

Minutes
Judicial Education Committee Meeting
March 20, 2015
1:00 – 3:30 P.M.

Members Present: Steve Bowers, Vicki Carmichael (via telephone), Kim Dowling, Bill Fee (via telephone), Bill Hughes (chair), Brad Mohler, Earl Penrod, Margret Robb, Mark Smith, Jay Toney, and Nancy Vaidik.

Staff in attendance: Vicki Davis, Barbara Harcourt, Anne Jordan, Julie McDonald.

The members approved the minutes from the October 31, 2014 education meeting.

Staff reported that IJC has put on 64.8 hours of education since November 18, 2014.

Staff reported on the seven webinars held in the fourth quarter of 2014. Attendance averaged about 20 per webinar. The quality of the education was excellent, but attendance was low, perhaps due in part to the fact that IJC offers good quality education at in-person conferences that meet the CJE requirement. Chief Judge Vaidik suggested that we repeat some of the webinars, perhaps at a different time, to get more participants. Judge Dowling suggested lunchtime as a possible timeframe. Judge Bowers offered to repeat his webinar on bias.

Staff reported on the Pre-bench Orientation held on December 11, 2014. Presenters made good use of the responder system. The class was vocal and participatory – not afraid to share thoughts and concerns. All sessions were well received. The session might need to be longer, and the new judges need information about the Code of Judicial Conduct well before December. Staff suggested an online candidate school to help with this challenge.

Staff reported on the November evidence workshops, held on November 18 and 21, 2014 at the Marten House in Indianapolis. Judge Smith reported that the program was great, and the Indiana State Police presentation was excellent.

Staff reported on the Winter Workshop on HEA 1279, held at the Renaissance Hotel in Carmel on December 12, 2014. Approximately 200 or more judicial officers attended this program. The evaluations were generally good, but committee members expressed concern about the quality of the BMV Panel session, which offered canned answers that were not particularly responsive to the attendees' questions.

Staff reported on the General Jurisdiction Orientation program held at the Hyatt in Indianapolis in January 2015. It was a very large class of new judicial officers. The single presenters or team teaching pairs were more effective than the panel discussions at this particular conference. Perhaps this is because the attendees want the nuts and bolts at this conference, instead of differing perspectives. They also wanted the nuts-and-bolts sessions on Monday, instead of "soft" sessions in which there is not always a right or wrong way to do things.

Judge Smith reported that the five-day length could be exhausting for new judges, and that it is difficult for new judges to take an entire work week off right after they take the bench. Staff suggested a two-week orientation period, split into two periods. The juvenile orientation could be folded into those weeks, perhaps on Fridays, so that judges who would not exercise that orientation could return to their counties one day early each week. Staff also said that they need a break during lunch – no lunch speakers. Another option is to have lunch-on-your-own.

Judge Hughes said that we should expand the technology elements of the orientation, because they are essential elements of judging in modern times. IJC also needs to ensure that State Court Administration allocates extra senior judge days for the orientation programming. Judge Hughes also suggested that the pre-bench program could incorporate information about statistics and how they are used (e.g., weighted caseload). Judge Robb reported that is even more important now that we know the legislature's interest in statistics. Judge Dowling suggested that we have a two-day prebench orientation, but staff reported that we have already signed the contract for the next prebench orientation in 2016 – for only one day.

The committee members suggested that a two-week orientation could include videotaped courtroom participation with critiques – groups of eight participants, with two instructors in the room with the participant, and a third instructor for the video review. This would allow a new judge to see him- or herself in the role of a judge and gain some insight into performance. The participatory exercises could include seven to eight minutes for each presentation, and sessions of 90 minutes each. The exercises could include unrepresented litigants, change of plea, contempt, sentencing, etc. This could be incorporated in either prebench or in general jurisdiction orientation. A subcommittee to work on the participatory training will include: Judges Carmichael, Fee, Vaidik, and Dowling.

Barbara Harcourt stated that, in orientation years, the committee may need to consider a different format for the Spring Judicial College, due to the impact of orientation on IJC staff. Staff suggested fewer concurrent programs in orientation years. Judge Toney said that he appreciates the variety of choices in Spring due to the nature of his jurisdiction. Judge Hughes suggested repeating in Spring some of the programs from previous conferences, including back-to-basics sessions that had been offered at the orientation in that year.

Staff reported on the Juvenile Orientation held at the Indiana Judicial Center on February 12-13, 2015. One faculty member had emergency surgery, so the faculty was a little limited, but the evaluations were good.

Staff reported on the Evidence Refresher Workshop held at the Marten House in Indianapolis on March 6, 2015. Sixty judicial officers participated. The education space is ideal for teaching, but the conferees complained about the hotel accommodations. Some of the conferees suggested a multi-day evidence program.

