

Indiana Judicial Conference
Alternative Dispute Resolution Committee
Minutes
February 11, 2022

The ADR Committee met remotely through zoom on Friday February 11, 2022, from approximately 11:00-11:45 PM (EST).

- I. Call to Order at 11:04 AM (EST)
 - a. Present: Hon. Elaine Brown, Hon. Chair Stephen Scheele, Hon. Catherine Stafford,
Hon. Keith Doi, Hon. Luke Rudisill, Hon. Craig Goedde
 - b. Not Present: Hon. Alicia Gooden, Hon. Jeff Todd, Hon. Benjamin Vanderpool,
Hon. Jeff Clymer, Hon. Patrick Dietrick, Hon. Davin Smith
 - c. Staff Present: Joseph Fischer, Angela Reid-Brown

II. Old Business

- a. The November 5, 2021, minutes are unanimously approved.
- b. ADR Rule Amendments
 - i. Rules Committee tabled further review of the proposed amendments to the ADR rules while the Civil Litigation Task Force, through its own ADR workgroup, review the ADR Rules. The Civil Litigation Task Force is working on a report for the court which will be submitted to OJA shortly.
 - ii. As of January 1, 2022, the ADR Committee's recommended rule on immunity for parenting time coordinators is in effect under Section V Part B of the Indiana Parenting Time Guidelines.

III. New Business

- a. Supreme Court Pre-eviction Diversion Program: Not seeing significant usage. The same problems seem to persist from the last meeting, particularly lack of landlord benefit.
- b. Landlord Tenant Fast-Track Facilitation: Review of current data.

- c. Mortgage Foreclosure Trial Court Assistance Program: 2021 saw an anticipated decrease. The expectation is that 2022 may see a return to the usage this program saw in 2020.
- d. HB1214: Limits the use of residential eviction diversion programs to fully voluntary participation and would restrict mandatory or court ordered participation. Joseph Fischer will continue to monitor.
- e. Staff provided updates on Family Law Taskforce recommendation implementation and Civil Law Taskforce Report.
 - i. Implementation of Online Dispute Resolution in family law matters is still in development. Members of the Family Law Taskforce Implementation Group are meeting with developers to produce statewide family law ODR template.
 - ii. CLT report expected to be submitted to the OJA in the very near future.

IV. Other Business

- a. Members are seeking guidance on the status of Administrative Rule 14 for hearings as we move forward, as well as Zoom licenses.

V. Calendar

- a. All meeting dates are confirmed, except November 3, 2023, which is rescheduled for November 17th.
- b. 2/11/2022, 5/13/2022, 8/12/2022, 11/04/2022, 2/10/2023, 5/12/2023, 8/11/2023, 11/17/2023. All meetings currently scheduled remotely for 11:00 AM (EST).

- VI. Adjourned at 11:42 EST. Next Meeting May 13, 2022 @ 11:00 AM (EST). Virtual invite sent.

Appendix A-Roster of Current ADR Committee Members

- PJ Dietrick (appointed 2016), Marion Superior
- Alicia Gooden (appointed 2016), Marion Superior
- Stephen “Sam” Scheele (appointed 2017), Lake Superior
- Jeff Todd (appointed 2018), Grant Superior
- Luke Rudisill (appointed 2018), Greene Circuit/Superior
- Keith Doi (appointed 2018), St. Joseph Superior

- Davin Smith (appointed 2019), Huntington Circuit
- Catherine Stafford (appointed 2019), Monroe Circuit
- Benjamin Vanderpool (appointed 2019), Wabash Superior
- Jeff Clymer (appointed 2020), Porter Superior
- Craig Goedde (appointed 2020), Posey Superior
- Elaine B. Brown, Indiana Court of Appeals liaison
- Joseph Fischer, Office of Court Services liaison/Staff Attorney

Indiana Judicial Conference
Alternative Dispute Resolution Committee
Minutes
May 13, 2022

The ADR Committee met remotely through Zoom on Friday May 13th, 2022, from approximately 11:00-12:00 EST.

