



Indiana Judicial Nominating Commission

30 South Meridian Street, Suite 500
Indianapolis, IN 46204
(317) 232-4706

Application for the Indiana Supreme Court

The application for the Spring 2017 vacancy on the Indiana Supreme Court includes two parts. Both Part One and Part Two must be completed. Part Two *must* be provided separately as directed in the instructions. Answers in Part One and Part Two are a matter of public record and will be supplied to the media and public upon request. However, only answers in Part One may be posted online by the Indiana Judicial Nominating Commission.

Part One, Sections 1-11

1. Contact/General Information

A. Full legal name and any former names.

Thomas Willard Washburne

B. State the full name (use initials for minor children), age, and relationship of each person residing in your household. For each adult living in the household (other than yourself), also state the person's occupation and employer.

Jerry Willard Washburne, 86 – father – retired

Lynne LaVerne Washburne, 54 – wife – homemaker

Ellyn Marie Washburne, 26 – daughter – graduate student

Anna Lynne Washburne, 24 – daughter – short term staff – Wears Valley Ranch

Jenny Elise Washburne, 21 – daughter – recent college graduate (graduated 12/2016)

Josiah Thomas Washburne, 18 – son – student

G.W., 15 – son – student

C. Business address, email, and telephone number.

Thomas Washburne, V.P, Associate Counsel

Old National Bancorp

1 Main Street

Evansville, IN 47708

Tom.Washburne@OldNational.com

812-468-0369

D. Attorney number.

15903-49

E. Month and year you were admitted to the Indiana Bar.

07/1991

a. Indicate current law license status, i.e. active/inactive/retired.

Active

b. If you are or have been a member of the Bar of any other state, identify the jurisdiction and provide date(s) of admission and current license status.

Michigan 01/2006 - Active

F. Date and place of birth.

9-20-1963 Freeport, Illinois

G. County of current residence and date you first became a resident.

Vanderburgh 2007 (first became Indiana resident 1965)

2. Secondary Education/Military Experience

A. List all undergraduate colleges and universities you attended. Include the school name; dates enrolled; degree or certificate earned; and any academic honors, awards, or scholarships you received and when.

Fall 1982-1986 Purdue University, West Lafayette, Indiana

B.S.E. (Engineering)

-Distinguished Student: Fall 1985

Fall 1984 College of St. Mark & St. John, Plymouth England, United Kingdom

-Study abroad through Purdue University

Spring 1982 Vincennes University, Vincennes, Indiana

-12 credit hours taken during senior year of high school.

-4.0/4.0 Deans List

- B. Include with your original application a certified transcript from each school named in Subsection 2A, and attach copies of each transcript to each application copy. (If your social security number is on your transcripts, redact it *before* copying.)
- C. If applicable, list any military service. Include the name of the military branch; dates of service; last rank achieved; and any honors, awards, or commendations received and when. Attach a copy of your Certificate of Release or Discharge from active duty (“DD 214” paperwork).

N/A

3. Post-Secondary Education

- A. List all law schools, graduate schools, and post-J.D. programs attended. Include the school name; dates enrolled; degree or certificate earned; class rank; and any academic honors, awards, or scholarships you received and when.

**1987-1990 Indiana University Robert McKinney School of Law, Indianapolis Indiana
J.D.**

-American Jurisprudence Award for Top Paper: Torts I Fall 1987

-Top Paper: Employment Discrimination Spring 1989

-Class Rank: 68/211

- B. Include with your original application a certified transcript from each school named in Subsection 3A, and attach copies of each transcript to each application copy. (If your social security number is on your transcripts, redact it *before* copying.)

4. Employment

- A. Provide your employment history since graduation from college. Include name of employer, titles or positions, locations, and dates of employment.

