posing as a twelve-year-old girl. After the conversation, Neff drove to an arranged meeting place in Hamilton County to supposedly meet the girl. On appeal, Neff contends that there is insufficient evidence that he committed the offense as charged and that the State failed to prove venue in Hamilton County. Arguing for the appellant, Dustin Neff, will be Steven Stoesz, and arguing for the appellee, State of Indiana, will be Karl Scharnberg.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 250 oral arguments "on the road" at law schools, colleges, high schools and county courthouses since its centennial in 2000-2001.

The Court of Appeals of Indiana is the state's second-highest court. It reviews appeals from trial court decisions; a decision of the Court of Appeals of Indiana 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 judges on the Court of Appeals issue more than 2,800 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals, visit www.in.gov/judiciary/appeals. For the Court's "Appeals on Wheels" initiatives, as well as additional information on *Dustin Neff v. State of Indiana*, visit <http://www.in.gov/judiciary/appeals/arguments.html>.



FOR IMMEDIATE RELEASE
October 5, 2009

Contact: Kristen Ellis
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *JEREMY D. SIMPSON v. STATE OF INDIANA* AT INDIANA WESLEYAN UNIVERSITY - MARION

Case Originates from LaPorte Circuit Court

The Court of Appeals of Indiana will hear oral argument in *Jeremy D. Simpson v. State of Indiana* on Tuesday, October 6th at 11 a.m. in the Globe Theater of Indiana Wesleyan University Marion Campus. A panel of Chief Judge John G. Baker, Judge Terry A. Crone, and Judge Cale J. Bradford will hear the case on appeal from LaPorte Circuit Court.

The case involves Jeremy Simpson's conviction for voluntary manslaughter and criminal recklessness. During an argument between two other men, Simpson ran toward the men, firing a gun and saying, "Get off him." One man was struck in the arm, and the other was struck several times then later died. On appeal, Simpson contends that the State failed to rebut his self defense claim, among other issues. Arguing for the appellant, Jeremy D. Simpson, will be Donald Pagos, and arguing for the appellee, State of Indiana, will be Joby Jerrells.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 250 oral arguments "on the road" at law schools, colleges, high schools, and county courthouses since its centennial in 2000-2001.

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SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
October 7, 2009

Contact: Kathryn Dolan
317.234.4722

HAMILTON COUNTY COURTS AND CLERK ONLINE WITH AWARD WINNING ODYSSEY COMPUTER SYSTEM

The Hamilton County Courts and Clerk's office is using a new 21st century computer system provided by the Indiana Supreme Court. The system, known as "Odyssey" connects the Hamilton County Courts and Clerk to a continually growing network of other county courts, clerks, law enforcement and state agencies. Odyssey also makes court information available to the public over the internet at no charge.

Hamilton Superior Court Judge William J. Hughes, Hamilton County Clerk Peggy Beaver, Indiana Supreme Court Justice Frank Sullivan, Jr., and Indiana Supreme Court Chief Justice Randall T. Shepard will answer questions about the system and explain why Odyssey is an improvement for court staff, law enforcement, and taxpayers.

TUESDAY, OCTOBER 13TH
10:00 a.m. EDT
Hamilton County Historic Courthouse, 2nd floor
33 North 9th Street,
Noblesville, Indiana 46060

With Odyssey, the estimated 46,000 new cases filed in Hamilton County each year will be managed by a state of the art computer system. Judge Hughes explained, "Having Odyssey installed in Hamilton County is one of the best business decisions we have ever made for our taxpayers. It will allow us to more efficiently manage the courts." Hamilton County Clerk Peggy Beaver also believes the new system will improve operations in her office. She said, "Odyssey will allow us to accurately collect and distribute over 5 million dollars that the Clerk's office collects each year. Odyssey provides a sophisticated financial package that will allow us to balance our accounts to the penny."

Odyssey was first installed in ten Indiana courts on a pilot basis in December 2007 under the direction of the Division of State Court Administration's Judicial Technology and Automation Committee (JTAC). It is part of the Court's effort to equip every Indiana court with a 21st-century case management system and connect courts with each other and state agencies. Justice Sullivan, who leads JTAC, explained "Odyssey is an example of technology's ability to help guide our state's court system forward to meet increasing demands when dollars are scarce."

Courts pay no installation costs, training costs, license fees, or annual maintenance costs for Odyssey. Those costs are paid by JTAC from the proceeds of a court filing fee dedicated to the project by the General Assembly. Chief Justice Shepard saluted the partnerships formed to make the project possible. "The Legislative and Executive branches have allowed us to bring this 21st century technology to Hamilton County," explained Chief Justice Shepard. "Odyssey has numerous advantages for courts, police and the public. It is designed to save taxpayer money by reducing paperwork and eliminating multiple data entries."

Odyssey By The Numbers

- Odyssey is operating in 39 Indiana courts in 13 counties
- Approximately 20% of all the new cases filed in Indiana are on Odyssey
- The busiest court in the state, Marion Superior Criminal 13 or "traffic court" uses Odyssey
- Odyssey collected \$6.25 million through automated payment systems in seven months operating in Marion Traffic Court
- 174,225 traffic cases have been sent electronically to the Bureau of Motor Vehicles through Odyssey

- 5 counties used typewriters and/or scroll books to manage court records before Odyssey
- 23 different court record management systems currently exist statewide and these systems do not communicate with each other
- Indiana invested \$7.7 million in the statewide licensing for Odyssey
- There is zero cost to get information on cases in Odyssey at courts.IN.gov

Odyssey is designed to be implemented statewide. It is being installed without disrupting everyday court business or closing Indiana courts. It complies with all requirements imposed by the Legislature, Board of Accounts, and Supreme Court. The Indiana Supreme Court recently received two prestigious national technology and safety awards, in part because of Odyssey's accomplishments. The Court shares the Best Practices Award by the Association of Transportation Safety Information Professionals and the Governors Highway Safety Association (GHSA) Peter K. O'Rourke Special Achievement Award with its partners in the Legislative and Executive branches, including the Indiana Criminal Justice Institute, the Indiana Office of Technology, the Department of Homeland Security, the Bureau of Motor Vehicles, and the Indiana State Police.



FOR IMMEDIATE RELEASE
October 9, 2009

Contact: Kristen Ellis
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *GEORGE A. SCOTT v. MALISSA ELIZABETH RETZ, R.N., AND INDIANA UNIVERSITY AT DEPAUW UNIVERSITY - GREENCASTLE* Case Originates from Marion Superior Court

The Court of Appeals of Indiana will hear oral argument in *George A. Scott v. Malissa Elizabeth Retz, R.N., and Indiana University* on Tuesday, October 13th at 10 a.m. at the Walden Inn and Conference Center of DePauw University. A panel of Judge L. Mark Bailey, Judge Margret G. Robb, and Judge Terry A. Crone will hear the case on appeal from Marion County Superior Court.

The case involves George A. Scott's lawsuit against Malissa Elizabeth Retz, R.N., for negligence and Indiana University for negligence by reason of respondeat superior and negligent retention. Scott, a Clarian Health Partners' Safety and Security investigator, was struck by an uncapped used syringe while investigating missing narcotics at Indiana University Hospital. The trial court granted Scott's motion to strike an allegedly hearsay statement from an affidavit IU designated in support of its motion, but also granted Retz's and IU's motion for summary judgment as to all Scott's claims. On appeal, Scott contends the court's grant of summary judgment to Retz and IU was improper; IU cross-appeals the striking of part of its affidavit. Arguing for the appellant, George A. Scott, will be Robert Feagley, and arguing for the appellee, Malissa Retz, will be Matthew Conner, and arguing for the appellee, Indiana University, will be David Mallon, Jr.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 250 oral arguments "on the road" at law schools, colleges, high schools, and county courthouses since its centennial in 2000-2001.

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FOR IMMEDIATE RELEASE
October 9, 2009

Contact: Kristen Ellis
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *THOMAS P. DONOVAN v. GRAND VICTORIA CASINO & RESORT* AT INDIANA UNIVERSITY SOUTHEAST - NEW ALBANY

Case Originates from Marion Superior Court

The Court of Appeals of Indiana will hear oral argument in *Thomas P. Donovan v. Grand Victoria Casino & Resort, L.P.* on Wednesday, October 14th at 1:30 p.m. in the Hoosier Room East of Indiana University Southeast. A panel of Judge Edward W. Najam, Judge James S. Kirsch, and Judge L. Mark Bailey will hear the case on appeal from Marion Superior Court.

The case involves Thomas Donovan's lawsuit against Grand Victoria Casino & Resort after being excluded from the casino because he was "counting cards" at blackjack. The trial court granted the casino's motion for summary judgment. On appeal, Donovan argues that Indiana law requires the casino to permit him to play blackjack there. Grand Victoria disagrees and asserts that, as a privately owned entity, it is free to exclude any patron. Arguing for the appellant, Thomas P. Donovan, will be Marc Sedwick, and arguing for the appellee, Grand Victoria Casino & Resort, L.P., will be Patrick Schomaker.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 250 oral arguments "on the road" at law schools, colleges, high schools, and county courthouses since its centennial in 2000-2001.

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FOR IMMEDIATE RELEASE
October 13, 2009

Contact: Kristen Ellis
317.234.4859

JUDGE BAILEY ELECTED ASTAR (ADVANCED SCIENCE AND TECHNOLOGY ADJUDICATION RESOURCE) FELLOW

Indiana Court of Appeals Judge L. Mark Bailey was recently elected a Fellow of the Advanced Science and Technology Adjudication Resource Center, or ASTAR. Funded by a grant from the United States Department of Justice, the Washington, D.C.-based organization instructed 190 judicial officers from 38 jurisdictions in matters of complex science and technology. Judge Bailey and three Indiana trial court judges were nominated by Chief Justice Shepard to participate in the fellowship program.

During his two-year commitment, Judge Bailey attended a "Language of Life Sciences Boot Camp" at Ohio State University; he studied neuroscience and bio-behavioral technologies at The Johns Hopkins University School of Medicine; and he spent time at Indiana University School of Medicine learning about the adjudication of medical errors. Speakers included Nobel Prize winners and highly-esteemed educators. In addition, Judge Bailey and his Indiana colleagues completed two out-of-classroom projects. Continuing science education is also required. Judge Bailey will fulfill that requirement in November when he attends a Chicago seminar on "Brain Mapping of the Violent Psychopathic Criminal Defendant."

"I appreciated the opportunity to learn more about the complexities of forensics, genetic science and computer science," Judge Bailey said. "I am particularly interested in the study of the brain and human behavior." Judge Bailey looks forward to forthcoming suggestions from ASTAR on how he and his colleagues can use their knowledge to assist other Indiana judges. In addition, he notes that Indiana may have an opportunity to expand its resource judge group, as the U.S. Department of Justice has awarded ASTAR a new two-year grant for a period ending September 30, 2011. ASTAR expects to enroll new jurisdictions and to train up to 150 new science and technology resource judges.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
October 14, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA SUPREME COURT SUSPENDS NON-ATTORNEY JUDGE WHO FACES FELONY CHARGES IN KNOX COUNTY

The Indiana Supreme Court has suspended Knox County Bicknell City Court Judge David Andrew Moreland, effective immediately. The [Indiana Commission on Judicial Qualifications](#) filed a "Notice of Criminal Charges and Request for Suspension" with the Indiana Supreme Court on October 13, 2009. After reviewing the request, the Indiana Supreme Court immediately ordered Judge Moreland suspended.

The "[Notice of Criminal Charges and Request for Suspension](#)," cause number 42S00-0910-JD-441 was filed by the Indiana Commission on Judicial Qualifications when the Commission learned the Knox County Prosecutor had filed five Class D Felony charges for Theft against Judge Moreland. Commission attorney, Adrienne L. Meiring, notified the Indiana Supreme Court that the felony charges had been filed and asked the Court to suspend Judge Moreland. In the notice, Attorney Meiring pointed to Admission and Discipline Rule 25 V, subsection A of the Indiana Rules of Court. According to the rule:

A judicial officer shall be suspended with pay by the Supreme Court...upon the filing of an indictment or information charging the judicial officer in any court in the United States with a crime punishable as a felony under the laws of Indiana or the United States.