- I. Call to Order at 11:03 (AM) EST
 - a. Present: Hon. Chair Stephen Scheele, Hon. Catherine Stafford, Hon. Craig Goedde,
Hon. Patrick Dietrick, Hon. Alicia Gooden, Hon. Davin Smith
 - b. Not Present: Hon. Elaine Brown, Hon. Keith Doi, Hon. Luke Rudisill, Hon. Benjamin Vanderpool, Hon. Jeff Todd, Hon. Jeff Clymer
 - c. Guests: Hon. Elizabeth Tavitass, Dep. Director Leslie Dunn
 - d. Staff: Joseph Fischer
- II. Family Law Taskforce ADR Fund Plan Recommendations
 - a. Judge Tavitass and Leslie Dunn presented three Family Law Taskforce recommendations regarding the ADR Fund Plan:
 - i. Expanding ADR Fund Plans to include Family Law Guardians ad Litem.
 - ii. Opening the program to litigants charged with or convicted of crimes against the person, at the Judges discretion.
 - iii. Permitting judicial districts to pool ADR resources.
 - b. Committee expresses support of the recommendations. Notes that this will likely require a statutory change. ADR Committee will likely provide a letter of support for all three recommendations.
- III. Old Business
 - a. The February 11, 2022, minutes are unanimously approved.
 - b. ADR Rule Amendments: January 2021 rule change recommendations are still with the Rules Committee pending the Civil Litigation Taskforce recommendations. The

CLT will be presenting their recommendations on June 6th, at which time any differences can be resolved.

- c. Fast Track Facilitation Updates: Reviewed current data.
 - d. Domestic Relations Mediators: Additional discussion of why domestic relations mediators do not need to be attorneys while traditional mediators do.
- IV. New Business
- a. Committee reviews the 2021 statistics from ADR Fund Plans. Committee makes further comments on and reaffirms support for FLT ADR recommendations.
 - b. Discussion on the Mortgage Foreclosure Trial Court Assistance Program. More funds are available than what is being used. Committee Judges to promote awareness of the program when possible. IOCS staff to put reminder to judges in weekly Wednesday update. Additional facilitators welcome.
 - i. Committee discusses possible creation of CLE or judicial education event to ensure Judges statewide are aware of available programs such as this.
- V. Other Business
- a. Committee expresses gratitude to Judge Alicia Gooden and Judge Patrick Dietrick for their years of service to the committee.
 - b. Committee agrees to continue to meet via zoom for the foreseeable future.
- VI. Calendar
- a. 8/12/2022, 11/04/2022, 2/10/2023, 5/12/2023, 8/11/2023, 11/17/2023. All meetings currently scheduled remotely for 11:00 AM (EST)
- VII. Adjourned at 11:57 EST. Next Meeting August 12, 2022 @ 11:00 AM (EST). Virtual invite sent.

Appendix A-Roster of Current ADR Committee
Members

- PJ Dietrick (appointed 2016), Marion Superior

- Alicia Gooden (appointed 2016), Marion Superior
- Stephen “Sam” Scheele (appointed 2017), Lake Superior
- Jeff Todd (appointed 2018), Grant Superior
- Luke Rudisill (appointed 2018), Greene Circuit/Superior
- Keith Doi (appointed 2018), St. Joseph Superior
- Davin Smith (appointed 2019), Huntington Circuit
- Catherine Stafford (appointed 2019), Monroe Circuit
- Benjamin Vanderpool (appointed 2019), Wabash Superior
- Jeff Clymer (appointed 2020), Porter Superior
- Craig Goedde (appointed 2020), Posey Superior
- Elaine B. Brown, Indiana Court of Appeals liaison
- Joseph Fischer, Office of Court Services liaison/Staff Attorney

Indiana Judicial Conference
Alternative Dispute Resolution Committee
Minutes
August 12, 2022

The ADR Committee met remotely through Zoom on Friday August 12 2022 from approximately 11:00AM-12:00 PM.

- I. Call to Order at 11:00 (AM) EST
 - a. Present: Hon. Chair Stephen Scheele, Hon. Keith Doi, Hon. Catherine Stafford, Hon. Craig Goedde, Hon. Luke Rudisill, Hon. Benjamin Vanderpool, Hon. Jeff Todd, Hon. Kara Krothe, Hon. Christopher Spataro
 - b. Staff: Joseph Fischer

- II. Old Business
 - a. The May 13, 2022, minutes are unanimously approved.
 - b. Fast Track Facilitation Updates: Reviewed current data.
 - c. MFTCAP Updates: Increased usage & drive for more mediators
 - d. ADR fund plan updates: Statutory changes should be an easy sell next legislative session.

- III. New Business
 - a. Domestic Relations Mediators
 - i. Chair to seek further clarification from his work with the CLE committee.
 - b. Mediator registry
 - i. The committee discussed adding additional search functionality & detail.
 - ii. Chair, Judge Stafford, and Joseph to meet with those who oversee the registry to inquire about additional information.
 - c. Committee reviews the 2021 statistics from ADR Fund Plans.
 - i. Further discussion regarding FLT ADR recommendations.
 - d. CLT Recommendations
 - i. The committee acknowledged differences between the CLT recommendations and the ADR committee rule recommendations.
 - ii. Members will review differences and discuss the next steps in November.

