

**Probation Committee  
Judicial Conference of Indiana**

**Minutes  
January 24, 2014**

The Probation Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on January 24, 2014.

1. **Members present.** The following members were present: Matthew Bailey, Kit Crane, Wendy Davis, Greta Friedman, Lance Hamner, Kenton Kiracofe, Mark Renner, Wayne Sturtevant, Jack Tandy and Mark Smith, chair.
2. **Staff present.** Jenny Bauer, Jane Seigel, Michelle Goodman, Mary Kay Hudson, and Angie Hensley provided staff assistance. Justin Miller and Jamie Bergacs also attended.
3. **Approval of minutes.** The minutes from the October 2013 meeting were approved.
4. **Discussion of Public Comments on Proposed Revisions to the Probation Standards.** Jenny Bauer distributed a list of public comments made by judges and probation officers regarding the proposed revisions to the probation standards. The committee members had a lengthy discussion on the comment that questioned the complexity of the proposed code of conduct for probation officers. Several committee members suggested deleting the new code of conduct and keeping the one in the current standards. After discussion, Judge Davis made a motion to strike the revised code of conduct and keep the original code of conduct in the standards. Magistrate Friedman seconded the motion. The motion passed unanimously. The committee also discussed the comments regarding supervisor review of presentence and predisposition reports. A few large departments suggested removing this standard. The committee discussed rewriting the standard to focus on audit and review procedures for the PSI and PDR. Judge Smith requested that Judicial Center staff re-write the standard and send to the committee members for comment.
5. **Legislative Update.** Jenny Bauer reported that Sen. Mike Young convened a meeting last week to discuss his bill that would require the Marion County probation and community corrections departments to consolidate. The meeting was attended by the Department of Correction, the Judicial Center, the Probation Officers Professional Association and the Indiana Association of Community Corrections Act Counties. Sen. Young said that he planned to strip the original language of the bill and asked the group to submit language that would encourage collaboration between probation and community corrections. The Judicial Center drafted the amendment for SB 171, which will be heard by the Senate Corrections Committee on January 28<sup>th</sup>. Jane Seigel reported that HB 1006 is moving through the House and Senate and that leadership does not want to delay implementation of the criminal code revisions.

6. **Report from Probation Exam Workgroup.** Mary Kay Hudson reported that Kenton Kiracofe, Sam Keirns, Matthew Bailey and Lance Hamner volunteered to review the probation officer exam and testing policies. The group met on October 25<sup>th</sup>, December 6<sup>th</sup> and January 10<sup>th</sup>. The group review of the test questions showed the following categories and percentages for questions: sentencing- 29%; probation administration- 20%; juvenile- 18%; trial process- 16%; probation services- 12%; probation sanctions- 1%; and miscellaneous- 4%. Ms. Hudson reported that the theme of the group’s discussions focused on minimum competency or proficiency, timing of the test, whether the test should be offered to non-probation officers, and what the test should cover. The committee members discussed the questions of “who can take the test”—which drives content, and “when to take the test”—which drives the timing of orientation. The consensus of the committee was a preference for testing after a probation officer is hired and attends new probation officer orientation. Commissioner Renner made a motion to direct the workgroup to move forward on the issue of testing after a probation officer is hired and attends orientation. Magistrate Friedman seconded the motion. The motion was approved unanimously. Judge Smith requested that Judicial Center staff work on language for a new testing standard and send to the committee for feedback.
7. **AR 18 reports.** Mary Kay Hudson reported that Administrative Rule 18 requires probation departments to submit annual certification that probation officers meet continuing education hours, that probation officers are paid according to the salary schedule and that the department is consolidated. She said that the reports have historically been done on paper and the Judicial Center would like to move to an online format. She reported that an issue for consideration is affirmation by the judge. The committee discussed having a two-step process where the chief probation officer would submit the report and the Judicial Center would send the report to the judge for review and confirmation. The committee asked the Judicial Center to move forward with doing the online reports in 2015.
8. **Updates from the Indiana Judicial Center.** Mary Kay Hudson reported that Chad Long from Hamilton County Community Corrections was hired as the new court services employee. Angie Hensley reported that the first case management training is scheduled for January 27-29 in Columbus. Jenny Bauer reported that the consultants from the University of Cincinnati met last week with the counties involved in the incentives and sanctions pilot project.
9. **Next Meeting.** The Probation Committee is scheduled to meet February 21 at Noon by teleconference.

Respectfully submitted,

Jenny Bauer  
Staff Attorney  
Indiana Judicial Center

**Probation Committee  
Judicial Conference of Indiana**

**Minutes  
May 16, 2014**

The Probation Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on May 16, 2014.