After reviewing the Commission's request, the Indiana Supreme Court ordered Judge Moreland suspended until further order of the Court. The Indiana Supreme Court will appoint a judge pro tem to fill the vacancy left in Bicknell City Court.

David Andrew Moreland, who is not an attorney according to the Commission request, was elected to the bench and began his term January 1, 2008. Any questions related to the criminal charges filed in Knox County should be directed to Mr. Moreland, Knox County Police or Knox County Prosecutors.

The Commission on Judicial Qualifications is the 7 member group that investigates alleged ethical misconduct by judges. Chief Justice Randall T. Shepard Chairs the Commission. Any investigation into alleged judicial misconduct by the Indiana Commission on Judicial Qualifications is confidential according to Supreme Court rules. After conducting an investigation, if the Commission finds probable cause that ethical misconduct has occurred and deems the matter sufficiently serious, the Commission may elect to file a formal complaint charging the judge with ethical misconduct. At that point, the complaint and all filings and proceedings thereafter are matters of public record. The Indiana Supreme Court has final authority over judicial discipline.

[View the Notice of Criminal Charges and Request for Suspension](#) 

[View the Supreme Court Order Suspending Judge Moreland](#) 

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
October 19, 2009

Contact: Kathryn Dolan
317.234.4722

1000 TRAINED TO HANDLE FORECLOSURE CASES INDIANA SUPREME COURT OFFERS NEW PLEDGE OF SUPPORT

The Indiana Supreme Court and its partners in the "[Back Home In Indiana—Guiding Homeowners Through Foreclosure](#)" program trained more than one-thousand judges, attorneys and mediators on how to better handle foreclosure cases. Chief Justice Randall T. Shepard made the announcement at an Evansville press conference Monday, October 19th. Chief Justice Shepard also announced the Court will work to support and increase the effectiveness of the large number of settlement conferences now required in mortgage foreclosure cases by Senate Enrolled Act 492.



Chief Justice Randall T. Shepard speaks at an Evansville press conference announcing 1000 legal professionals have been trained to handle mortgage foreclosure cases.

Training Judges, Attorneys and Mediators

In January, Chief Justice Shepard spoke to the Indiana General Assembly about the effect of the troubled economy on the courts. Over the past five years Indiana courts have seen approximately a 50% increase in the number of foreclosure cases. In 2008 there were 45,394 foreclosure filings in Indiana. Chief Justice Shepard announced a plan to support Indiana Lieutenant Governor Becky Skillman's effort to ward off the housing meltdown through the Indiana Housing and Community Development Authority. Chief Justice Randall Shepard vowed to train more judges, attorneys and mediators than any other state Supreme Court on how to deal with foreclosure cases.



Chief Justice Randall T. Shepard, Indiana Court of Appeals Judge Melissa S. May and State Senator Karen Tallian announce the Court will work to ensure successful settlement conferences take place.

That goal was reached in September. More than 1000 legal professionals were trained through the "Back Home In Indiana—Guiding Homeowners Through Foreclosure" program. A number of government and non-profit agencies including the Indiana Housing and Community Development Authority, the Indiana Foreclosure Prevention Network, the Indiana Pro Bono Commission, the Indiana Commission on Continuing Legal Education, the Indiana Continuing Legal Education Forum, the Office of the Indiana Attorney General, bar associations and law firms across the state and the Indiana Supreme Court supported more than 30 training sessions across Indiana.

The training sessions included an effort to encourage

attorneys to provide free legal help to homeowners in need of assistance. Indiana Court of Appeals Judge Melissa May explained, "The Indiana Pro Bono Commission has been very pleased to be a part of these trainings. The interest shown by our panel of experts and from attorneys and mediators across the state has been heartwarming. It shows the willingness of Indiana attorneys to help their fellow Hoosiers who are facing the loss of their homes."

New Pledge To Help Homeowners

"The goal to train more legal professionals than any other state on how to best handle foreclosure cases has been reached. The Supreme Court is now offering a new pledge of support to the Indiana Housing and Community Development Authority and our other partners who are trying to keep Hoosiers in their homes," explained Chief Justice Shepard. "The settlement conferences offer another opportunity to reach out to our neighbors in need. The Court will work to develop a system to coordinate successful settlement conferences."



Indiana Attorney General Greg Zoeller, State Senator Karen Tallian and Chief Justice Randall T. Shepard talk about the importance of settlement conferences and the need for pro bono representation to help those facing foreclosure.

New legislation requires a creditor to notify a homeowner facing foreclosure of their right to conduct a settlement conference. State Senator Karen Tallian (D-Portage) authored Senate Enrolled Act 492. Senator Tallian said it is in the public's best interest for the state to encourage homeowners and lenders to work out foreclosure alternatives. "Indiana's high rate of foreclosures has adversely affected property values, and we risk letting home values drop even lower as the foreclosure crisis continues," Tallian said. "We've already seen about 300 requests for settlement conferences since the law went into effect in August. These face-to-face meetings help homeowners to understand that lenders are willing to work with them, and the parties are able to find a compromise."

The Supreme Court is working with the Indiana Housing and Community Development Authority to devise a statewide system to organize the local logistics needed to meet the requirements for successful settlement conferences. The plan calls for utilizing a local settlement conference coordinator. The coordinator will ensure the thousands of expected settlement conferences across the state take place and maintain data on success rates.

Settlement conferences are designed to help homeowners; however the logistics can be tricky. For example, does the borrower have all the necessary paperwork in order? Who has arranged for a pro bono attorney or mediator to be present as the case requires? Is there a second mortgage on the home that may delay settlement? In the coming months, the Indiana Supreme Court and the Indiana Housing and Community Development Authority will finalize plans on the effort to coordinate successful settlement conferences.

"A settlement conference can be daunting for borrowers during the foreclosure process, especially to face alone," said Indiana Attorney General Greg Zoeller. "Fortunately hundreds of attorneys have been trained, heeding the Chief Justice's call, and are prepared to offer free legal services to help homeowners reach the best possible outcome during a settlement conference. We are all committed to reducing foreclosures in Indiana and encourage anyone faced with the possibility of foreclosure to request a settlement conference and take advantage of the legal services and housing counseling available for free or low-cost around the state."

State Representative Gail Riecken of Evansville supported SEA 492 and authored another measure (HEA 1176) to help protect people who are facing foreclosure. Representative Riecken explained, "It ended the practice of imposing prepayment fees and penalties on adjustable rate mortgages when buyers want to re-finance or sell their homes. This allows greater opportunity for buyers to renegotiate a payment they can afford when an illness or loss of job is facing them."

Chief Justice Shepard thanked all of those partnering with the Court for their participation in the training project and for their support to ensure successful settlement conference. He said, "The Indiana Supreme Court is committed to working with the other branches of government and non-profit groups to ensure mortgage foreclosure cases are resolved fairly and efficiently." He was joined in Evansville by Indiana Court of Appeals Judge Melissa May, Indiana Attorney General Greg Zoeller, State Senator Karen Tallian, State Representative Gail Riecken, Executive Director of State Court Administration Lilia Judson and Chief Deputy Executive Director of State Court Administration Dave Remondini.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
October 19, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA SUPREME COURT ANNOUNCES PLAN TO SUPPORT SETTLEMENT CONFERENCES AS FORECLOSURE TRAINING SESSIONS END

The Indiana Supreme Court and its partners in the "[Back Home In Indiana—Guiding Homeowners Through Foreclosure](#)" program will announce how many judges, attorneys and mediators have been trained this summer on how to better handle foreclosure cases. Chief Justice Randall T. Shepard will also announce why the Court will launch a new plan to support settlement conferences.

Monday, October 19th

8:30 a.m. CDT

Court Building

123 NW Fourth Street, Suite 514

Evansville, Indiana 47708

Chief Justice Randall Shepard will be joined by Indiana Court of Appeals Judge Melissa May, Indiana Attorney General Greg Zoeller, State Senator Karen Tallian, State Representative Gail Riecken and Division of State Court Administration Executive Director Lilia Judson to answer questions about the completed training effort and the plan to support settlement conferences.

In January, Chief Justice Shepard announced a plan to train more judges, attorneys and mediators than any other state on how to deal with foreclosure cases. The training also included an effort to encourage attorneys to provide free legal help to homeowners in need of assistance. The plan was a pledge to the Indiana General Assembly and Indiana Lieutenant Governor Becky Skillman who is leading the statewide effort to ward off the housing meltdown through the Indiana Housing and Community Development Authority and the Indiana Foreclosure Prevention Network.

With a number of government and non-profit agencies working together, more than 30 training sessions were held all across the state. The training sessions were supported by the Indiana Pro Bono Commission, the Indiana Commission on Continuing Legal Education, the Indiana Continuing Legal Education Forum, bar associations and law firms across the state, the Office of the Indiana Attorney General and the Indiana Supreme Court.

With the training sessions complete, the Indiana Supreme Court will now turn its attention to a new facet of developing a solution to the mortgage foreclosure problem. The General Assembly passed a bill requiring settlement conferences between the lender and the homeowner. The Indiana Supreme Court is working with the Indiana Housing and Community Development Authority to devise a statewide system to organize the local logistics needed to coordinate the requirements for successful settlement conferences.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
October 23, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA SUPREME COURT STEPS-IN TO HELP CIVIL LEGAL AID GROUPS AND ATTORNEYS WHO SERVE THE POOR

Responding to a need in the civil legal aid community, the Indiana Supreme Court has acted to rescue a program designed to help Indiana civil legal aid groups recruit and retain qualified attorneys who help low income families. "With the difficult economy more people than ever are depending on pro bono and legal aid societies for help with mortgage foreclosures and many other financial problems," explained Chief Justice Randall Shepard. "When the Court learned an important program designed to ensure poor families in our state have access to justice was going to fall victim to the troubled economy, we knew we must act."

The Indiana Supreme Court is transferring \$25,000 to the Indiana Bar Foundation's Loan Repayment Assistance Program for Indiana or LRAP-IN. The Court will also match new money raised by the Bar Foundation for this purpose up to a total of \$175,000. LRAP-IN was established in 2006 as a statewide assistance program for law school graduates employed at non-profit organizations dedicated to serving the civil legal aid needs of the low-income.

The goal of LRAP-IN is to allow law school graduates who wish to remain in the civil legal aid field continue their commitment to helping the poor despite their own low-income and often high educational debt. It also allows civil legal aid organizations to recruit and retain qualified lawyers.

Money from the Interest on Lawyer Trust Account (IOLTA) funds the program. IOLTA was established by the Indiana Supreme Court in 1997. It requires attorneys to put client funds they hold for a short time in an interest earning IOLTA account. That interest is collected and is primarily used for pro bono legal service programs for the poor.

Chuck Dunlap, Executive Director of the Indiana Bar Foundation, was disappointed to have to suspend the program in 2009 but explained, "Since our LRAP program was primarily funded from IOLTA dollars, and the historically low interest rate environment has drastically reduced IOLTA revenues, our Foundation had to temporarily suspend awards from our LRAP program." When Mr. Dunlap informed the Indiana Supreme Court of the suspension, the Court decided to provide the Foundation with the money needed to continue the program. The funds being transferred to help civil legal aid come from fees paid over a period of years by law graduates who have applied to take the bar examination.