Chronological List of Post-College Employment:

----- College Graduation 5/86 -----

6/86 – 9/86 Kandersteg International Scout Centre, Kandersteg, Switzerland
Program Staff – (Swiss Alp Guide)

1/87 – 8/87 Vincennes University, Vincennes, Indiana
Instructor, Electronics Technology (full time, spring sem. 1987)

----- Start Law School 8/1987 -----

8/88 – 5/90 Lewis & Kappes, Indianapolis, Indiana
Law Clerk, approx. 20 hr. per week during law school

----- Law School Graduation 5/90 -----

8/90 – 12/92 **Hon. S. Hugh Dillin, Judge, U.S. Dist. Ct., Indianapolis, Indiana**
Federal Law Clerk, United States District Court, Southern District of Ind.

12/92 – 12/94 **Hart Bell Law Firm, Vincennes, Indiana**
Associate Attorney

1/95 – 9/01: **United States House of Representatives, Washington, DC**
1995 – 1997: *Counsel & Legislative Dir.* – Rep. John Hostettler (IN-8)
1997 – 2001: *Counsel & Chief of Staff* – Rep. John Hostettler (IN-8)

9/01 – 3/04: **Home School Legal Defense Association, Purcellville, Virginia**
Director, National Center for Home Education

3/04 – 8/05: **United States House of Representatives, Washington, DC**
3/2004 – 1/2005: *Counsel* – Rep. John Hostettler (IN-8)
1/2005 – 8/2005: *Counsel & Chief of Staff* – Rep. Mike Sodrel (IN-9)

9/05 – 9/07: **Mackinac Center for Public Policy, Midland, Michigan**
Director of Labor Policy; Counsel & Director, Labor & Education Resource Center

----- CURRENT EMPLOYMENT -----

9/07 – present: **Old National Bancorp, Evansville, Indiana (Corp. Headquarters)**
Vice President & Corporate Counsel

11/12 – present: **Indiana General Assembly, Indianapolis, Indiana**
State Representative, Indiana House District 64.

2013-2014: Vice Chairman, Judiciary Committee

2015-present: Chairman, Courts and Criminal Code Committee

B. If applicable, describe the nature and extent of your practice of law (present and former), and provide the names of your partners, associates, office mates, and employers.

After graduation, I served as a federal law clerk for United States District Court Judge S. Hugh Dillin in Indianapolis for two and a half years. During this time I observed many trials and proceedings and wrote scores of judicial opinions, including a decision when Judge Dillin was selected to sit by designation with the 7th Federal Circuit Court of Appeals. I stayed on several months beyond the normal two year term to assist Judge

Dillin with several Multidistrict Panel cases. My colleagues included Tom Richardson (Judge Dillin's Court Reporter) and fellow Dillin law clerks/lawyers Barbara VanEss, Maureen Ward, and Paul Bogota. Other federal law clerks in the Federal Courthouse at that time included Indianapolis Attorneys John Maley and William (Bill) Bock.

Upon completing the clerkship I joined the Hart Bell law firm in Vincennes. During my two years as an associate attorney at this general practice firm, I worked on a wide variety of civil matters including litigation, insurance defense, city and county work, and had my first experiences soloing as a lawyer in court hearings. In addition, I served as a public defender for approximately one year in Knox County, handling several criminal cases ranging from child molestation to theft and CHINS. My colleagues included attorneys Brent Stuckey, Mark Ewing, David Deem and Don Bell (now deceased).

In January 1995, I became Counsel to Congressman John Hostettler in his Washington, DC office. I advised staff on various legal matters, obtained a Top Secret Clearance, staffed the Armed Services Committee and covered legislative matters covering approximately one third of the federal government. I then served as Counsel & Legislative Director for several months before becoming Chief of Staff in 1997, managing four offices (Washington DC, Evansville, Vincennes & Bloomington). In all my positions, I was deeply involved in interpreting and drafting federal legislation, as well as analyzing its impact on Indiana law. Colleagues included John Hostettler, Chris Crabtree (currently on staff with Congressman Jim Banks), and Rob Krieg (current Gibson County Superior Court Judge).