1. **Members present.** The following members were present: Matthew Bailey, Kit Crane, Wendy Davis, Lance Hamner, Kenton Kiracofe, Mark Renner, Wayne Steele, Wayne Sturtevant, Jack Tandy, and Mark Smith, chair.
2. **Staff present.** Jenny Bauer, Jane Seigel, Mary Kay Hudson, and Angie Hensley provided staff assistance. Jamie Bergacs and Chad Long also attended the meeting.
3. **Approval of minutes.** The minutes from the February 2014 meeting were approved.
4. **Probation Exam & Application.** Mary Kay Hudson reported that she talked to Brenda Rodeheffer at STAD to get her opinion on the Judicial Center conducting background checks as part of the probation officer exam application process. Ms. Rodeheffer recommended discontinuing this practice because the Judicial Center is not the hiring agency. Her advice was that the background check should be done locally by the hiring agency and then verified to the Judicial Center. Ms. Rodeheffer also recommended not asking about arrests and convictions after discontinuing the background checks. Judge Davis made a motion to approve the recommendation to discontinue background checks and information related to arrests/convictions as part of the probation exam application process. Judge Kiracofe seconded the motion. The motion passed unanimously.
5. **Legislative Update.** Jenny Bauer reported that Rep. Greg Steuerwald attended both days of the Probation Officers Annual Meeting to present on HEA 1006. She also reported that Judge Mark Smith was the co-presenter with Rep. Steuerwald.
6. **Updates from the Indiana Judicial Center.** Jane Seigel reported that the Judicial Center has discovered that several probation departments are not truly consolidated based on the forms submitted as required by AR 18. She stated that the committee may need to review the AR 18 requirements and possibly revise the form. Ms. Seigel also reported that the Supreme Court recently had a retreat and this issue was discussed. The justices would like to see probation departments move beyond consolidation in name only. She also stated that she wanted to put this issue on the committee's radar because legislators are looking closely at this issue. Ms. Seigel stated that the Judicial Center welcomes thoughts on logical next steps for a consolidation template so that the Judicial Conference can be proactive and not lose credibility on the issue. Mary Kay Hudson reported that forensic grant applications are due May 31. The Judicial Center will award a total of \$2 million for 6-8 projects on or before July 1<sup>st</sup>. Ms. Hudson also reported on the committee

appointed by Chief Justice Dickson to review bail practices and pre-trial release. She stated that the committee has met three times and will send several members to Washington, D.C. in June for a NCSC form on pre-trial services. The committee is also looking at Kentucky's bail system and will make a future site visit. The Chief Justice has requested that the committee send him a proposal by the end of the year. Ms. Hudson also reported on the Judicial Center's involvement with the Evidence-Based Decision Making Project (EBDM). She stated that the National Institute of Corrections is currently accepting applications to take EBDM statewide and the Judicial Center recently submitted an application. NIC will select 2 states for technical assistance. Ms. Hudson further reported that the Judicial Center will interview candidates next week for a new court services position and hopes that the new person will begin work with the Center in early July.

7. **Next Meeting.** The Probation Committee is scheduled to meet on July 25<sup>th</sup> at 10:30 a.m. at the Judicial Center.

Respectfully submitted,

Jenny Bauer  
Staff Attorney  
Indiana Judicial Center

**Probation Committee  
Judicial Conference of Indiana**

**Minutes  
July 25, 2014**

The Probation Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on July 25, 2014.

1. **Members present.** The following members were present: Matthew Bailey, Wendy Davis, Greta Friedman, Lance Hamner, Amy Jones, Sam Keirns, Kenton Kiracofe, Mark Renner, Jack Tandy, and Mark Smith, chair.
2. **Staff present.** Jenny Bauer and Angie Hensley provided staff assistance. Jamie Bergacs and Chad Long also attended the meeting.
3. **Approval of minutes.** The minutes from the May 2014 meeting were approved.
4. **Probation Exam.** Jenny Bauer reported that Judicial Center staff put together a group of probation officers to discuss the probation officer exam and recommend possible changes to the content of the exam. She stated that the group is scheduled to have its first meeting on August 19<sup>th</sup> and that the following probation officers are on the group: Troy Hatfield (Monroe County), Greg Werich (Wells County), Denise Poukish (Clark County), Susan Rice (Miami County), Christine Kerl (Marion County), Diane WeissBradley (Lake County), Mike Small (Grant County), Susan Lightfoot (Henry County), Kim Maus (Bartholomew County), and Terri Bodine (Shelby County). Ms. Bauer also reported that the group will meet 2 or 3 times and submit a recommendation for review at the committee's October meeting.
5. **Administrative Rule 18 Template.** Jenny Bauer reported that this issue was discussed at the May meeting. She distributed copies of AR 18 for review and copies the annual report drafted by the Judicial Center as required by Section (D). Judge Smith asked for volunteers to form a subgroup to study the issue and make possible revisions to the template. The volunteers for the group are Wendy Davis, Matt Bailey and Greta Friedman.
6. **Updates from the Indiana Judicial Center.** Michelle Goodman reported that the Judicial Center is working with JTAC to develop a probation case planning application in INcite. The Judicial Center invited a multi-disciplinary group to participate in development of the template. The group met in early July and will meet again in August. Ms. Goodman also reported that the re-certification process for conducting IRAS and IYAS assessments is being finalized. She stated that the re-certification will be conducted on-line and that a few counties will pilot the process. Ms. Goodman further reported that the Judicial Center will begin work on the re-validation process with the University of Cincinnati in the fall and that process should take 12-18 months. Angie