"We are incredibly grateful for the support of the Indiana Supreme Court," said Mr. Dunlap. "Students who graduate from a state law school may have \$70,000 in educational debt, and it can be more than \$100,000 for a degree from a private institution. The need to repay that money forces some attorneys to leave low-paying non-profit agencies that are critical to our system of justice. We created LRAP-IN to help those graduates who decided to stay in the civil legal aid field. We are very grateful to the Indiana Supreme Court for its commitment to the cause by partnering with us to dramatically increase funding for this important program. "

"The Indiana Supreme Court commends attorneys who are serving the needs of the poor," said Chief Justice Shepard. "We are pleased to support their efforts and help them repay a small fraction of the educational debt they have likely acquired. It is important that civil legal aid organizations have qualified passionate attorneys representing the needs of the poor."

Attorneys who are making less than \$50,000 and are working for one of the following agencies qualify for the assistance to help repay their educational loans.

1. Community Organizations Legal Assistance Project
2. Elkhart Legal Aid Society
3. Indiana Legal Services
4. Law School Legal Services (Indianapolis)
5. Law School Legal Services (Bartholomew)
6. Legal Aid (Columbus)
7. Legal Aid Corporation of Tippecanoe County
8. Middle Way House (Bloomington)
9. Neighborhood Christian Legal Clinic
10. Protective Order Pro Bono Project of Greater Indianapolis
11. Volunteer Lawyer Program of Northwest Indiana
12. Indiana's Pro Bono District 1 Hobart
13. Indiana's Pro Bono District 2 South Bend
14. Indiana's Pro Bono District 3 Fort Wayne
15. Indiana's Pro Bono District 4 Lafayette
16. Indiana's Pro Bono District 5 Lafayette
17. Indiana's Pro Bono District 6 New Castle
18. Indiana's Pro Bono District 7 Terre Haute
19. Indiana's Pro Bono District 8 Indianapolis
20. Indiana's Pro Bono District 9 Richmond
21. Indiana's Pro Bono District 10 Bloomington
22. Indiana's Pro Bono District 11 Columbus
23. Indiana's Pro Bono District 12 Lawrenceburg
24. Indiana's Pro Bono District 13 Evansville
25. Indiana's Pro Bono District 14 New Albany

In the hope of attracting private donors who might be willing to contribute towards a permanent fund to support lawyers with high debt levels who work serving low-income people, the Court has offered to match new money raised by the Bar Foundation for this purpose up to a total of \$175,000. This match would likewise come from fees paid by past bar applicants.



FOR IMMEDIATE RELEASE
October 14, 2009

Contact: Kristen Ellis
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *BREA RICE v. STATE OF INDIANA* AT INDIANA STATE UNIVERSITY - TERRE HAUTE

Case Originates from Morgan Superior Court

The Court of Appeals of Indiana will hear oral argument in *Brea Rice v. State of Indiana* on Monday, October 19th at 1:00 p.m. in the Hulman Memorial Student Union of Indiana State University. A panel of Chief Judge John G. Baker, Judge L. Mark Bailey, and Judge Margret G. Robb will hear the case on appeal from Morgan Superior Court.

The case involves Brea Rice's charges for possession of methamphetamine, a Class D felony, and possession of marijuana, a Class A misdemeanor, as a result of evidence discovered during execution of an arrest warrant for receiving stolen property. The arrest warrant was issued after police, executing a search warrant at the residence Rice rented, saw a motorcycle helmet in the garage that was later determined to be stolen. The trial court denied Rice's motion to suppress, finding that the police conduct was not "sufficiently deliberate" such that exclusion of the evidence would have a deterrent effect. On appeal, Rice contends the trial court abused its discretion in denying her motion to suppress. Arguing for the appellant, Brea Rice, will be Steven Litz, and arguing for the appellee, State of Indiana, will be Arturo Rodriguez.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 250 oral arguments "on the road" at law schools, colleges, high schools, and county courthouses since its centennial in 2000-2001.

The Court of Appeals of Indiana is the state's second-highest court. It reviews appeals from trial court decisions; a decision of the Court of Appeals of Indiana 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 judges on the Court of Appeals issue more than 2,800 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals, visit www.in.gov/judiciary/appeals. For the Court's "Appeals on Wheels" initiatives, as well as additional information on *Brea Rice v. State of Indiana*, visit <http://www.in.gov/judiciary/appeals/arguments.html>.



FOR IMMEDIATE RELEASE
October 27, 2009

Contact: Kristen Ellis
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *P.R. MALLORY & CO., INC. ET AL. v. AMERICAN CASUALTY CO. ET AL.* AT VINCENNES UNIVERSITY - VINCENNES Case Originates from Montgomery Circuit Court

The Court of Appeals of Indiana will hear oral argument in *P.R. Mallory & Co., Inc. et al. v. American Casualty Co. et al.* on Thursday, October 29th at 11:00 a.m. in the Shircliff Auditorium of Vincennes University. A panel of Judge Edward W. Najam, Jr., Judge L. Mark Bailey, and Judge Elaine B. Brown will hear the case on appeal from Montgomery Circuit Court.

The case involves the complaint of P.R. Mallory & Company, Inc., including Radio Materials Corporation, Kraft Foods Global, Inc., formerly known as Kraft Foods North America, Kraft Foods, Inc., Kraft General Foods, Inc., and Dart & Kraft Inc. (the "Plaintiffs") against American Casualty Company of Reading, PA, ("ACC") and Continental Casualty Company ("CCC") and Doe Insurance Companies 1-10, which requested a declaratory judgment indicating that ACC and CCC were obligated to pay costs and expenses related to environmental pollution. The complaint also alleged a breach of contract or anticipatory breach of contract. The trial court granted summary judgment to ACC and CCC because the Plaintiffs provided late notice to ACC and CCC. On appeal, the Plaintiffs contend that the trial court erred by granting ACC and CCC's motion for summary judgment among other issues. ACC and CCC argue that Mallory's appeal is untimely and should be dismissed. Arguing for the appellants, P.R. Mallory et al., will be Paul Zevnik and Michael Miguel, and arguing for the appellees, American Casualty Co. et al., will be Patrick Hofer.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 250 oral arguments "on the road" at law schools, colleges, high schools, and county courthouses since its centennial in 2000-2001.

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FOR IMMEDIATE RELEASE
October 28, 2009

Contact: Kristen Ellis
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *PABLO G. MADRIGAL v. STATE OF INDIANA* AT VALPARAISO HIGH SCHOOL - VALPARAISO

Case Originates from St. Joseph Superior Court

The Court of Appeals of Indiana will hear oral argument in *Pablo G. Madrigal v. State of Indiana* on Friday, October 30th at 10:00 a.m. (Central time) in the Auditorium of Valparaiso High School. A panel of Judge Margret G. Robb, Judge Nancy H. Vaidik, and Judge Paul D. Mathias will hear the case on appeal from St. Joseph Superior Court.

The case involves Pablo G. Madrigal's sentence following his conviction for possession of cocaine. Madrigal was sentenced to twenty years with fifteen years suspended and two years to be served on probation. The executed portion of this sentence was to be served on home detention. When Madrigal was found in possession of a handgun, the State filed a petition to revoke probation and placement. Madrigal admitted to the violation, and the trial court revoked Madrigal's home detention placement and ordered him to serve his twenty-year sentence in prison. On appeal, Madrigal contends the trial court abused its discretion in revoking his placement and imposing the entirety of his previously suspended sentence. Arguing for the appellant, Pablo G. Madrigal, will be Jeffrey Sanford, and arguing for the appellee, State of Indiana, will be Angela Sanchez.

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SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
November 2, 2009

Contact: Kathryn Dolan
317.234.4722

UKRAINIAN JUDGES VISIT INDIANA SUPREME COURT TO LEARN ABOUT AMERICAN RULE OF LAW

Five Ukrainian judges participating in the Open World Program will spend November 14-21, 2009, in Indianapolis and Noblesville examining the U.S. judicial system. The visit is funded by a grant from the Open World Leadership Center. "The Indiana Supreme Court is honored to welcome our Ukrainian guests," said Chief Justice Randall T. Shepard. "Allowing them to see our system of government first-hand is valuable to promoting judicial independence around the world."

The Open World Program is a nonpartisan initiative of the U.S. Congress to build mutual understanding between emerging political and civic leaders of participating countries. It exposes foreign delegates to ideas and practices they can adapt for use in their own country.

The Ukrainian judges, their facilitator, and two interpreters will attend an oral argument at the Indiana Supreme Court, view criminal and civil proceedings in Indianapolis and Noblesville, visit the Plainfield Re-Entry Educational Facility, and exchange information with the Supreme Court's Division of State Court Administration and the Indiana Judicial Center.

Julie C.S. McDonald, an Indiana Judicial Center attorney and coordinator of the visit explained, "We have hosted Ukrainian judges on 4 previous occasions through the Open World Program. It is an excellent opportunity to exchange information with the Ukrainian judges on the importance of effective and transparent justice. I believe the atmosphere of openness and accountability benefits both countries immeasurably."

The Indiana Judicial Center (IJC) is the staff agency for the Judicial Conference of Indiana, which is the collective body of appellate and trial court judges in Indiana. Among other things, IJC assists the Judicial Conference in promoting an exchange of experience and suggestions regarding the operation of Indiana's judicial system; promoting continuing education of judges, probation officers, and other court personnel; and promoting a better understanding of the judiciary.

The IJC is arranging for the Ukrainian guests to meet with Indiana Supreme Court Chief Justice Randall T. Shepard, Marion Superior Court Judge Gerald S. Zore and Hamilton Superior Court Magistrate William Greenaway. For more information on the Open World Program visit www.openworld.gov or contact Maura Shelden, Open World Public Affairs Officer at 202-707-6197. To arrange media interviews with the Ukrainian judges during their visit contact Indiana Supreme Court Public Information Officer, Kathryn Dolan, at kdolan@courts.state.in.us.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE

OF INDIANA

http://courts.IN.gov

FOR IMMEDIATE RELEASE
November 4, 2009Contact: Kathryn Dolan
317.234.4722

INDIANA SUPREME COURT DISCIPLINARY COMMISSION LEADER TO BEGIN NEW POSITION WITH INDIANAPOLIS LAW FIRM

The Indiana Supreme Court Disciplinary Commission Executive Secretary Donald R. Lundberg will resign as head of the agency that investigates and prosecutes alleged attorney misconduct effective January 1, 2010. Chief Justice Randall T. Shepard announced Lundberg's departure and congratulated him on his new position with an Indianapolis law firm, "Don Lundberg's service over these last two decades as Indiana's chief of lawyer ethics has exemplified the very best in splendid leadership and committed public service. All of us have learned a great deal from his thoughtful stewardship of the profession's values. He's done much to help Indiana lawyers and judges do our best for the clients and citizens who rely on us for navigating the legal system."



Donald R. Lundberg

Mr. Lundberg has been the Executive Secretary of the Indiana Supreme Court Disciplinary Commission since December of 1991. He is leaving the position to join Barnes and Thornburg LLP as a partner and deputy general counsel to the firm. Lundberg explained, "Being a part of this extraordinary Court's lawyer regulation enterprise has been a singular honor. It has also been a privilege to work over a period of eighteen years with a succession of thoughtful, bright and decent Commissioners and a truly wonderful staff. I look forward to the exciting new opportunities presented by my upcoming association with Barnes & Thornburg LLP, but I shall deeply miss my connection to the Court, its justices and my many colleagues who do such great work on the Court's behalf."

As Disciplinary Commission Executive Secretary Mr. Lundberg worked to investigate and prosecute cases of alleged attorney misconduct. He worked with the nine-member Commission and agency staff to ensure members of the Indiana bar upheld the Rules of Professional Conduct. While serving the Court, he also taught legal ethics at The Maurer School of Law at Indiana University—Bloomington and Indiana University School of Law at Indianapolis as an adjunct professor and is a frequent continuing legal education presenter on professional responsibility and legal ethics topics. In February of 1994, he was Practitioner-in-Residence at Indiana University School of Law, Bloomington, and in 2006, he was selected as one of twenty-five Inaugural Fellows of the National Institute for Teaching Ethics and Professionalism.