In September of 2001, I became the Director of the National Center for Home Education, a division of the Home School Legal Defense Association (HSLDA) in Purcellville, Virginia. In this position, I analyzed federal law for its impact on home education, spoke nationally on homeschooling issues and advised HSLDA members on legal issues. Colleagues included attorneys Mike Smith and Michael Farris of Virginia, and current Indianapolis Attorney Kevin Koons.

In March of 2004, I returned to the office of Congressman John Hostettler. Serving as Counsel, I worked with the legislative staff on various legislative projects and assisted the Congressman in his role on the House of Representatives Judiciary Committee. When Congressman Mike Sodrel was elected, I became his Chief of Staff in January of 2005. I started his office, conducted his initial staff hiring, and also did double duty as his Legislative Director. However, in August of 2005, and with the Congressman's blessing, we moved back to the Midwest, having decided Capitol Hill was too demanding a place for a father with five children. During my time with Congressman Sodrel, colleagues included Mike Sodrel, Cam Savage, Chris Crabtree and Allison Slatter.

In Michigan, I served as Director of Labor Policy and Counsel and Director of the Labor and Education Resource Center at the Mackinac Center for Public Policy. There I joined the Michigan Bar, analyzed pending Michigan legislation, did public speaking, was the author of several articles and co-wrote two small books on Michigan labor law.

Colleagues included current Foundation for Economic Education (FEE) President Lawrence Reed, current Mackinac Center President Joe Lehman and current Mackinac Center attorney Patrick Wright.

In 2007, we returned home to Indiana, where I became Corporate Counsel and Vice President of Old National Bancorp, headquartered in Evansville. In this capacity, I provide legal services to a financial holding company and its subsidiaries doing business in Indiana, Illinois, Kentucky, Michigan & Wisconsin. These subsidiaries include Old National Bank and Old National Insurance. Old National has over 3,000 employees. More specifically, I interact daily with company personnel on numerous and varied issues; work with management on special projects ranging from acquisitions to property leases; serve as Old National's principal human resources attorney; review and draft contracts; and, from 1997 to 2015, served as the Company's litigation manager.

While at Old National, I have been counsel of record in approximately a hundred cases and managed scores of others being handled by outside counsel. Matters range from second mortgage foreclosures and condemnations to EEOC matters wherein I have written many of Old National's position papers. I have participated in numerous depositions, mediations, and hearings. I review approximately 500 third-party subpoenas a year. Two cases I managed had issues decided by the Indiana Supreme Court. Colleagues include attorneys Jeff Knight, Scott Evernham, Keaton Miller, Rhett Gonterman, and Gary Case (retired).

In 2012, I was elected to serve as the State Representative for District 64 in the Indiana General Assembly, representing the area between Evansville and Vincennes, Indiana. I am currently Chairman of the House Committee on Courts and Criminal Code and a member of the House Judiciary Committee and Financial Institutions Committee. I have held several other leadership positions, including Vice-Chairman of the House Judiciary Committee. I have authored many pieces of legislation and have analyzed hundreds of other bills. Since 2013 I have been a member of the Code Revision Commission and have also served on the Courts and Judiciary Interim Study Committee and the Corrections and Criminal Code Interim Study Committee. Colleagues include Brian Bosma, Speaker of the Indiana House of Representatives; Greg Steuerwald, Chairman of House of Representatives Judiciary Committee; Woody Burton, Chairman of the House of Representatives Financial Institutions Committee; and all other Indiana State Representatives.

5. Trial/Judicial Experience

A. Describe the extent of your jury trial experience, if any.

During my time as a federal law clerk, I served as staff for United States District Court Judge S. Hugh Dillin for several jury trials. As a private lawyer, I have been a member of the legal team in one jury trial, but did not serve as lead counsel.

B. Describe the extent of your bench trial experience, if any.

During my time a federal law clerk, I served as staff for United States District Court Judge S. Hugh Dillin for several bench trials. As a private lawyer, I have participated in one bench trial, but did not serve as lead counsel.