Hensley distributed a map of the state that shows the counties participating in the case management and EPICS trainings. She explained that the trainings are skills-based and teach probation officers how to structure case plans, identify target behaviors and effectively communicate with probationers. Ms. Hensley also reported that the Judicial Center plans to train trainers so that the case management training can be sustained without support from the University of Cincinnati.

7. **Next Meeting.** The Probation Committee is scheduled to meet on October 3<sup>rd</sup> at 10:30 a.m. at the Judicial Center.

Respectfully submitted,

Jenny Bauer  
Staff Attorney  
Indiana Judicial Center

**Probation Committee  
Judicial Conference of Indiana**

**Minutes  
October 3, 2014**

The Probation Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on October 3, 2014.

1. **Members present.** The following members were present: Matthew Bailey, Kit Crane, Lance Hamner, Sam Keirns, Kenton Kiracofe, Lori Quillen, Mark Renner, Jack Tandy, and Wendy Davis, chair.
2. **Staff present.** Jenny Bauer, Mary Kay Hudson, Jane Seigel, Michelle Goodman and Angie Hensley provided staff assistance. Jamie Bergacs also attended the meeting.
3. **Guest.** Troy Hatfield, chair of the Probation Officers Advisory Board, attended the meeting.
4. **Approval of minutes.** The minutes from the July 2014 meeting were approved.
5. **Criminal Code Reform Discussion.** Judge Davis led a discussion of what role the committee can play in implementation of the criminal code reforms. She informed the committee members that Justice Dickson asked the judiciary to do its part to make sure the reform is successful. The committee discussed that it will be key for judges and probation to be on the same page. Jenny Bauer distributed copies of a document titled “13 Questions Every Judge Should Ask the Chief Probation Officer” and told the committee that judges can use this document to engage in a discussion with the probation department about evidence-based practices. The committee liked the idea of sending the document to judges and chief probation officers to help them focus on implementing EBP and creating local environments that can support EBP. Jane Seigel reported that Chief Justice Rush has made probation funding a top priority in the Supreme Court’s next budget, asking for more training money and more money for forensic diversion. The committee asked Judicial Center staff to tie the document and reform to the Chief Justice’s funding priority and to also notify of JAG funding opportunities when it is sent out.
6. **Probation Exam.** Jenny Bauer reported that Judicial Center staff put together a group of probation officers to discuss the probation officer exam and recommend possible changes to the content of the exam. She stated that the group has met twice and came up with recommendations. Ms. Bauer distributed a handout which describes the recommendations from the group. Troy Hatfield explained that the group believes that the probation officer exam goes hand-in-hand with training for new probation officers. The group recommends that the probation officer exam be limited to newly appointed probation officers after they have attended orientation. Mr. Hatfield also informed the

committee that the test review group would like more time to explore an academy concept for orientation and topics for the test. Magistrate Renner made a motion to grant additional time to the test review group to explore a probation academy and revised exam. The motion was seconded by Judge Bailey and was approved unanimously. The committee requested that Judicial Center staff draft language for a test recommendation that can be presented to the Board of Directors. Judge Davis stated that the recommendation will be emailed to the committee for approval before it is presented to the Board.

7. **Administrative Rule 18 Template.** Jenny Bauer reported that the volunteers to review AR 18 are Wendy Davis, Matt Bailey and Greta Friedman. The group plans to meet by phone in the near future.
  
8. **Updates from the Indiana Judicial Center.** Michelle Goodman reported that the Judicial Center is working with JTAC to develop a probation case planning application in INCite. Ms. Goodman also reported that the re-certification process for conducting IRAS and IYAS assessments is being finalized. She stated that the re-certification will be conducted on-line and that a few counties will pilot the process. Mary Kay Hudson reported that the Pre-trial Release group is meeting today to discuss pilot projects for bail reform. The group is discussing use of a pre-trial assessment instrument and possible rule language to encourage use of the assessment. Ms. Hudson also reported that 13 counties have expressed interest in the EBDM project. Jenny Bauer reported that the incentives and sanctions project is nearing the end of phase one and that the Judicial Center is conducting wrap-up meetings with the three pilot departments. The Judicial Center plans to apply for additional grant money to conduct a data collection pilot on use of incentives and sanctions.

Respectfully submitted,

Jenny Bauer  
Staff Attorney  
Indiana Judicial Center