Among other publications, Mr. Lundberg is the author of *Documenting Client Decisions: A Critique of the Model Rules Post-Ethics 2000*, 14 *The Professional Lawyer* No. 4 at 2 (American Bar Association 2004); a four-part series of articles in *Res Gestae*, the monthly journal of the Indiana State Bar Association, discussing amendments to the Indiana Rules of Professional Conduct (November and December 2004 and January/February and March 2005); and is co-author with Charles M. Kidd of *You Say You Want an Evolution? An Overview of the Ethics 2000 Amendments to the Indiana Rules of Professional Conduct*, 39 *Ind. L. Rev.* 1255 (2005). He writes a regular legal ethics column, *Ethics Curbstone*, for *Res Gestae*.

He is a member of the American (Governing Council, Government and Public Sector Lawyers Division, 2003-2006), Indiana State (Board of Governors, 2005-07; General Chair, 2008 Annual Meeting); and Indianapolis (Board of Managers, 2005-06) Bar Associations, a Master of the Indianapolis American Inn of Court (President, 2008-10), a Distinguished Fellow of the Indianapolis Bar Foundation, and a Fellow of the American Bar Foundation. He is also a

member and past-president (2007-08) of the National Organization of Bar Counsel, a member of the Editorial Board of the ABA/BNA Lawyers Manual on Professional Conduct, a Founder's Circle member of the ABA Center for Professional Responsibility, and an Honorary Member of the Wilkie Inn of Phi Delta Phi.

A *summa cum laude* graduate of The Maurer School of Law at Indiana University, Mr. Lundberg is admitted to practice law in the State of Indiana and is a member of the bars of the U.S. District Courts for the Northern and Southern Districts of Indiana, the United States Court of Appeals for the Seventh Circuit, and the United States Supreme Court. He previously worked as the Director of Litigation for Legal Services Organization of Indiana, Inc. (now Indiana Legal Services, Inc.), a public interest law firm providing legal representation in civil matters to low income clients in Indiana.

The Disciplinary Commission will launch a search for a successor and will eventually submit a proposed new Executive Secretary for consideration and approval by the Indiana Supreme Court.



FOR IMMEDIATE RELEASE
November 6, 2009

Contact: Kristen Ellis
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN *STEVE BARNARD v. METRO SECURITY FORCES, INC. ET AL.* AT MICHIGAN CITY HIGH SCHOOL - MICHIGAN CITY **Case Originates from St. Joseph Superior Court**

The Court of Appeals of Indiana will hear oral argument in *Steven Barnard v. Metro Security Forces, Inc., et al.* on Monday, November 9th at 12:30 p.m. (Central time) in the Auditorium of Michigan City High School. A panel of Judge Margret G. Robb, Judge Paul D. Mathias, and Judge Cale J. Bradford will hear the case on appeal from St. Joseph Superior Court.

The case involves Steven Barnard's lawsuit against Metro Security Forces, Inc. for personal injuries he allegedly sustained when he was pushed by a man wearing an "Usher" tag at a concert. The trial court granted summary judgment to Metro, finding that the designated evidence showed that Metro provided only uniformed guard services at the venue, and therefore there was no genuine issue of material fact regarding Metro's liability because the man wearing the "Usher" tag was not a Metro employee. Barnard appeals the trial court's grant of summary judgment. Arguing for the appellant, Steven Barnard, will be Douglas Sakaguchi, and arguing for the appellee, Metro Security Forces, Inc., will be Thomas Hamilton.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 250 oral arguments "on the road" at law schools, colleges, high schools, and county courthouses since its centennial in 2000-2001.

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The 15 judges on the Court of Appeals issue more than 2,800 written opinions each year, sitting in three-judge panels. For more information about the Court of Appeals, visit www.in.gov/judiciary/appeals. For the Court's "Appeals on Wheels" initiatives, as well as additional information on *Steven Barnard v. Metro Security Forces, Inc., et al.*, visit <http://www.in.gov/judiciary/appeals/arguments.html>.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
November 6, 2009

Contact: Kathryn Dolan
317.234.4722

WOMEN'S RIGHTS THE SUBJECT OF INTERACTIVE COURTROOM DRAMA FOR STUDENTS

The Indiana Supreme Court is hosting an interactive educational program to commemorate a famous 19th century case about women and voting. "My Place is in the Voting Booth: Hoosier Suffragette Helen M. Gougar" will be performed with about 250 Indiana school children.

Tuesday, November 10th
10:30 a.m. EST and 12:30 p.m. EST
Indiana Supreme Court Courtroom
3rd Floor, Indiana State House

The one-hour interactive program will commemorate an 1890's case about women and voting. Hoosier suffragette, Helen Gougar, was denied the right to vote in a Tippecanoe County election. Gougar took her case all the way to the Indiana Supreme Court (*Gougar v. Timberlake*.) Gougar was one of the first women to argue before the Indiana Supreme Court.



Students participate in an interactive drama in the Supreme Court courtroom.

The program is a scripted drama with about 80 student parts. The 4th-12th graders will play the role of judges, attorneys, family members, and picketers. Those roles have already been filled by Indiana students from the following schools:

- Northside Middle School, Columbus
- Sidener Academy, Indianapolis
- Pine Tree Elementary, Avon
- Indianapolis Metropolitan High School, Indianapolis

"My Place is in the Voting Booth: Hoosier Suffragette Helen M. Gougar" was developed by Courts in the Classroom in conjunction with Dr. Jennifer Adams of DePauw University and with funding from the Indiana Humanities Council. The program is also part of the Spirit and Place Festival which runs through November 15th. The performances will be webcast live at courts.in.gov/citc.

Courts in the Classroom is the educational outreach department of the Indiana Supreme Court. Courts in the Classroom hosts approximately 5 major programs a year designed to teach students about the judicial branch. For more information about Courts in the Classroom contact Dr. Elizabeth R. Osborn, Assistant to the Chief Justice for Court History and Public Education, at eosborn@courts.state.in.us or visit courts.in.gov/citc.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
November 9, 2009

Contact: Kathryn Dolan
317.234.4722

FUNDS AVAILABLE TO HELP THOSE IN LEGAL PROFESSION WHO NEED MENTAL HEALTH OR DEPENDENCY TREATMENT

Judges, attorneys and law students in need of mental health or dependency treatment have a new resource for getting help. Chief Justice Randall T. Shepard announced the creation of two funds that will help pay for needed treatment and educational outreach.

“The JLAP Treatment and Grant Fund” and “The Friends of JLAP Fund” are being created by the Indiana Supreme Court’s Judges and Lawyers Assistance Committee (JLAP), the Indiana Bar Foundation (IBF) and the Indiana State Bar Association (ISBA). Chief Justice Shepard explained, “It cannot be easy to seek help for mental health or dependency troubles, so when someone comes to JLAP and is trying to find a path to recovery we want to provide them with the best possible resources. Creating these funds will allow us to help those in our profession who need our assistance.”

The JLAP Treatment and Grant Fund will be used to make grants to lawyers who are in need of treatment but cannot afford it. Approximately \$30,000 from attorney registration fees has been used to start the fund. JLAP also plans to solicit donations from attorneys, law firms, malpractice carriers and others. The Friends of JLAP Fund will be used to support JLAP’s mission in general. The money will be used for treatment grants, educational outreach and volunteer training.

JLAP’s mission is to help impaired members of the profession find an avenue to recovery, to protect the public, the profession, and the judicial system from the potential harm caused by impaired legal professionals and to educate the bench and bar about impairment issues. JLAP is a Supreme Court agency that offers confidential services. The agency runs multiple support groups, provides consultations, referrals, screenings, support and monitoring.

Terry L. Harrell, Executive Director of JLAP explained, “We have been working on creating this sort of financial support for a long time. It has been extremely frustrating to meet with a lawyer and know exactly what kind of treatment he or she needed but also realize they would not get that treatment because it is too expensive. This will help us avoid that situation and instead provide attorneys with the support they need.”

Harrell and Chief Justice Shepard extend their thanks to the IBF and the ISBA for their partnership. Bill Jonas, ISBA President said the ISBA Board of Governors has allocated up to \$5,000 to be used to help address emergency assessment or monitoring needs of Indiana lawyers. Jonas explained, “We are delighted that the ISBA has been able to provide funding to fill a need in the provision of certain emergency services to lawyers in need. The ISBA is fully committed to the goals of JLAP and we look forward to continued opportunities to work with JLAP in serving Indiana lawyers and judges.”

To seek confidential help from JLAP or to get more information on the agency all toll free (866) 428-JLAP (5527) or visit www.courts.in.gov/ijlap.



FOR IMMEDIATE RELEASE
November 12, 2009

Contact: Kristen Ellis
317.234.4859

COURT OF APPEALS HOLDS ORAL ARGUMENT IN ANNA WILLIAMS, ET AL. v. M. JAYME ADELSPERGER AT SAINT MARY-OF-THE-WOODS COLLEGE

Case Originates from Marion Superior Court

The Court of Appeals of Indiana will hear oral argument in *Anna Williams et al. v. M. Jayme Adelsperger, D.D.S.* on Tuesday, November 17th at 10:30 a.m. in the Conservatory of Saint Mary-Of-the-Woods College. A panel of Judge L. Mark Bailey, Judge Melissa S. May, and Judge Nancy H. Vaidik will hear the case on appeal from Marion County Superior Court.

The case involves the Williams' lawsuit against Dr. Adelsperger alleging malpractice for the negligent treatment of Anna Williams. The action commenced in December 2004 and alleged malpractice through August 2002. The trial court granted summary judgment for Dr. Adelsperger on the ground the limitations period had run out. On appeal, the Williamses contend the state of limitations, which requires an action be brought within two years of the alleged malpractice, should not be applied to them because even though they suspected malpractice as early as 2003, they did not have facts that would lead to the discovery of malpractice, such as medical evidence or expert confirmation, and the doctor actively denied Anna's symptoms were related to her treatment. Arguing for the appellant, Anna Williams, et al., will be Neal F. Eggeson, and arguing for the appellee, M. Jayme Adelsperger, D.D.S., will be John M. McCrum.

The Court hears oral argument at venues across the state to enable Hoosiers to learn about the judicial branch, and members of the audience are invited to ask questions following the submission of the case about the judicial process in Indiana. The Court has heard more than 250 oral arguments "on the road" at law schools, colleges, high schools, and county courthouses since its centennial in 2000-2001.

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News Release

For More Information Contact:

Marsha Jackson, EVSC Chief Communication Officer
812-435-0206
email: marsha.jackson@evsc.k12.in.us

Sara DeWitt, EVSC Communications Specialist
(812) 435-0207
email: sara.dewitt@evsc.k12.in.us

FOR IMMEDIATE RELEASE
November 18, 2009

EVSC Announces New Academy for Law and Social Justice

The Evansville Vanderburgh School Corporation and EVSC Foundation announced today (11-18-09) that area students will now have an opportunity to participate in a unique, integrated program of study in the EVSC. This program -- the Randall T. Shepard Academy for Law and Social Justice -- will integrate social studies and English curriculums for juniors and seniors and provide a wide variety of educational and growth opportunities in the community and throughout the state.

"We are grateful for the Chief Justice's desire to create this visionary program for high school students," said EVSC Superintendent Vince Bertram. "The critical analysis students will be introduced to will prepare them for deep introspection and will bring these subjects to life."

The Academy for Law and Social Justice will be offered to incoming juniors in Fall 2010. The program will offer integrated studies in law and social justice topics prepared by the Harrison High School Social Studies and English departments. It is designed to develop critical analysis in students to prepare them for studies relating to law, social justice, American policy and social values, while simultaneously earning college credit initially at the University of Southern Indiana. Shepard, a Harrison High School alumnus, will provide assistance in the planning and implementation of the program.