- C. If applicable, describe the nature and extent of your judicial experience (including as a judge *pro tempore*). Include a description of your experience presiding over jury trials, if any.

N/A

6. Professional Experience

Include as writing samples, four selections (in total) from the written materials listed below in Subsections 6A – 6C.

- A. If applicable, list up to five trial or appellate briefs and/or judicial opinions you have written. Refer to them by caption, case number, and filing date.

(1) Opinion written for Hon. S. Hugh Dillin: *John W. Fisher and Richard A. Kirchoff v. Transco Services-Milwaukee, Inc.*, 979 F.2d 1239 (7th Cir. 1992)

(2) Position Statement of Old National Bank – Retaliation Claim: *Northington v. Old National Bank*, EEOC Charge No. 24C-2011-00008 (filed March 23, 2011)

(3) Position Statement of Old National Bank: *Hartig v. Old National Bank*, EEOC Charge No. 470-2011-01380 (filed March 31, 2011)

(4) Defendant JWF Specialty Co.’s Motion to Dismiss Plaintiff’s Complaint for Failure to State a Claim and Incorporated Brief in Support Thereof: *Valerie Rost v. JWF Specialty Co.*, Cause No. 49D04-1108-PL-033757 (filed December 27, 2011)

(5) Defendant Old National Bank’s Memorandum in Support of Motion for Judgment on the Pleadings/Summary Judgment: *Reynolds v. Old National Bank et al.*, Cause No. 84D06-1406-CT-4514 (filed August 15, 2014)

- B. If applicable, list up to five legislative drafts or court rules you have written or to which you contributed significantly. Refer to them by official citation, date, and subject matter.

(1) Indiana Supreme Court Commercial Courts Working Group Proposed Court Rule 20 (2015)

(2) HB1047 – Court Motion Clerk Pilot Program (2013, 2014, 2015, 2016).

(3) HB1407 – Probate Matters (2017)

(4) HB1401 – Medicaid Fraud (2015)

(5) HB1149 – Speed Limit for Larger Motor Vehicles (2014)

- C. If applicable, list up to five of your contributions to legal journals or other legal publications. Provide titles, official citations, and a brief description of the subject matter.

(1) Hon. John N. Hostettler & Thomas W. Washburne, *The Constitution's Final Interpreter: We the People*, 8 Regent L. Rev. 13 (Spring 1997).

- This law review article explored the practical dynamics of constitutional interpretation between the branches of government.

(2) Thomas W. Washburne, *The Boundaries of Parental Authority: A Response to Rob Reich of Stanford University*, in **TAKING SIDES: CLASHING VIEWS ON CONTROVERSIAL ISSUES IN TEACHING AND EDUCATIONAL PRACTICE 330, 330-335 (Dennis Evans, ed., 2nd Ed., McGraw-Hill/Dushkin, 2005)**

- I provided a chapter for this college textbook exploring the relationship between the legal rights of children and parents and government interests.

(3) THOMAS W. WASHBURNE, J.D., & MICHAEL D. JAHR, *A COLLECTIVE BARGAINING PRIMER* (Mackinac Center for Public Policy, 2007)

- This 88 page book covered the subject of collective bargaining under Michigan's Public Employment Relations Act. I was the principal author.

(4) THOMAS V. WALSH, ROGER S. KAPLAN, AND THOMAS W. WASHBURNE, *LEVELING THE PLAYING FIELD* (The Atlantic Legal Foundation and the Mackinac Center for Public Policy, 2009)

-This 104 page book covered union organizing in Michigan's public school academies. I contributed the Michigan specific content.

D. Identify the five most significant legal matters entrusted to you, whether as a judge or lawyer, and describe why you believe them to be so.

