

In the
Indiana Supreme Court



IN THE MATTER OF THE CREATION OF) Supreme Court No.
AD HOC ADVISORY TAX COURT) 94S00-1505-MS-271
TASK FORCE)

ORDER AMENDING AD HOC ADVISORY TASK FORCE TO
STUDY RESOURCES AND CASELOAD OF INDIANA TAX COURT

On April 20, 2015, this Court ordered creation of the Ad Hoc Tax Court Advisory Task Force (the “Task Force”) and that the Task Force submit a written report to the Court by March 1, 2016 (the “April 20 Order”). Subsequently, on May 6, 2015, the Governor signed Senate Enrolled Act 423 (SEA 423), calling for the Indiana Judicial Center to review the workload and backlog of cases in the Indiana Tax Court and submit a report to the Indiana Legislative Council by December 1, 2016. To integrate SEA 423 with this Court’s charge, we find that the April 20 Order should be AMENDED and that the creation of the Task Force shall be as follows:

It has been nearly thirty years since the Tax Court’s creation. Reviewing caseload information filed by the Tax Court with the Division of State Court Administration and published in the annual Judicial Service Reports indicates significant differences over time in the number of cases filed in and disposed of by that court. We find a comprehensive review of the caseload and resources available to the Tax Court is warranted and that a special task force should collaborate with the Indiana Tax Court to review the court’s resources, caseload, performance and operations.

IT IS THEREFORE ORDERED that an *Ad Hoc Tax Court Advisory Task Force* is hereby created and directed to examine the caseload, resources, staffing, performance and

operations of the Indiana Tax Court. The Task Force shall provide a written report to this Court not later than May 1, 2016, and provide copies of its report to the Indiana Judicial Center and Indiana Legislative Council.

The Task Force's report shall include a review and analysis of the Tax Court's methods and procedures for case disposition, including findings concerning efficiencies of the methods and procedures in the Tax Court and recommendations, if any, for necessary improvement thereof. The report shall also include consideration of any reports and recommendations concerning the Tax Court prepared and published by the Division of State Court Administration.

We suggest the Task Force also consider models including, but not limited to, those established by the Conference of Chief Justices, Conference of State Court Administrators, and National Center for State Courts as part of the Trial Court Performance Measures System, CourTools, and the Appellate Court Performance Measures.

The following persons are appointed to the Task Force:

1. Judge James S. Kirsch, Indiana Court of Appeals
2. Judge Robert R. Altice, Marion Superior Court
3. Mr. Asheesh Agarwal, Indiana Department of Revenue
4. Mr. Mark E. GiaQuinta, Haller & Colvin P.C.
5. Mr. Dustin D. Huddleston, Huddleston & Huddleston
6. Mr. Randal J. Kaltenmark, Barnes & Thornburg LLP
7. Mr. Matt Light, Office of the Indiana Attorney General
8. Ms. Kathryn A. Lodato, Eli Lilly and Company
9. Mr. David A. Suess, Faegre Baker Daniels LLP

Judge Kirsch shall serve as the Chair of the Task Force.

In addition to the foregoing members, Judge Martha B. Wentworth of the Indiana Tax Court will serve as *ex officio* liaison from the Tax Court to the Committee and attend meetings by invitation of the Chair.

The Chief Justice of Indiana will appoint staff to assist the Task Force in its work, and the Executive Directors of the Supreme Court Division of State Court Administration and the Indiana Judicial Center are directed to appoint staff to provide further support.

DONE at Indianapolis, Indiana, on 5/13/2015.



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.