Enrollment for the Academy is expected to take place in late December or Early January. Students will be asked to indicate their interest in the two-year program when enrollment begins in the next few months. Application forms will then be distributed by school counselors. Based on the number of students interested in the Academy, both a morning and afternoon block may be offered to allow access for more students. The program may also be opened up to students outside Vanderburgh County, as well.

-MORE-

Juniors enrolled in the Academy will engage in the Socratic Method as they build their knowledge base. The half-day program will immerse students in a dynamic and focused curriculum to prepare them for success in a variety of disciplines in higher education.

Seniors enrolled in the Academy will concentrate on government, the creation of law, and the process of justice. They will also have the opportunity to participate in numerous education and growth opportunities including the law ambassador program in Washington, DC, guest lectures and seminars, State House and state and federal court tours, local law firm internships, Academy Debate Society, and advocacy volunteerism. Students may also publish original research and focus studies on data analysis, cost benefit analysis and related demographic data, research the impact of poverty on legal and educational services, and much more.

The courses that comprise the program all meet graduation requirements for English and Social Studies (Political Science, Civics, Government and Economics). Students will be enrolled half day with the Academy and the remainder with their home school taking other courses needed.

Randall T. Shepard was appointed to the Indiana Supreme Court by Governor Robert D. Orr in 1985 at the age of 38. He became Chief Justice of Indiana in March 1987.

A seventh generation Hoosier, Shepard graduated from Princeton University cum laude and from the Yale Law School. He earned a Master of Laws degree in the judicial process from the University of Virginia.

Shepard was Judge of the Vanderburgh Superior Court from 1980 until his appointment to chief justice. He earlier served as executive assistant to Mayor Russell Lloyd Sr. of Evansville and as special assistant to the Under Secretary of the U.S. Department of Transportation.

Chief Justice Shepard was also Trustee of the National Trust for Historic Preservation. He served as chair of the ABA Appellate Judges Conference and of the Section of Legal Education and Admissions to the Bar. During 2005-06, Shepard served as President of the National Conference of Chief Justices. Chief Justice John Roberts recently appointed him to the U.S. Judicial Conference Advisory Committee on Civil Rules.

He teaches periodically at the law schools of NYU and Yale.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
November 30, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA SUPREME COURT RECOGNIZES THE SERVICE OF LONG-TIME EMPLOYEES

The Indiana Supreme Court is proud to honor 14 employees who have dedicated their careers to serving the judicial branch. Chief Justice Randall T. Shepard welcomes all court employees to join him in honoring their colleagues.

Friday, December 4th
2 p.m. E.S.T
30 S. Meridian Street, 8th floor auditorium
Indianapolis, Indiana 46204

The employees being recognized have dedicated between 10 and 30 years of service to the Court. It is a tradition for the Supreme Court to honor the long-time members of the judicial branch with a plaque to commemorate their loyalty. Employees with 20-30 years of service will also receive a paperweight, watch, or clock as a small token of appreciation.

"We are fortunate to have so many dedicated employees, especially these long-time members of the Court family. This ceremony is a way to thank each of them for their service. Collectively, they have more than two-hundred years of experience," said Chief Justice Shepard.

The following individuals will be honored by the Court:

10 Years of Service

Timothy P. Chiplis
Pamela K. Cody
Hon. Robert D. Rucker
Darla T. Little
Marie S. Schelonka
Jennifer A. Bauer
Pamela Jo Bush

15 Years of Service

Robert J. Champion, Jr.

20 Years of Service

Shelley K. Ayer

25 Years of Service

Pamela Wood
Anne S. Davidson

30 Years of Service

Jeffrey A. Bercovitz
Michael J. McMahon
Catherine M. Springer

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
December 3, 2009

Contact: Kathryn Dolan
317.234.4722

COURTS IN THE CLASSROOM RECEIVES INDIANA HISTORICAL SOCIETY AWARD FOR LINCOLN PROGRAM

The Indiana Supreme Court's educational outreach program, Courts in the Classroom, is the recipient of the Indiana Historical Society's 2009 Indiana History Outstanding Project Award. The Court is receiving the award for its work on the "Why Lincoln Was A Lawyer" program. Chief Justice Randall T. Shepard will accept the award Monday, December 7, 2009 at the Historical Society's Founders Day Dinner.

"Why Lincoln Was A Lawyer" was a collaborative effort between the Indiana Supreme Court and the Indiana State Bar Association (ISBA) to educate schoolchildren on Abraham Lincoln's life as a lawyer, Hoosier and president. On February 12, 2009, the 200th anniversary of Lincoln's birth, hundreds of judges and attorneys visited Indiana schools to discuss Lincoln. "We estimate 30,000 children learned about Abraham Lincoln through this program. It was exciting to see how many judges, lawyers, teachers and students enjoyed celebrating the life of a great American," said Chief Justice Shepard.

As part of the program, the Court and the ISBA distributed materials about Abraham Lincoln to participating classrooms across the state. Courts in the Classroom also offered free Lincoln lesson plans for teachers. Dr. Elizabeth Osborn, Assistant to the Chief Justice for Court History & Public Education, developed the program and explained, "The lesson plans we developed concentrate on civic duties, constitutional law, and the privileges of citizenship. They are available online for teachers to access any time they are teaching about Lincoln or the law. We are honored to receive recognition from the Indiana Historical Society for this program and hope it draws renewed attention to the materials available about Abraham Lincoln."

Courts in the Classroom (CITC) is the educational outreach program of the Indiana Supreme Court. Its goal is to help teachers, students, historians, and interested citizens learn more about the history and operation of Indiana's judicial branch. For more information visit courts.in.gov/citc.

The Indiana Historical Society's award is given each year to an organization that has implemented an exceptional educational event or history project relating to its mission. Courts in the Classroom shares the award with the Ball State University Department of History and the Wabash County Historical Museum. For more information about the Indiana Historical Society, call (317) 232-1882 or visit www.indianahistory.org

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
December 3, 2009

Contact: Kathryn Dolan
317.234.4722

MEDIA ADVISORY: CHIEF JUSTICE SHEPARD AND GOVERNOR DANIELS TO ACCEPT NATIONAL CENTER FOR STATE COURTS AWARD FOR JURY IMPROVEMENTS

The National Center for State Courts (NCSC) will award the Indiana Supreme Court's Judicial Technology and Automation Committee (JTAC) a 2009 G. Thomas Munsterman Award for Jury Innovations. The award recognizes the state's efforts to ensure a broader and more accurate jury system that includes the compilation and distribution of a statewide master jury pool list. The project is a collaboration of the Supreme Court, the Indiana Department of Revenue (DOR) and the Bureau of Motor Vehicles (BMV). Chief Justice Randall T. Shepard and Governor Mitch Daniels will briefly speak about the importance of Indiana's statewide master jury pool list and other court technology projects.

Friday, December 11th
9:00 a.m. EST
Indianapolis Marriott North
3645 River Crossing Parkway
Indianapolis, Indiana 46240

The award will be presented at the Indiana Judicial Center's Winter Conference where approximately 200 Indiana trial and appellate court judges will be in attendance. Chief Justice Shepard will accept the award on behalf of the Court and will emphasize the contributions of Governor Daniels' Administration to the Court's technology improvement projects. The NCSC points to Indiana's collaborative effort between the judicial and executive branches as an example for other states to follow.

NEWS RELEASE



FOR IMMEDIATE RELEASE
December 8, 2009

Press Inquiries Contact:
American Judicature Society
Seth S. Andersen
(800) 626-4089 or sandersen@ajs.org

Indiana Chief Justice to Receive National Award

Des Moines, Iowa – Hon. Randall T. Shepard, Chief Justice of the Indiana Supreme Court, has been selected as the recipient of the Sixth Annual Dwight D. Opperman Award for Judicial Excellence. Chief Justice Shepard was chosen by a three-member panel: Hon. Judith S. Kaye, former Chief Judge of the New York Court of Appeals; Justice Ronald Robie, California Court of Appeal–Third Appellate District; and Judge Frederic Rodgers, Gilpin Combined Courts, Colorado. The award will be presented in early 2010.

Chief Judge Kaye, chair of the selection panel and last year's Opperman Award recipient, said of Chief Justice Shepard, "He is a shining star of the American justice system, the pride of lawyers and judges--especially State Court judges--in and well beyond Indiana, and an example of the success of the great objectives of the American Judicature Society."

In his nomination letter, Hon. John G. Baker, Chief Judge of the Indiana Court of Appeals, said of Chief Justice Shepard: "[he] makes those of us from Indiana proud to be Hoosiers."

Chief Justice Shepard, a seventh-generation Hoosier, started his judicial career in 1980 as a judge of the Vanderburgh Superior Court in his hometown of Evansville, Indiana. He was appointed to the Indiana Supreme Court in 1985 and was named Chief Justice eighteen months later at the age of 38, then the youngest chief justice in the nation. He is a graduate of Princeton University and Yale Law School and earned an LL.M. from the University of Virginia School of Law.

Chief Justice Shepard has authored more than 850 majority opinions and has taught and lectured at Yale Law School, New York University School of Law, and Indiana University School of Law at Indianapolis. He is recognized as a national authority on judicial ethics and legal professionalism. Among his leadership roles at the national level, he has served as President of the Conference of Chief Justices and the National Center for State Courts, Chair of the Appellate Judges Conference of the American Bar Association, and Chair of the ABA Section of Legal Education and Admissions to the Bar. In addition to leading the state courts of Indiana for more than two decades, he has been an active force in historic preservation, state and local government reform, and improvement of children and family services. He has received numerous national awards for his work to promote professionalism and diversity in the legal profession and to educate the public about the role of the courts.

The American Judicature Society (AJS) created the Opperman Award to honor state trial and appellate judges for distinguished judicial service. The award is named for Dwight D. Opperman, former chairman and CEO of West Publishing Company. Opperman is a former AJS vice president, director, and executive committee member and currently serves on the AJS Board of Directors as a Distinguished Lifetime Director.

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Founded in 1913, AJS is a leader in improving our nation's courts. The AJS mission is to ensure a fair, impartial, independent judiciary; improve the criminal justice process; educate the public; and build confidence in the justice system. For more information on AJS, visit our website at www.ajs.org.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE**OF INDIANA**<http://courts.IN.gov>**FOR IMMEDIATE RELEASE**
December 10, 2009**Contact: Kathryn Dolan**
317.234.4722

INDIANA COMMISSION ON JUDICIAL QUALIFICATIONS FILES CHARGES AGAINST SUSPENDED LAPORTE COUNTY JUDGE

The Indiana Commission on Judicial Qualifications has filed disciplinary charges against suspended LaPorte Superior Court Judge Jennifer L. Koethe. The Commission alleges Judge Koethe deliberately omitted and misrepresented facts to police about a December 2008 shooting at her home. The Commission also alleges that she asked a police officer to destroy evidence relevant to the official investigation into the shooting. The Commission alleges those actions violate numerous canons of the Indiana Code of Judicial Conduct and the Rules of Professional Conduct.

The Commission's investigation into Judge Koethe's actions surround a December 22, 2008 shooting at her home where she received a superficial wound to the scalp. At the scene, Judge Koethe told police she accidentally shot herself and did not know the location of the gun. Officers located two guns inside a laundry basket in the bedroom closet. Lab tests later showed one gun had been fired. At the hospital, Judge Koethe told detectives she and her husband had been arguing and she had retrieved the handgun because she wanted her husband to believe she was contemplating suicide. She maintained the shooting was accidental and said she thought the gun was unloaded. After speaking to detectives, she told a different police officer whom she knew well about a note she had written to her husband before the shooting. She then asked the officer, words to the effect of, "Can you make this go away?" or "Get rid of it." The note was later found by police in the bedroom closet.

