

In the
Indiana Supreme Court

CAUSE NUMBER: 94S00-1003-MS-128



ORDER AMENDING INDIANA PROFESSIONAL CONDUCT RULES

The Board of Directors of the Judicial Conference of Indiana has recommended to this Court a plan for dividing the state into 26 judicial districts for purposes of judicial administration. This Court adopted the proposal and incorporated it into an amendment to Administrative Rule 3 which amendment changes the Indiana judicial districts from 14 to 26, effective January 1, 2011. Professional Conduct Rule 6.6 creates the Indiana Pro Bono Commission and provides for Pro Bono District Committees based on the 14 judicial districts that had been set out previously in Administrative Rule 3. The Pro Bono Committees have organized themselves within the boundaries of the 14 districts, including forming not-for-profit corporations and district plans for the delivery of *pro bono* services based on the geographic boundaries of the 14 districts. In light of the history associated with the 14 districts, we believe that they should remain in effect for use by the Pro Bono Commission and Pro Bono District Committees until such time as the Indiana Pro Bono Commission and District Committees have an opportunity to study the effect of the new 26 districts on their operations and report to this Court, not later than December 31, 2011, whether and how the Commission and Committees could shift their organization to the 26 districts.

IT IS, THEREFORE, ORDERED that Professional Conduct Rule 6.6 is amended, to read as follows (deletions shown by ~~striking~~ and new text shown by underlining):

Rule 6.6. Voluntary Attorney Pro Bono Plan

...

(f) There shall be one district pro bono committee in each of the fourteen ~~judicial~~ districts set forth below:

District 1, consisting of the counties of Lake, Porter, LaPorte, Starke, Pulaski, Jasper, and Newton;

District 2, consisting of the counties of St. Joseph, Elkhart, Marshall, and Kosciusko;

District 3, consisting of the counties of LaGrange, Adams, Allen, DeKalb, Huntington, Noble, Steuben, Wells, and Whitley;

District 4, consisting of the counties of Clinton, Fountain, Montgomery, Tippecanoe, Warren, Benton, Carroll, and White;

District 5, consisting of the counties of Cass, Fulton, Howard, Miami, Tipton, and Wabash;

District 6, consisting of the counties of Blackford, Delaware, Grant, Henry, Jay, Madison, and Randolph;

District 7, consisting of the counties of Clay, Parke, Putnam, Sullivan, Vermillion, and Vigo;

District 8, consisting of the counties of Boone, Hamilton, Hancock, Hendricks, Johnson, Marion, Morgan, and Shelby;

District 9, consisting of the counties of Fayette, Franklin, Rush, Union, and Wayne;

District 10, consisting of the counties of Greene, Lawrence, Monroe, and Owen;

District 11, consisting of the counties of Bartholomew, Brown, Decatur, Jackson, and Jennings;

District 12, consisting of the counties of Dearborn, Jefferson, Ohio, Ripley, and Switzerland;

District 13, consisting of the counties of Daviess, Dubois, Gibson, Knox, Martin, Perry, Pike, Posey, Spencer, Vanderburgh, and Warrick; and

District 14, consisting of the counties of Clark, Crawford, Floyd, Harrison, Orange, Scott, and Washington.

~~of Indiana referenced by Ind. Administrative Rule 3(A). In each judicial district, a judge designated by the Supreme Court shall appoint and convene the initial district pro bono committee within ninety (90) days from the enactment of this rule and the~~

The pro bono committee in each of the above districts shall appoint its chair, ~~all~~ in accordance with the following provisions:

(1) Each district pro bono committee shall be composed of:

- (A) ~~the a~~ judge from the district as designated by the Supreme Court to preside;
- (B) to the extent feasible, one or more representatives from each voluntary bar association in the district, one representative from each pro bono and legal assistance provider in the district, and one representative from each law school in the district; and
- (C) at least two (2) community-at-large representatives, one of whom shall be a present or past recipient of pro bono publico legal services.