(1) *In re Recombinant DNA Technology Patent and Contract Litigation*, J.P.M.L. Docket No. 912 (Joint Panel on Multidistrict Litigation, assigned to Judge S. Hugh Dillin, United States District Court, Southern District of Indiana). Though it was back in the early 1990s, this federal Multi-District Panel case assigned to me by Judge Dillin remains a significant matter that I will always recall. It involved the interplay between the litigants over the patent and other rights to techniques involved in producing hormones. A book was actually included as an exhibit in one of the cases to help the court to be able to understand the vocabulary involved in the case. It was the most complicated matter I recall dealing with as a federal law clerk as it involved multiple cases with complex issues and large practical consequences in the developing field of DNA and biomedical engineering.

(2) *Anderson, et al., v. Old National Bancorp and Old National Trust Company*, 5:02-cv-324-R (United States District Court, Western District of Kentucky). Upon joining Old National Bancorp (ONB) in 2007, I was assigned management of the Jones Trust matter. ONB was in an uninsured position due to an acquisition for a mistake by a predecessor's trustee administering a 99 year lease at one of the largest quarries in the United States. The allegations against the trustee were that he had failed to terminate an unfavorable lease due to a breach by the tenant by accepting lease payments after declaring a breach, resulting in a waiver. Potential damages involved the comparison of

leases that might have been available if the tenant had been removed to the tenant's lease, including its built-in escalators. For years we asserted every legal defense available to a trustee. I spent hundreds of hours developing strategy, drafting issues, and managing outside counsel in all our proceedings. I also worked closely with an out of state expert on the damages associated with the lease and developed some models myself. The matter eventually was settled. The massive scope of the damages at stake (in the tens of millions of dollars), the chess-like complexity of the damages, and the multitude of legal issues render this a memorable and significant matter.

(3) *Purcell v. Old National Bank*, No. 49S02-1201-CT-4 (Marion County). This case involved a dispute between owners of a business themselves and Old National Bank. It was a contractual dispute regarding a former owners rights to return to the company and what triggered those rights. Damages were potentially approximately \$1 million. This matter went to the Court of Appeals twice and once to the Indiana Supreme Court. I participated in the jury trial with our outside counsel and it was my first experience with a matter before the Indiana Supreme Court, all of which renders it one of the more significant matters I have been entrusted with.

(4) *Old National Bank v. Cubberley's Inc.*, No. 27C01-0811-PL-1226 (Grant County). This 2008 matter involved a very creative and complicated check kiting scheme by a commercial customer that was discovered by Old National personnel and assigned to me. Given that the kite involved millions of dollars, it was essential that when the kite was shut down by ONB that we be in a position to preserve assets. This was my first experience with emergency receiverships. The technical complexity of the kite technique and the tensions and emotions involved in this matter by everyone ranging from outside lawyers to bank personnel make it one of the more significant matters in my memory.

(5) *Pamela Hartig v. Old National Bank*, No. 3:11-cv-00074-RLY-WGH (United States District Court, Southern District of Indiana). As Old National's human resources lawyer, I review most terminations at Old National and was aware of the facts in the matter as they developed. When Hartig filed a discrimination charge with the Equal Employment Opportunity Commission (EEOC), I investigated and drafted Old National's position statement (essentially a response brief). Once the matter moved on to federal court, I continued to manage the case with outside counsel through Old National's successful motion for summary judgment in 2013. It was a significant matter to me as I think it showed very well how the judicial system was intended to function.

7. Efforts to Improve the Legal System, Administration of Justice, or Society

- A. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) toward the improvement of the law, the legal system, or the administration of justice. Include a description of any management or leadership roles you undertook to achieve these goals, and describe any specific instances in which your collaborative efforts helped achieve these goals.

(1) Efforts/Achievements/Contributions to Improve the Law:

i. Member, Code Revision Commission 2013-present. This Commission annually produces the Indiana Technical Corrections bill and the Substantive Corrections bill. I have served as the author of this legislation (2016 & 2017) and as the House sponsor (2015).

ii. Member, Uniform Law Commission 2013-present. The ULC develops uniform laws for adoption in the states. I have been the House Sponsor for ULC bills.

iii. Member, Indiana House of Representatives. As a Representative I have voted on hundreds of bills and amendments intended to improve the law. Since joining the General Assembly in 2012, I have served on the House Judiciary Committee and Financial Institutions Committee. I became Chairman of the House Courts and Criminal Code Committee in December of 2014. I have served on numerous interim study committees and have authored scores of bills and amendments.