During the police investigation of the shooting, Judge Koethe gave two taped statements. In the first statement, Judge Koethe deliberately omitted the fact that she wrote the note to her husband. She also claimed she thought the gun was unloaded because she had removed the magazine. However, in the second taped statement, Judge Koethe altered her account to track her husband's initial statement to police. She stated that the gun had been unloaded when she first picked it up because the couple had unloaded the household guns several days earlier in anticipation of being out of the home. During her second statement, Judge Koethe denied any knowledge regarding the whereabouts of the gun and note after the shooting. Judge Koethe's husband, Stephen Koethe, later admitted to police that he hid the gun and note in the bedroom closet at a time when Judge Koethe was in the room.

In May 2009 a grand jury returned a felony indictment against Judge Koethe for Attempted Obstruction of Justice. When the felony indictment was filed, the Indiana Supreme Court suspended Judge Koethe with pay. Having investigated the incident, the Commission has now filed three counts of judicial misconduct against Judge Koethe. These counts are separate from any criminal charges filed in an Indiana trial court.

The Commission's "Notice of the Institution of Formal Proceedings and Statement of Charges" was filed with the Indiana Supreme Court on December 10, 2009. The seven-page Notice and Charging document is attached. The 2008 and 2009 Indiana Code of Judicial Conduct can also be found in attachments accompanying this press release. The charging document provides the circumstances and specific charges against Judge Koethe; generally, they include the following:

1. **Count I** centers on Judge Koethe's conduct in deliberately withholding or misrepresenting pertinent information during her taped statements. It alleges Judge Koethe violated Canon 2A of the 2008 Code of Judicial Conduct and Rule 1.2 of the 2009 Code of Judicial Conduct which requires judicial officers to avoid impropriety and to act in a manner promoting the public's confidence in the judiciary.
2. **Count II** centers on Judge Koethe's request to a police officer that he destroy a handwritten note that was potential evidence in the investigation. It alleges Judge Koethe violated Canons 1 and 2A of the 2008 Code of Judicial Conduct, committed willful misconduct unrelated to the judicial office that brings the office into

disrepute, and engaged in conduct prejudicial to the administration of justice.

3. **Count III** centers on Judge Koeth's request to a police officer that he destroy a handwritten note that was potential evidence in the investigation. It alleges Judge Koethe violated Rules 8.4 (b), (c), and (d) of the Rules of Professional Conduct. The rules require attorneys not to engage in criminal acts reflecting adversely on their honesty and not to engage in conduct involving deceit or misrepresentation.

Judge Koethe has the opportunity to file an Answer to the charges with the Supreme Court within twenty days of receiving the charges. After the Answer is filed or twenty days has passed, the Indiana Supreme Court will appoint three Masters (Judges) to conduct a public hearing on the charge that Judge Koethe committed judicial misconduct.

The Commission on Judicial Qualifications is the 7-member group that investigates alleged ethical misconduct by judges. Chief Justice Randall T. Shepard chairs the Commission. The Indiana Supreme Court has final authority over judicial discipline.



[Notice of the Institution of Formal Proceedings and Statement of Charges](#)



[2008 Code of Judicial Conduct](#)



[2009 Code of Judicial Conduct](#)

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
December 11, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA SUPREME COURT & DANIELS ADMINISTRATION ACCEPT NATIONAL CENTER FOR STATE COURTS JURY IMPROVEMENT AWARD

Indiana was touted as a leader in jury practices by the National Center for State Courts (NCSC) as a recipient of a 2009 G. Thomas Munsterman Award for Jury Innovations. Chief Justice Randall T. Shepard accepted the award on behalf of the Court emphasizing it is shared with Governor Mitch Daniels' Administration because their collaboration made the project a reality.

"Indiana is using 21st century technology to ensure that our juries represent the people of our state," explained Chief Justice Randall T. Shepard. "With Governor Daniels' partnership we created an accurate statewide jury list that ensures a broader and more reflective pool of applicants will be eligible to serve on an Indiana jury." The NCSC presented the award to the Indiana Supreme Court's Judicial Technology and Automation Committee for the Jury Management System (JMS) which includes a master jury pool list.



Justice Frank Sullivan, Jr., Governor Mitch Daniels,
Chief Justice Randall T. Shepard, Judge Gregory E. Mize

Governor Mitch Daniels, who received a standing ovation from the judges in the audience, saluted the judicial branch for the accomplishment, "It has been a great experience for us to work together with JTAC and to know we are producing a better government, efficient and probably more effective government."

The master jury pool list was developed for the Court's Jury Management System (JMS) by the Division of State Court Administration's Judicial Technology and Automation Committee. The list is created using a combination of records from the Indiana Department of Revenue (DOR) and the Bureau of Motor Vehicles (BMV). Duplicates are eliminated and the records are merged. Individuals identified as deceased, underage for jury service or having moved out of state are also removed from the list. Lastly, the list is validated against U.S. Postal Service address data and addresses are flagged for possible delivery errors.

The new master jury pool list includes 5.2 million people and corresponds much more closely with Indiana citizens eligible for jury service. The Court's Division of State Court Administration distributes the list to Indiana trial courts. Development of the new list has greatly decreased the amount of undeliverable mail. And because the list is compiled at the state level and distributed statewide at no cost to county courts, county taxpayers no longer bear the expense of developing jury pool lists. Many courts have also noticed a considerable increase in the diversity of jury pools. "This is a technical accomplishment that matters in real life," said Chief Justice Shepard. "The notion that you have a right to a trial by a jury of your peers depends on whether the people in the box really are your peers."

Judge Gregory E. Mize of the NCSC presented the award at the Indiana Judicial Center's Winter Conference with approximately 200 trial and appellate court judges present. In presenting the award he said, "Indiana courts, you've done it again. For years, you have empowered citizens on a jury by allowing note taking, allowing them to ask questions and to discuss. You also provide instructions on the basic legal rules. Now, you give another example for the nation. Your new master jury list system is efficient, low cost, centralized without creating a dynasty, and you provide great technical support to all users."

The Jury Management System is just one example of the Supreme Court's technology improvement projects. Justice Frank Sullivan, Jr., who chairs JTAC thanked the Governor for his support of all court technology initiatives and said, "Indiana courts and agencies throughout the Daniels' Administration use technology to increase public safety and save taxpayers money."

The National Center for State Courts is dedicated to improving the administration of justice through leadership and service to courts around the world. Its Munsterman Award recognizes states, local courts, organizations, or individuals that have made significant improvements or innovations in jury procedures, operations and practices. For more information on the National Center for State Courts visit www.ncsc.org. For more information on the Indiana Supreme Court visit www.courts.in.gov.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

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FOR IMMEDIATE RELEASE
December 14, 2009

Contact: Kathryn Dolan
317.234.4722

CARMEL CITY COURT CASE INFORMATION AVAILABLE ON INDIANA SUPREME COURT ODYSSEY RECORDS SYSTEM

The Carmel City Court has joined the Hamilton County trial courts in using the Indiana Supreme Court's electronic case management system called "Odyssey." Court case information in Odyssey is available to the public over the Internet at no cost. The Carmel City Court is the third city court to use the statewide system. In 2008, the court handled nearly 11,000 new infraction, ordinance violation, and criminal misdemeanor cases. Court leaders will demonstrate the system and answer questions for the press and public.

Tuesday, December 15th
1:00 p.m. E.S.T. at the Carmel City Court
One Civic Square Carmel, Indiana 46032

Odyssey was installed in the Carmel City Court by the Division of State Court Administration's Judicial Technology and Automation Committee (JTAC). Indiana Supreme Court Justice Frank Sullivan, Jr., is the chair of JTAC and will be available at the briefing. "I commend Carmel City Court Judge Brian Poindexter for his leadership in installing this 21st-century technology that will make processing cases more efficient."

Judge Poindexter, who will also be available at the briefing explained, "I made it my priority to bring the Carmel City Court onto the Supreme Court's computer system. Because the system is the same system as the Hamilton County trial courts are using, we now have ready access to information on all of our courts' cases—as well as that on many other courts across the state."

Odyssey is part of the Court's multi-year effort to equip every Indiana trial court with a 21st-century case management system. In doing so, all court systems will be connected to each other, law enforcement, state agencies, and others who need and use court information. "The thousands of new cases filed in Carmel City Court are now going to be a part of the Odyssey system," explained Justice Sullivan. "This allows the public to have access to the court's case information and allows the court to handle its cases more efficiently. This also enhances public and police officer safety."

Using computer software written by JTAC, law enforcement officers in 136 departments use scanners to issue traffic citations and warnings. Because this is so much faster than writing tickets by hand, officer and motorists exposure to traffic hazards is lessened. And because an electronic citation is created, the data does not have to be reentered by hand when the ticket is filed with Odyssey.

Indiana State Police troopers use the system and Hamilton County Sheriff's deputies are currently being trained. Soon, the Carmel City Police Department will also begin using the system. "The scanning equipment, in-car printers and the software is being provided by JTAC at no cost to the Carmel Police," explained Justice Sullivan. Funding for this purpose was provided by the Indiana Criminal Justice Institute.

The Odyssey system was first installed in ten Indiana courts on a pilot basis in December, 2007. It is now operating in 43 Indiana courts in fourteen counties, including the Marion County traffic court, the busiest court in the state. These courts comprise approximately 21% of all the new cases filed in Indiana.

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30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



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FOR IMMEDIATE RELEASE
December 14, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA BOARD OF LAW EXAMINERS ELECTS OFFICERS AND WELCOMES NEW ATTORNEYS IN BAR ADMISSION CEREMONY

In the fall of 2009 the Indiana Supreme Court's Board of Law Examiners (BLE) elected new officers, welcomed a reappointed board member and oversaw the bar admission ceremony. Board Executive Director Linda L. Loepker explained, "In addition to welcoming new attorneys to the practice of law in Indiana, I am also very pleased to announce four of our board members will remain officers." The October meeting included the election of the following attorneys to a one year term on the specified position.

President, Leslie C. Shively: He was first appointed to the board in 2000. An Evansville attorney, Mr. Shively primarily concentrates on real estate, land use and construction law. He is an Indiana University School of Law graduate.

Vice- President, Jon B. Laramore: He was first appointed in 2006. An Indianapolis attorney, Mr. Laramore is the lead partner in the appellate practice group at Baker & Daniels, LLP and recently received the Indianapolis Bar Association's 2009 Pro Bono Award for an attorney aiding entities. He is a graduate of Harvard Law School.

Secretary, Maria Pabon Lopez: She was first appointed in 2007. Professor Lopez serves on the faculty of Indiana University School of Law-Indianapolis. She teaches courses on immigration law, family law and professional responsibility. She is a graduate of University of Pennsylvania School of Law.

Treasurer, Gilbert King, Jr.: In addition to being elected treasurer, the Indiana Supreme Court also reappointed Mr. King to the Board. The Court appointed Mr. King to a five-year term. He was first appointed to the board in 2004 and also has served on the Board's foreign license committee. He was admitted to practice in Indiana in 1974 and maintains a private law practice in Gary, Indiana. He is a graduate of the University of Kentucky Law School and is active in numerous civil and legal organizations.

Other members of the board include the Cynthia S. Gillard of Elkhart, Eileen J. Sims of Lebanon, Charlotte F. Westerhaus of Indianapolis, Michael M. Yoder of Avilla, the Honorable Barbara L. Brugnax of Terre Haute, and Gary K. Kemper of Madison.

The 10-member Board of Law Examiners is responsible for ensuring that individuals admitted to practice law have met the requirements specified in the Admission and Discipline Rules of the Indiana Supreme Court. The board members must write and grade the essay portion of the examination given to applicants seeking admission to the Indiana Bar. The culmination of that process is the admission ceremony, which was held in October.

"The ceremony is special because it comes after years of education and hard work," explained Executive Director Loepker. "Each new attorney is to be commended for completing the journey to get admitted to the Indiana Bar and congratulated on starting their legal career. I wish each of them many years of success." In total, 369 individuals were admitted to practice law during the October 16, 2009 ceremony that was held in the Sagamore Ballroom at the Indiana Convention Center in downtown Indianapolis.