Staff reported that 100% of this year's class of new judges has participated in the mentor program, and that they have universally reported good feedback on the program.

Staff reported that there is some need for a personal orientation program for mid-year trial judge appointments. There were five judge-appointees from January 2013 (after the orientation) to January 2015, and eight from the previous two-year period. (These numbers do not include magistrates or commissioners.) This would include a mini-orientation for a single newly-appointed judicial officer in Indianapolis, which would include the new appointee's mentor judge. Judge Toney suggested that the program be tailored to the particular needs of each new judicial officer (for example, former estate lawyers might need more criminal training). Judge Bowers suggested that this might be a good task for new senior judges, who have lots of knowledge, but are not far removed from their time on the bench. The senior judges could receive credit, and could even travel to the new-appointee's court. Judge Hughes also suggested that we use faculty from the previous general jurisdiction orientation.

Staff reported that 235 judicial officers are already registered for the Spring Judicial College, which will be held in April of this year. Staff said that the attendance in Spring has increased since the rule increasing the required number of CJE hours. (This increased attendance also is counter to the plan to have smaller, interactive classes.)

The committee discussed program ideas for the 2015 September Annual Meeting. The Supreme Court may also propose additional ideas after their April retreat. Members liked sessions on: e-filing and technology (perhaps as a part of a plenary, with a breakout), Judge Wilkins, Barry Friedman, or Derek Clark for the opening session, immigration (perhaps as part of the criminal law session, perhaps with a lawyer for faculty), jury selection, settlement confidentiality agreements, problem-solving courts in general (including ways to fund veterans courts and family courts), metadata (but with a different title), unrepresented litigants (Kim Dowling as faculty, and highlighting other programs around the State), and pretrial release. After the meeting, Judge Smith also suggested that a good topic would include bankruptcy by Mike Hebenstreit.

Committee members expressed concern about the weighted caseload session, based on the fact that the statistics may not accurately reflect actual time on the bench and in the office, and that strong faculty may be needed to keep control of the session.

Judge Dowling suggested that the Juvenile program could focus on JDAI and human trafficking.

The committee brainstormed topics for the Winter program: constitutional law (Judge Robb suggested Chemerinsky), sentencing alternatives for low-level felonies, security, medical malpractice cases, elders and the courts, and same-sex marriages.

Staff reported that, after two and a half years, the INcite application for conference materials will go live for the Spring Judicial College. Staff is working with State Court Administration to ensure that current judges get access to the new app. Staff will also check that judicial officers have INcite accounts.

Staff reported that the online CJE and Evaluation Forms have been very well received, and they will be used for Spring Judicial College. The forms include ethics credit and judicial college credit.

Judge Hughes suggested that we create a sub-committee to look at faculty growth and retention issues. Chief Judge Vaidik suggested that we invite people to teach. Judge Hughes suggested that we ask the chairs of the judicial conference committees who would be good. We can also ask IJC staff to identify faculty (not just judicial education staff). Chief Judge Vaidik also suggested having another faculty development session in conjunction with another program already on the calendar, and to use Indiana judges as faculty. Smith, Dowling, Mohler, and Penrod agreed to serve on the subcommittee.

The Chair adjourned the meeting at 3:10 P.M.

Next meeting: May 15 at 1-3:30 P.M.

Minutes
Judicial Education Committee
May 15, 2015
(via telephone)

Members participating: Steve Bowers, Vicki Carmichael, Steve David, Kim Dowling (in person), Bill Fee, Bill Hughes (chair), Brad Mohler, Earl Penrod, Margret Robb, and Jay Toney. Staff participating: Vicki Davis, Anne Jordan, Julie McDonald.

The members approved the minutes from the March 20, 2015 education meeting.

Staff reported on the Spring Judicial College, held at the Indiana Convention Center in Indianapolis on April 29 – May 1, 2015. Three hundred eighty-seven judges attended the college. The members voted to incorporate the recent legislation conference into the Spring Judicial College for 2016. The format would be two days of concurrent programs with one plenary legislative update on Friday, and would probably be held in May instead of April.

The committee agreed that the electronic materials application worked well for them in general. They prefer having fewer documents to download per session. Some judicial officers may need instructions for how to use pdf documents.

Staff reported that 350 out of 387 attendees have completed the combined CJE / Evaluation form. For future conferences, the forms will be organized by day, as a compromise between separate evaluations for each session, and one single evaluation for the entire multi-day conference. Staff and the committee will continue to research whether and how to provide Wi-Fi at conferences.