(2) Efforts/Achievements/Contributions to Improve Legal System:

i. Member, Indiana Supreme Court Commercial Courts Working Group (2015-present). I was appointed by the Supreme Court to be a member of this group. I am an active participant and was asked to be a member of a panel to present the project at the fall 2015 Indiana Judicial Conference.

ii. Member, Indiana Public Defender Commission (2016-present). I was appointed by the Indiana Speaker of the House of Representatives to this Commission.

(3) Efforts/Achievements/Contributions to Improve Administration of Justice:

i. Recipient:

a. Indiana Judges Association “Champion of Justice Award” (2016).

b. Indiana Prosecuting Attorneys Council “Legislative Excellence Award” (2016).

ii. Chairman, Courts and Criminal Code Committee. Since December of 2014, I have chaired the House of Representatives Courts and Criminal Code Committee. This Committee has considered and advanced numerous pieces of legislation dealing with justice issues, including extensive legislation aimed at providing better treatment options for Community Corrections and other interested stake holders.

iii. Vice-Chair, Judiciary Committee. In 2013-2014, I served as Vice-Chairman of the House Judiciary Committee. This turned into an active role when the Chairman had health issues and had to miss several meetings.

iv. Member, Interim Committees. Since being elected in 2012, I have served on and chaired numerous interim committees of the Indiana House of Representatives that involved the administration of justice. Matters from the

revision of the Indiana Code to probate matters were vetted in these interim committees.

- B. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) concerning civic, political, or social issues. Include a description of any management or leadership roles you undertook in this area, and describe any specific instances in which your collaborative efforts in this area led to a successful result.

(1) Efforts/Achievements/Contributions to Civic Issues:

i. **Abraham Lincoln Fellow in Constitutional Government, The Claremont Institute, Claremont California (1998-2000).** I was selected to participate in this Fellowship program while serving on Congressman Hostettler's staff. This program gave me a better understanding of constitutional issues which aided me in advising Congressman Hostettler.

ii. **Mackinac Center for Public Policy (2005-2007).** The Mackinac Center is a "think tank" and one of its principal purposes is to examine law and proposed legislation on a wide range of economic issues. I served as Director of Labor Policy. In that regard, I met with various public officials and provided advice and input on a wide range of matters. My writings included the following:

-THOMAS W. WASHBURNE, J.D., & MICHAEL D. JAHR, A COLLECTIVE BARGAINING PRIMER (Mackinac Center for Public Policy, 2007)

-- This 88 page book covered the subject of collective bargaining under Michigan's Public Employment Relations Act. I was the principal author.

-THOMAS V. WALSH, ROGER S. KAPLAN, AND THOMAS W. WASHBURNE, LEVELING THE PLAYING FIELD (The Atlantic Legal Foundation and Mackinac Center for Public Policy, 2009)

-- This 104 page book covered union organizing in Michigan's public school academies. I contributed the Michigan specific content.

-While working at Mackinac Center for Public Policy, I had Op-Eds published in a variety of newspapers, including *The Detroit News* and the *Lansing State Journal*.

(2) Efforts/Achievements/Contributions to Social Issues:

i. **Director, The National Center for Home Education (2001-2004).** The National Center for Home Education had at that time its principal mission of analyzing federal law for its impact on homeschooling. In that regard I met regularly with Congressmen and Senators, Committee Staff and federal officials informing them of potential impacts of legislation. My writings included:

-Thomas W. Washburne, *The Boundaries of Parental Authority: A Response to Rob Reich of Stanford University*, in TAKING SIDES: CLASHING VIEWS ON

CONTROVERSIAL ISSUES IN TEACHING AND EDUCATIONAL PRACTICE 330, 330-335 (Dennis Evans, ed., 2nd Ed., McGraw-Hill/Dushkin, 2005)

--I provided a chapter for the above named college textbook which explored the relationship between the rights of children and parents and government interests.