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Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE

OF INDIANA

<http://courts.IN.gov>FOR IMMEDIATE RELEASE
December 16, 2009Contact: Kathryn Dolan
317.234.4722**INDIANA COMMISSION ON JUDICIAL QUALIFICATIONS FILES CHARGES AGAINST SUSPENDED BICKNELL CITY COURT JUDGE**

The Indiana Commission on Judicial Qualifications has filed disciplinary charges against suspended Knox County City Court Judge David Andrew Moreland. The Commission alleges that Judge Moreland, who is not required to be an attorney to serve in the Bicknell City Court, misappropriated court funds for personal use, engaged in nepotism by employing his wife as the court clerk, and directed his wife to misappropriate court funds.

Mr. Moreland was elected to the bench and began his term as Bicknell City Court Judge in Knox County on January 1, 2008. On October 13, 2009, the Knox County Prosecutor filed five Class D Felony charges of Theft against Judge Moreland. The Indiana Commission on Judicial Qualifications filed a "Notice of Criminal Charges and Request for Suspension" with the Indiana Supreme Court that same day. After reviewing the request, the Indiana Supreme Court immediately ordered Judge Moreland suspended with pay. The Court appointed a judge *pro tempore* to fill the vacancy left in Bicknell City Court.

The Commission's investigation into Judge Moreland and missing court money paid by traffic offenders has now resulted in the filing of five counts of misconduct. The "Notice of the Institution of Formal Proceedings and Statement of Charges" was filed by the Commission with the Indiana Appellate Courts' Clerk (case number 42S00-0910-JD-441) on December 16, 2009. The document accompanies this press release and details the Commission's allegations against Judge Moreland. The misconduct charges filed with the Indiana Supreme Court by the Commission are separate from any criminal charges filed in an Indiana trial court.

The "Notice of the Institution of Formal Proceedings and Statement of Charges" includes background information regarding an audit conducted by the Indiana State Board of Accounts which uncovered the missing court money. The Statement of Charges also details Judge Moreland's admission to Indiana State Police that he and his wife took court money. The specific counts alleging misconduct are provided in the "Notice of the Institution of Formal Proceedings and Statement of Charges," and, generally, they include the following:

1. **Count I** centers on the allegation Judge Moreland misappropriated court funds for personal use in 2008, violating Canon 1 and Canon 2A of the 2008 Code of Judicial Conduct. The Canons require judges to preserve the integrity of the judiciary, avoid impropriety, and promote the public's confidence in the integrity of the judiciary. Judge Moreland also is charged in this count with committing willful misconduct in office.
2. **Count II** centers on Judge Moreland directing or permitting his wife to misappropriate court funds for personal use in 2008 which is a violation of Canons 1 and 2A of the 2008 Code of Judicial Conduct. The count also alleges Judge Moreland committed willful misconduct in office and conduct prejudicial to the administration of justice.
3. **Count III** centers on Judge Moreland misappropriating court funds for personal use in 2009, which is a violation of Rule 1.1 of the 2009 Code of Judicial Conduct which requires judges to comply with the law. It is also a violation of Rule 1.2 of the 2009 Code of Judicial Conduct which requires judges to avoid impropriety and promote public confidence in the judiciary. The count also alleges he committed willful misconduct in office and conduct prejudicial to the administration of justice.
4. **Count IV** centers on Judge Moreland's conduct in directing or permitting his wife to misappropriate court funds for personal use in 2009, which is a violation of Rules 1.1 and 1.2 of the 2009 Code of Judicial Conduct. The count also alleges he committed willful misconduct in office and conduct prejudicial to the

administration of justice.

5. **Count V** centers on Judge Moreland employing his wife as the city court clerk, which is a violation of Canon 3(C)(4) of the 2008 Code of Judicial Conduct and Rule 2.13(A)(2) of the 2009 Code of Judicial Conduct which require judges to avoid nepotism in hiring.

Judge Moreland has the opportunity to file an Answer to the charges with the Supreme Court within twenty days of receiving the charges. After the Answer is filed or twenty days has passed, the Indiana Supreme Court will appoint three Masters (Judges) to conduct a public hearing on the charge that Judge Moreland committed judicial misconduct.

The Commission on Judicial Qualifications is the 7-member group that investigates alleged ethical misconduct by judges. Chief Justice Randall T. Shepard chairs the Commission. The Indiana Supreme Court that has final authority over judicial discipline. The Court can dismiss the charges against Judge Moreland or it can impose sanctions ranging from a reprimand to a permanent ban on holding a judicial office in Indiana.



[Notice of the Institution of Formal Proceedings and Statement of Charges](#)



[2008 Code of Judicial Conduct](#)



[2009 Code of Judicial Conduct](#)



FOR IMMEDIATE RELEASE
December 18, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA JUDGES ASSOCIATION HONORS REPORTERS AND JUDGES WHO EDUCATE OTHERS ABOUT JUDICIAL SYSTEM

The Indiana Judges Association presented the 2009 Commendations for Excellence in Public Information and Education. Tim Young of the Newburgh Register and Ken Kosky of The Times of Northwest Indiana were the media award recipients. Courts in the Classroom accepted the Judicial Award for its "Why Lincoln Was A Lawyer" program which brought judges into the classroom to talk about Lincoln.

The awards are given to highlight outreach projects and responsible reporting on the courts and legal system. Floyd County Judge J. Terrence Cody, President of Indiana Judges Association explained, "These awards give us a wonderful opportunity to celebrate the fine work that goes on in newsrooms and courtrooms across Indiana to help our citizens gain a better understanding of the justice system. This year's recipients have gone the extra mile in educating both children and adults about the important work done by lawyers and judges."

Mr. Tim Young was nominated by Judge Keith Meier of Warrick Superior Court for his efforts in reporting on the human side of addiction in his coverage of the Warrick County Drunk Driving and Drug Court Program.

Mr. Ken Kosky was nominated by Judge David Chidester of Porter Superior Court for his efforts to educate the community about the law. Mr. Kosky writes an informative weekly article entitled, "It's the Law..." which informs readers about various laws and criminal offenses.

Courts in the Classroom received the judges award for its "Why Lincoln Was a Lawyer" program. The Indiana Supreme Court's education outreach program, "Courts in the Classroom" developed the curriculum to celebrate the 200th birthday of Abraham Lincoln. The Indiana State Bar Association partnered with the Supreme Court to help recruit 500 volunteer lawyers and judges who presented the program to 35,000 students. Judges and attorneys taught Indiana school children about Lincoln's life as a lawyer and showcased the civic virtues exemplified by Lincoln.

The awards were presented in September at the Indiana Judges Association Annual Meeting. The Indiana Judges Association was established in 1934. Its purpose is to cultivate the acquaintance of Indiana judges; to assist each other in mutual problems; to work with representatives of the state agencies for the improvement of Indiana government; to provide a source of judicial membership for committees outside the Association and to exert a coordinated effort toward better and simpler administration of justice and clearer, more uniform procedures in all courts. The IJA is funded by dues from members.



FOR IMMEDIATE RELEASE
December 18, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA JUDICIAL CENTER HONORS JUDGES, MAGISTRATES AND COMMISSIONERS FOR SERVICE AND COMMITMENT TO HIGHER EDUCATION

The Indiana Judicial Center honored dozens of judges and magistrates for their commitment to higher education and their long-time service to the judicial branch in 2009. Indiana Judicial Center Executive Director Jane Seigel explained, "All Indiana judges have continuing education requirements. The judges who make a commitment to our advanced education programs are going above and beyond. We also recognize the long-time judges in our state who have made public service their life's work."

The judicial officers were recognized by the Indiana Judicial Center, The Indiana Supreme Court and about 500 judges from across the state at an annual meeting. Seventeen judicial officers completed coursework to attain an Indiana Judicial College certificate and two judges received an Indiana Judicial College Master's certificate. Twenty seven judicial officers were recognized for graduating from the Indiana Graduate Program for Judges. Four judicial officers who completed a science and technology program known as ASTAR were recognized. Seven judges were honored for their 24 years of service on the bench.

2009 Indiana Judicial College Certificate Graduates: A judicial officer must complete 120 hours of judicial education presented by the Indiana Judicial Center to receive the Indiana Judicial College certificate. The programs offered for Judicial College credit are designed specifically for judicial officers in the following areas: legal ability, judicial skills, contemporary and interdisciplinary issues, judicial responsibility, personal growth and development.

Lake Superior Court Magistrate Natalie Bokota
Johnson Circuit Court Magistrate Marla Clark
Allen Superior Court Magistrate Brian Cook
Elkhart Circuit Court Magistrate Deborah Domine
Floyd Superior Court Judge Glenn Hancock
Putnam Circuit Court Judge Matthew Headley
Jay Circuit Court Judge Brian Hutchison
LaPorte Superior Court Judge Kathleen Lang
Newton Circuit Court Judge Jeryl Leach

Marion Superior Court Magistrate Kimberly Dean Mattingly
Howard Superior Court Judge William Menges
Washington Superior Court Judge Frank Newkirk
Marion Superior Court Judge David Shaheed
Lake Superior Court Judge Elizabeth Tavitaz
Randolph Circuit Court Judge Jay Toney
Dubois Circuit Court Judge William Weikert
Henry Superior Court Judge Bob Witham

2009 Indiana Judicial College Master's Certificate Graduates: The masters program requires the completion of 240 hours of Judicial Center education and an original writing or "special" project as approved by the Judicial Education Committee.

Steuben Circuit Court Judge Allen Wheat

Senior Judge Douglas Morton of Rochester

2009 Indiana Graduate Program for Judges: The Graduate Program is an in-depth and intensive learning experience which requires one week of course work for two consecutive summers with additional assignments.

Clark Circuit & Superior Courts Magistrate Kenneth Abbott
Lake Superior Court Magistrate Kathleen Belzeski
Elkhart Superior Court Judge George Biddlecome
Dearborn Superior Court Judge Sally Blankenship
Vigo Circuit/Superior Court Judge David Bolk
Marion Superior Court Commissioner John Boyce
Indiana Court of Appeals Judge Cale Bradford
Marion Superior Court Judge Linda Brown
Clark Superior Court Judge Vicki Carmichael
Marion Superior Court Judge David Certo
Steuben Circuit/Superior Court Magistrate Randy Coffey
Senior Judge Natalie Conn

Lake Superior Court Judge Calvin Hawkins
Huntington Superior Court Judge Jeffrey Heffelfinger
Howard Superior Court Judge George Hopkins
Boone Superior Court Judge Matthew Kincaid
Montgomery Superior Court Judge Peggy Lohorn
St. Joseph Superior Court Judge John Marnocha
Indiana Court of Appeals Judge Melissa May
Allen Superior Court Magistrate Lori Morgan
Vigo Superior Court Judge Christopher Newton
Allen Superior Court Magistrate Karen Springer
Warren Circuit Court Judge John Rader
Marion Circuit Court Judge Louis Rosenberg
Lake Superior Court Magistrate John Sedia

St. Joseph Circuit Court Judge Michael Gotsch
Morgan Superior Court Judge G. Thomas Gray

2009 ASTAR Recipients: The Advanced Science and Technology Adjudication Resource Center or ASTAR is a national program designed to prepare state and federal judges for complex cases involving science. For more information on ASTAR visit www.einshac.org/index.html.

Warren Circuit Court Judge John Rader
Indiana Court of Appeals Judge L. Mark Bailey

Noble Superior Court Judge Michael Kramer
Marion Superior Court Commissioner Kenneth Johnson

24 Year Certificates: This award is given to judges with 24 years of service on the bench.

Tippecanoe Superior Court Judge Gregory Donat
Steuben Superior Court Judge William Fee
St. Joseph Superior Court Judge J. Jerome Frese
Fayette Circuit Court Judge Daniel Pflum

Shelby Superior Court Judge Jack Tandy
Porter Circuit Court Judge Mary Harper
Huntington Superior Court Judge Jeffrey Heffelfinger

The Indiana Judicial Center serves as the state's judicial research and continuing judicial education agency. It develops and sponsors continuing education programming for judges, probation officers, and other court personnel. The Center works to enhance the performance of the judicial system as a whole by continuously improving the professional competence of judicial officers. For more information on the Center visit www.in.gov/judiciary/center/.