Staff provided an update on the upcoming Recent Legislation conference, which will be held on May 29th at the IJC building in Indianapolis. One hundred and fifteen judges are registered.

Staff updated the committee on Annual Juvenile Judicial Officer Program, which will be held on June 18-19th at the Renaissance Hotel in Carmel. One hundred and nine judges are registered. All judges were invited to ensure that every judge exercising juvenile jurisdiction had the opportunity to attend.

The committee discussed the schedule for the Annual Meeting in September. The proposed schedule includes plenary sessions requested by the Supreme Court on e-filing and weighted caseload.

The committee prioritized the following topics for the Winter Program: (1) the evolving family, and (2) constitutional law.

The Interactive Bench-Skills Subcommittee reported that they were working on teaching points and vignettes in the areas of contempt, guilty plea hearings, sentencing, and unrepresented litigants. Electronic devices (like ipads) can be used to record roleplaying sessions, and feedback will be given to the students.

Staff reported that IJC staff will respond to the CLE commission on whether the number of hours available for distance education should be expanded.

The Chair adjourned the meeting at 2:45 P.M. Next meeting: July 17, 2015 from 1-3:30 P.M.

Agenda
Judicial Education Committee
Friday, October 23, 2015
1:00 – 3:30 p.m.
Conference Room 9002

1. Members Present: Amy Barbar, Stephen Bowers, Kimberly Dowling, William Fee (via telephone), Thomas Felts, William Hughes (chair), Michael Kramer, Bradley Mohler, Margret Robb, and Jay Toney.
Staff Present: Vicki Davis, Barbara Harcourt, Anne Jordan, Julie McDonald
2. The committee welcomed new committee members Marla Clark and Michael Kramer.
3. The members approved the minutes from the May 15, 2015 meeting.
4. The committee discussed the Annual Meeting, scheduled for September 9-11, 2015 in Indianapolis at the Convention Center and the Westin. The evaluations were overall very positive. The members agreed that the Convention Center was more sterile and less welcoming than hotel venues. The members then discussed that the expectation is that members of the Judicial Conference of Indiana attend the entire Annual Meeting.
5. Staff provided a report on the Senior Judge Workshop, held on October 15-16, 2015. Thirty-six people attended on Thursday, about ten fewer on Friday, with numbers dwindling throughout the day on Friday. Most of the conferees agreed that the presenters and presentations were very good. Staff plans to do the program every other year.
6. Staff reported on the City and Town Court Program, held on October 21-22, 2015 in Carmel. Fifty-four judges attended. The program was very well received, especially sessions on Administrative Rule 9, Law & Literature, Sovereign Citizens, and Active Shooter Awareness.
7. Staff provided an update on the status of the Domestic Relations Program, scheduled for November 20, 2015 in Carmel. Seventy to 75 conferees can attend this program that will be part lecture, but mostly round-table discussions. Judge Hughes suggested that staff consider including the revisions to the parenting coordinators guidelines.
8. Staff provided an update on the Winter Conference scheduled for December 4, 2015 in Indianapolis. The topics on the agenda are updates on Indiana Constitutional Law and United States Constitutional Law. Faculty will include Chris Schmidt and Brent Dickson. One hundred conferees are registered, and we can accommodate approximately 180 more.
9. The committee discussed topics for the 2016 Spring Judicial College, scheduled for April 27-29, 2016 at the Convention Center in Indianapolis. There will not be a designated room block for this conference. Currently, the session on Friday is scheduled to be a plenary on recent legislation (and another topic, if time permits). The members suggested these topics: court management and technology, ethics and social media, the evolving family, additive disorders, victim attrition, protective orders, the neurobiology of trauma, pro se litigants, civility and demeanor, evidence-based decision making, law and economics, metadata, and mindfulness and wellness. Members also stated that some topics (such as the firearm seizure statute) might be best suited to on-demand programs or written materials.

10. Staff reported that the 2017 Spring Judicial College Program is scheduled to take place in South Bend. The committee reached consensus on the location, but suggested in the future that the Annual Meeting and the Spring Judicial College not both go north (or south) in the same year.
11. Members of the Bench-Skills Subcommittee provided an update on their work. The next faculty meeting is scheduled for November, and will include Maria Granger.
12. Judge Hughes provided an update on the Judge Candidate E-School. It will be available for candidates for election, and incumbents can also participate.
13. Judge Bowers discussed the Commercial Courts pilot project, suggesting that the committee develop education that will reach both the pilot judges and other judges who hear business cases.
14. The Chair reminded the committee that the 2016 Education Committee Meeting dates are: 1/29, 3/11, 5/27, 7/22, and 10/14.
15. The Chair adjourned the meeting.