

# Courts

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## Mission

To manage the operation of the Indiana justice system, decide cases and appeals, and regulate the practice of law.

## Summary of Activities

Three separate courts – the Supreme Court, the Court of Appeals, and the Tax Court – are part of the appellate court system. The system also includes the elected Clerk of Courts.

The **Supreme Court** is the court of last resort in Indiana. As such, it is the final voice on the interpretation of the laws of the state. Cases coming before the Indiana Supreme Court are decided by a panel of five Justices. In addition to having jurisdiction over all capital cases, the Supreme Court has exclusive jurisdiction over the admission and discipline of attorneys and the supervision and discipline of judges. The Court also manages the operation of the state's trial court systems, consisting of 299 trial court judges, 67 magistrates, and 201 prosecutors and deputy prosecutors. The Legislature and the Court have established various divisions, agencies, boards, commissions, and committees to assist the Court with its broad responsibilities, including: the Divisions of State Court and Supreme Court Administration, the Disciplinary Commission, the Judicial Center, the Board of Law Examiners, the Continuing Legal Education Commission, the Judicial Nominating and Qualifications Commission, the Judges and Lawyers Assistance Program, the Race and Gender Fairness Commission, and the Judicial Technology and Automation Committee. Appropriations administered by the Supreme Court pay for the salaries of local judges and county prosecutors.

The **Court of Appeals** is an intermediate appellate court with initial general jurisdiction over almost all appeals arising in the trial courts of Indiana, as well as appeals from the **Worker's Compensation Board**, the **Department of Workforce Development**, the **Utility Regulatory Commission**, and the **Civil Rights Commission**. The Court of Appeals is composed of fifteen Judges with cases decided by rotating panels of three Judges.

The **Tax Court** has jurisdiction over appeals from final determinations of the **State Department of Revenue** and the **State Board of Tax Commissioners**.

The **Clerk of Courts** is responsible for receiving all filings for the Supreme Court, Court of Appeals, and Tax Court, and transmitting those filings to the appropriate court. The Clerk maintains the dockets for all cases, transmits all orders and opinions handed down by the three appellate courts, and is responsible for maintaining, safekeeping, and archiving closed cases. The Clerk of Courts also maintains the roll of attorneys in Indiana, collects attorney registration fees, and swears-in new attorneys. Brian Bishop is currently Indiana's Clerk of Courts.

## External Factors

The court system is externally affected by the number of civil law suits filed, the number of criminal prosecutions commenced, and the number of appeals taken by litigants. All these activities have steadily increased over time. This is reflected in the rising caseload of the Supreme Court and Court of Appeals. During FY 2000 the Supreme Court adjudicated 1,260 cases, more than at any other time in its history. In 1999 the Court of Appeals received 2053 briefed cases, up from 1,779 cases in 1991. On a long-term basis, this caseload increase is reflective of a substantial increase in the number of persons entering the criminal justice system.



### The Indiana Supreme Court

*Back Row:* Justice Frank Sullivan, Jr., Chief Justice of Indiana Randall T. Shepard, Justice Brent E. Dickson

*Front Row:* Justice Robert D. Rucker, Justice Theodore R. Boehm

## Evaluation and Accomplishments

Despite the growing caseloads, cases continue to be decided promptly. In 1999, the Supreme Court disposed of more cases than at any time in its history, and issued the most written opinions on Indiana law since 1991. Despite an increase in caseload, the Court of Appeals reduced the number of cases pending before it as well as the time it takes to render a decision. Indiana's trial courts saw growth in their caseload as well, receiving 1,452,439 new filings in 1999, and disposing of 1,527,448 cases.

In November 2000, the citizens of Indiana voted to approve an amendment to the state Constitution which would allow the appeals of persons receiving sentences for a fixed term of years to all be adjudicated by the Court of Appeals before being reviewed by the Supreme Court. This amendment was supported by the Courts and will more effectively distribute caseloads.

With the help of the Board of Law Examiners, the Supreme Court implemented the most sweeping changes in the bar examination in fifty years. Central to these changes is the adoption of a new test that focuses on a bar applicant's ability to act as a problem-solver, as distinct from the applicant's knowledge of substantive legal rules.

## Plans for the Biennium

The court system will seek to keep pace with the expanding demand for Court services through the use of technology and, when necessary, by the addition of staff. The Court of Appeals plans to keep the time it takes to decide appeals at its current low level, despite increasing case loads. One of the most important ongoing initiatives of the court system is the integration of the use of technology in the trial courts throughout the state. The Judicial Technology and Automation Committee (JTAC) has been formed to address that issue. JTAC has developed a comprehensive plan to improve trial court computerized case management systems and the sharing of electronic data with and among (1) trial and appellate courts and those courts' clerks, (2) county-base and statewide agencies and organizations that provide information to and receive information from courts and court clerks, (3) the general public, and (4) the General Assembly and other state policymakers.

The Supreme Court is also very concerned with ensuring gender and racial equity. The Race and Gender Fairness Committee will be assisting the court system in that regard.