SUPREME COURT

Kathryn Dolan

30 SOUTH MERIDIAN STREET, INDIANAPOLIS, INDIANA 46204
(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
December 23, 2009

Contact: Kathryn Dolan
317.234.4722

INDIANA SUPREME COURT SEEKS COMMENT FROM PUBLIC ON POSSIBLE CHANGES TO THE RULES OF COURT

The Indiana Supreme Court is interested in receiving comments from judges, attorneys and the public as it considers changes to the Indiana Rules of Court. The proposed rule changes deal with attorney advertising, appellate court procedures and trial court procedures. Details about the specific proposed rule changes can be found online at courts.in.gov/rules/proposed/2009/november.html.

The Court is seeking comments through its Committee on Rules of Practice and Procedure. The Committee was created by the Indiana Supreme Court to conduct a continuous study of the Indiana Rules of Procedure and other rules as directed by the Court. The Committee is charged with reporting to the Court recommendations and proposed amendments to promote simplicity in procedure, just determination of litigation, and elimination of unjustified expense and delay.

The Committee is considering recommending to the Indiana Supreme Court changes to the following rules:

1. Indiana Professional Conduct Rules 7.2, 7.3, 7.4, and 7.5 (attorney advertizing)
2. Indiana Rules of Appellate Procedure 14, 18, 39, 41, 46, 49, and 50 (appellate practice)
3. Indiana Trial Rule 62 (procedure for obtaining stay upon appeal)

The Committee is also interested in obtaining comments on a rule change proposed by the Indiana Pro Bono Commission. The Rules Committee has neither reviewed nor determined whether to recommend the following proposed amendment:

1. Indiana Trial Rule 23 (dispensing the balance of class action residual funds to Indiana Bar Foundation for use by the Pro Bono Commission)

The nine-member Committee on Rules of Practice and Procedure will collect public comments about the possible rule changes until March 1, 2010. The comments can be sent via email or in writing to the following addresses:

- localrulescomments@courts.state.in.us
- Lilia G. Judson
Executive Director
Indiana Supreme Court
Division of State Court Administration
30 South Meridian Street, Suite 500
Indianapolis, IN 46204

SUPREME COURT

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December 23, 2009**Contact: Kathryn Dolan**
317.234.4722**INDIANA SUPREME COURT PROVIDES \$750,000 IN FUNDING TO CIVIL LEGAL AID GROUPS IN JANUARY 2010**

In January 2010, agencies that provide low income Hoosiers with civil legal services will receive funding from the Indiana Supreme Court. The Indiana General Assembly appropriates the funding for the Civil Legal Aid Fund and the Indiana Supreme Court awards the grant money to qualified agencies across the state.

Civil cases involve a conflict between people or business, such as foreclosure or divorce. In criminal cases, the government brings a charge against a person accused of a crime and an attorney is provided at state expense if the defendant cannot afford one. The Supreme Court is committed to ensuring that individuals involved in civil matters also have access to attorneys. The Supreme Court will provide \$1.5 million to civil legal aid groups in 2010. The first installment, totaling \$750,000, will be provided in January 2010 to the following eleven agencies.

Legal Aid - District Eleven	\$8,369.19
Community Organizations Legal Assistance Program	\$24,675.72
Elkhart Legal Aid Service, Inc.	\$12,344.39
Indiana Legal Services, Inc.	\$479,012.74
Indianapolis Legal Aid Society, Inc.	\$46,126.50
Law School Legal Service, Inc.	\$24,675.72
Legal Aid Corporation of Tippecanoe County	\$5,020.32
Legal Aid Society of Evansville, Inc.	\$13,650.05
Neighborhood Christian Legal Clinic	\$80,315.63
Indiana Coalition Against Domestic Violence, Inc.	\$24,675.72
Volunteer Lawyer Program of Northeast Indiana, Inc.	\$31,134.02
	\$750,000.00

To qualify for Indiana Supreme Court Civil Legal Aid funding, an agency must be an Indiana non-profit that provides civil legal aid services to the poor without charge. The above agencies across the state meet those specifications.

In a separate effort to help civil legal aid, the Court also recently agreed to provide funding to the Indiana Bar Foundation's Justice Given Loan Repayment Assistance Program for Indiana or LRAP-IN. That program is designed to help civil legal aid attorneys with lower incomes and often high educational debt to repay student loans. The Court will provide up to \$200,000 to LRAP-IN to help Indiana civil legal aid groups recruit and retain qualified attorneys.

Both efforts are designed to help provide legal service programs for the poor. For more information about the Indiana Supreme Court and the Civil Legal Aid Fund, visit courts.in.gov.

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(317) 234-4722 TELEPHONE (317)-233-6586 FACSIMILE



OF INDIANA

<http://courts.IN.gov>

FOR IMMEDIATE RELEASE
December 28, 2009

Contact: Kathryn Dolan
317.234.4722

MEDIA ADVISORY: HARRISON COUNTY WILL BE 15TH INDIANA COUNTY TO GO ONLINE WITH INDIANA SUPREME COURT ODYSSEY CASE MANAGEMENT SYSTEM

The Harrison County Courts and Clerk's office is demonstrating why its new case management system, "Odyssey," is a significant improvement for court staff, law enforcement, and taxpayers. Odyssey connects the Harrison County Courts and Clerk to a continually growing network of other county courts, clerks, law enforcement and state agencies. Odyssey also makes court information available to the public over the internet at no charge.

MONDAY, JANUARY 4th
11:00 EST
Harrison Circuit Court
300 North Capital Avenue
Corydon, Indiana 47112

The upgrade to Odyssey in Harrison County is part of the Indiana Supreme Court's effort to equip every trial court with a 21st-century case management system. The goal is to connect courts with each other and state agencies. Harrison Circuit Court Judge Harris Lloyd Whitis, Harrison County Clerk Sherry Brown, and Indiana Supreme Court Justice Frank Sullivan, Jr., will answer questions about the system and show the public how it works at Monday's demonstration.



FOR IMMEDIATE RELEASE
December 29, 2009

Contact: Steve Lancaster
317.232.4197

MEMORIAL SERVICE SET FOR JUDGE GEORGE B. HOFFMAN, JR. OF THE COURT OF APPEALS OF INDIANA

The Honorable George B. Hoffman, Jr., a former Chief Judge of the Court of Appeals of Indiana, passed away on December 25, 2009. A public memorial service will be held on Saturday, January 9, 2010, at 2 p.m. at the Bartlett Chapel United Methodist Church, 4396 East Main Street, Avon, Indiana, 46123.

Judge Hoffman graduated from Hammond High School, Hammond, Indiana. From January 1943 through April 1947, he served as a combat infantryman in the 102nd Infantry Division. He was wounded in Germany and was awarded the Purple Heart.

Judge Hoffman attended Muskingum College and Valparaiso University where he received his J.D. in 1951. He was admitted to the Indiana bar in June of the same year. He was the senior partner in the firm of Royce, Hoffman and Huebner in Hammond, Indiana until his 1968 election as a judge of the Indiana Appellate Court, as it was then known. Judge Hoffman served as the Indiana Appellate Court's Presiding Justice for the 1970 Term and as Chief Justice for the 1971 Term. From 1972-1974, he served as the first Chief Judge of the Court of Appeals of Indiana. As Chief Judge, he began the Court of Appeals' program that takes appellate oral arguments out of the State House in Indianapolis to be heard at schools, universities, county governments, and civic organizations across the state.



Recognizing Judge Hoffman's accomplishments, Chief Judge John G. Baker of the Court of Appeals of Indiana reflected: "For almost 41 years our Court was blessed by Judge Hoffman's dedication and service. He has affected generations of young lawyers and judges in Indiana and beyond. Although he will be absent in person, we know that his spirit of commitment will endure."

Judge Hoffman was a strong proponent of legal education for judges and accessibility of the judiciary to the public. He attended numerous judicial conferences, including: the Appellate Judges' Seminar at New York University School of Law and the Tri-State Appellate Judges' Seminar in East Lansing, Michigan. He was one of 35 federal and state appellate judges invited to participate in the State-Federal Appellate Judges' Conference in Washington, D.C. He was a graduate of the Indiana Judicial College. Judge Hoffman was a guest lecturer at the University of Wisconsin-Stout, and the keynote speaker for the 52nd Annual Convention of the Indiana State Council of Carpenters. He frequently addressed bar associations and civic organizations.

Judge Hoffman was a past-President of the Hammond Bar Association, a past-President and a founding member of the Legal Aid Society of Greater Hammond, a past-Chair of the Board of Trustees of the Indiana Judges' Retirement System, a member of the American Bar Association, a member of the Indiana State Bar Association, serving as a delegate for 30 years, and a member of the Indianapolis Bar Association. Judge Hoffman was a member of Sigma Delta Kappa Law Fraternity and Pi Gamma Mu National Social Science Honor Society.

Judge Hoffman was a member of the American Legion, Post 16, the Veterans of Foreign Wars, Post 3029, and Disabled American Veterans, all of Hammond, Indiana.

Judge Hoffman was active in Boy Scouts of America, American Red Cross, the Y.M.C.A., and Connor Prairie. He received the Man of the Year award from the Knights of St. Peter Claver, Assembly #14, Indianapolis, Indiana. The

Legal Aid Society of Greater Hammond recognized Judge Hoffman with a distinguished service award. He was awarded an outstanding service award from the Crown Point Community School Corporation. He received an award for exceptional contribution to the legal profession from the East Chicago Bar Association. He was recognized by the Indiana Judicial Center and the Indiana University School of Law-Indianapolis for developing judicial education seminars as a precursor to the Indiana Judicial Center. Judge Hoffman received various awards from the Hammond Junior Chamber of Commerce and a Sagamore of the Wabash from six Indiana governors. In 2008, Judge Hoffman was named the Indiana Bar Foundation's Legendary Lawyer for his 57 years of dedicated service to the legal profession. The Indiana Bar Foundation established the Honorable George B. Hoffman, Jr. Endowed Fund to which the Valparaiso University School of Law was the first contributor.

Judge Hoffman was the first judge of the Court of Appeals of Indiana to author 2,000 opinions, a milestone he reached in October, 1989. Prior to his retirement in 1998, he authored more than 3,000 opinions and participated in over 9,000 appeals. After his retirement and until his death, he served as a Senior Judge on the Court of Appeals.

Doug Church, senior partner in Church, Church, Hittle & Antrim, a past-President of the Indiana State Bar Association, and Judge Hoffman's first law clerk said: "The untimely death of George B. Hoffman, Jr. is a tremendous personal loss for his family and friends but also a loss for our state, our judiciary and the entire legal community. Judge Hoffman was plainspoken, loyal to his friends, honest to a fault and a credit to his family, his community and his colleagues. He never hesitated to confront difficult issues. His written opinions were clear and instructive. His work ethic was remarkable. His service to his country, his state and his family and friends was heroic and generous." Echoing Chief Judge Baker's sentiments, Mr. Church added: "There will be so many places and events that will serve as reminders of the Judge and he will be sorely missed by all of us who came under his influence. I consider myself a very lucky person to have known him, and I will never forget him."

Judge Hoffman was one of three children born to George B. Hoffman and Mary L. Hoffman. As a child, he moved with his family from Pennsylvania to Hammond, Indiana. He married Margaret (Cross) Hoffman and had five sons: Dean, Dale, Karl, Kent, and Kurt. After Margaret's passing, Judge Hoffman married Louise E. Scudder Hoffman. Judge Hoffman is survived by his wife, Louise, his children, ten grandchildren, and five great-grandchildren.