(2) Governance of each district pro bono committee and terms of service of the members thereof shall be determined by each committee. Replacement and succession members shall be appointed by the judge designated by the Supreme Court.

...

IT IS FURTHER ORDERED that the Indiana Pro Bono Commission and Pro Bono District Committees shall study how the boundaries of the new 26 judicial districts set out in the amendment to Administrative Rule 3 would affect their organization and functions. The Commission shall, not later than December 31, 2011, submit to this Court a written report if and how its work should be reorganized in light of the new 26 districts.

This amendment shall take effect January 1, 2011.

The Clerk of this Court is directed to forward a copy of this Order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Prosecuting Attorney's Council; Public Defender's Council; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers Assistance Program; the Hon. David Avery 319 Courthouse, 715 South Calhoun Street, Fort Wayne, IN 46802; Mr. Roderick Bohannon, Indiana Legal Services, 151 North Delaware Street, Suite 1800, Indianapolis, IN 46204; Mr. Thomas Davis, Frost Brown Todd LLC, 201 North Illinois Street, Suite 1900, P.O. Box 44961, Indianapolis, IN 46244-0961; Mr. James Dimos, Frost Brown Todd, LLC, 201 North Illinois Street, Suite 1900, P.O. Box 44961, Indianapolis, IN 46244-0961; Ms. Mary E. Fondrisi, Smith, Carpenter, Thompson, Fondrisi & Cummins, LLC, 209 East Chestnut Street, P.O. Box 98, Jeffersonville, IN 47131-0098; Ms. Sue Ann Hartig, Legal Aid Society of Evansville, Inc., 1 NW Martin Luther King, Jr., Blvd., Suite 105, Evansville, IN 47708; Ms. Sarah Holterhoff, Associate Professor, Valparaiso University School of Law, 656 South Greenwich Street, Valparaiso, IN 46383; Dr. Michael Jenuwine, Notre Dame Legal Aid Clinic, 725 Howard Street, South Bend, IN 46617; Ms. Kimberly Kass, Associate Director of Career Planning, Valparaiso University School of Law, 656 South Greenwich Street, Valparaiso, IN 46383; Dean Jonna Kane MacDougall, IU School of Law-Indianapolis, 530 West New York Street, Indianapolis, IN 46202-3225; the Hon. Melissa S. May, Indiana Court of Appeals, 115 West Washington Street, Suite 1270, Indianapolis, IN

46204; Professor Novella Nedeff, IU School of Law-Indianapolis, 530 West New York Street, Room 111K, Indianapolis, IN 46202-3225; Mr. Carl R. Pebworth, Baker & Daniels, LLP, 300 North Meridian Street, Indianapolis, IN 46204; Mr. Stephen Rodriguez, Indiana Legal Services, 5401 Broadway, Suite A, Merrillville, IN 46410; Mr. Edward Stachowicz, Indiana Legal Services, 639 Columbia Street, P.O. Box 1455, Lafayette, IN 47902-1455; the Hon. Elizabeth Tavitas, Lake Superior Court, Civil 3, 15 West Fourth Avenue, Gary, IN 46402; Professor Carwina Weng, Indiana University School of Law, 211 South Indiana Avenue, Bloomington, IN 47405; Mr. Michael Wright, Wright, Shagley, Lowery, P.C., 500 Ohio Street, P.O. Box 9849, Terre Haute, IN 47807; Ms. Monica Fennell, Executive Director, Indiana Pro Bono Commission, 230 East Ohio Street, Fourth Floor, Indianapolis, IN 46204, Ms. Camille Wiggins, 30 South Meridian Street, Suite 500, Indianapolis, IN 46204; Mr. David Remondini, 30 South Meridian Street, Suite 500, Indianapolis, IN 46204; the libraries of all law schools in this state; the Michie Company; and Thomson Reuters. The Clerk is also directed to post this Order to the Court's website.

Thomson Reuters is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public.

DONE at Indianapolis, Indiana, this 21st day of September, 2010.

/s/Randall T. Shepard
Randall T. Shepard
Chief Justice of Indiana

All Justices concur.