- IV. Other Business
 - a. Welcome to the new members Judge Krothe and Judge Spataro
 - b. The May of 2023 meeting might be a live or hybrid event to send off the Chair and welcome the new committee chair.

- V. Calendar
 - a. 8/12/2022, 11/04/2022,
 - b. 2/10/2023, 5/12/2023, 8/11/2023, 11/17/2023.
 - c. All meetings are currently scheduled remotely for 11:00 AM (EST)

- VI. Adjourned at 12:00 EST. Next Meeting August 12, 2022 @ 11:00 AM (EST).
A virtual invite sent.

Appendix A-Roster of Current ADR Committee
Members

- 1. Stephen "Sam" Scheele (appointed 2017), Lake Superior
- 2. Jeff Todd (appointed 2018), Grant Superior
- 3. Luke Rudisill (appointed 2018), Greene Circuit/Superior
- 4. Keith Doi (appointed 2018), St. Joseph Superior
- 5. Davin Smith (appointed 2019), Huntington Circuit
- 6. Catherine Stafford (appointed 2019), Monroe Circuit
- 7. Benjamin Vanderpool (appointed 2019), Wabash Superior
- 8. Jeff Clymer (appointed 2020), Porter Superior
- 9. Craig Goedde (appointed 2020), Posey Circuit
- 10. Kara Krothe (appointed 2022), Monroe County
- 11. Christopher Spataro (appointed 2022), Elkhart County
- 12. Elaine B. Brown, Indiana Court of Appeals liaison.
- 13. Joseph Fishers, Office of Court Services liaison/Staff Attorney

Indiana Judicial Conference
Alternative Dispute Resolution Committee
-Draft-
Minutes
November 4th, 2022

The ADR Committee met remotely through Zoom on Friday November 4, 2022, from approximately 11:00AM-12:00 PM.

- I. Call to Order at 11:00 (AM) EST
 - a. Present: Hon. Chair Stephen Scheele, Hon. Elaine Brown, Hon. Catherine Stafford, Hon. Jeff Todd, Hon. Kara Krothe, Hon. Christopher Spataro, Hon. Craig Goedde
 - b. Not present: Hon. Luke Rudisill, Hon. Keith Doi, Hon. Davin Smith, Hon. Benjamin Vanderpool; Hon. Jeff Clymer
 - c. Staff: Joseph Fischer

- II. Old Business
 - a. The August 12, 2022, minutes are unanimously approved.
 - b. Fast Track Facilitation Updates: Reviewed current data.
 - c. MFTCAP Updates: reviewed current data & discussed increase in usage.
 - d. ADR fund plan updates: No recent updates on status. Statutory info below.
 - e. ODR updates: Vendor has been removed from project for lack of progress. IOCS to review the “ODR” landscape for how to incorporate ODR.

- III. New Business
 - a. ADR Rule Amendments- Brief group review of differences between this committee’s recommended rule changes and the CLT changes.
 - i. Chair & Staff to meet with community ADR leaders.
 - ii. Members tasked with reading both & for recommending next steps in November when rules committee will be nearing review.
 - b. Mediator registry- Staff to connect committee w/ CLE commission and FLT for broad update conversation.
 - c. Non attorney DR Mediators: The chair gave additional background regarding history.

- i. Additional conversation to be had w/ Brad Skolnik
- d. ADR Statute change discussion: Should GAL% be capped by statute.
 - i. The committee recommends no cap and for plans to be adjusted on a case by case business to avoid overly restrictive statute.
- e. The May of 2023 meeting might be a live or hybrid event to send off the Chair and welcome the new committee chair.

IV. Calendar

- a. 2/10/2023, 5/12/2023, 8/11/2023, 11/17/2023.
- b. All meetings are currently scheduled remotely for 11:00 AM (EST)

V. Adjourned at 12:00 EST. Next Meeting February 10th, 2023 @ 11:00 AM (EST). A virtual invite to follow.

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1. Stephen “Sam” Scheele (appointed 2017), Lake Superior
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8. Jeff Clymer (appointed 2020), Porter Superior
9. Craig Goedde (appointed 2020), Posey Circuit
10. Kara Krothe (appointed 2022), Monroe County
11. Christopher Spataro (appointed 2022), Elkhart County
12. Elaine B. Brown, Indiana Court of Appeals liaison.
13. Joseph Fischer, Office of Court Services liaison/Staff Attorney