-While working at the National Center for Home Education, I had Op-Eds and columns published in a variety of newspapers including the *Washington Times*. I was the guest speaker at numerous conventions from Maine to California.

- C. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) to improve your local, state, or national community through charitable work or public service. Include a description of any management or leadership roles you undertook in this area, and describe any specific instances in which your collaborative efforts in this area led to a successful result.

(1) Efforts/Achievements/Contributions to Improve the Local Community through Charitable Work:

i. Member, Board of Directors, The Evansville Philharmonic Orchestra (2013-present). The Evansville Philharmonic Orchestra is a charitable organization dedicated to engaging the community in the experience of live symphonic music and has a significant education mission.

ii. Member, Troop Committee, Boy Scouts of America – Troop 393 (2011-present). I have helped with camp outs, been a merit badge counselor, and provided adult guidance.

iii. Senior Member, Civil Air Patrol – River City Cadet Squadron (2015-present). Civil Air Patrol is an auxiliary of the US Air Force. I help the cadet squadron as time permits.

iv. Member, Salem Church Darmstadt (2012-present). I have taught Adult Sunday School and am currently a Senior High School Sunday School Teacher.

(2) Efforts/Achievements/Contributions to Improve the State through Public Service:

i. Member, Indiana State Joint Workforce Investment Board (JWIB) (6/2011-3/2013). This Board dealt with issues arising in implementing federal programs for workforce development. I was an industry representative on this Board.

ii. Member, Indiana House of Representatives (11/2012 to present). I have voted on hundreds of measures intended to benefit the State of Indiana and authored many of my own.

(3) Efforts/Achievements/Contributions to Improve the Nation through Public Service:

From January of 1995 to September of 2001, and again from March of 2004 to December of 2004, I served on the staff of Congressman John Hostettler and, from January 2005 to August of 2005 on the staff of Congressman Mike Sodrel. As Chief of Staff, Counsel, and at times Legislative Director in these offices, I participated in hundreds of meetings regarding legislation and initiatives to improve the United States. One matter I am very proud of is my work on base realignment and closure that took place in 1998 and again in 2005. I was one of many working to share the value of the Crane Naval Surface Warfare Center and the Crane Army Ammunition Activity – both of which avoided closure. In 2005, I gave testimony in St. Louis before the BRAC Commission regarding Crane. It is available at:

<http://www.c-span.org/video/?c682642/clip-indiana-military-base-closings>

D. Describe the nature and extent of any *pro bono* legal services you have contributed.

I have had the privilege of serving as Legal Counsel or sitting on the Board of Directors for non-profits where legal expertise is often called upon and for which I am uncompensated. In addition, I have assisted with wills for missionaries free of charge, and have provided *pro bono* advice and counsel to churches. However, as an in-house attorney, I am not covered by malpractice insurance and do not maintain an IOLTA account. This, unfortunately, limits my ability to provide *pro bono* legal services in many contexts.

E. Indicate your experience teaching law. Provide the dates, names of institutions or programs, and a description of the subject matter taught.

(1) Patrick Henry College, Purcellville, Virginia. – adjunct faculty -- J-Term, Spring 2002. I taught a course on Congressional Campaigns concentrating on federal election law and regulations.

(2) Army War College and Indiana University School of Public and Environmental Affairs: Guest lecturer. During my tenure as Chief of Staff for Congressman John Hostetter in the late 1990s, I was a regular lecturer on defense budget law and the appropriations process for both the Army War College program in Washington, DC, and the IU SPEA Washington, DC, program.

8. Memberships and Other Activities

A. List any memberships and offices you have held in professional organizations, including dates and descriptions of the purposes of the organizations and of your involvement.

-Michigan State Bar Association. 2006 to present.

-Indiana State Bar Association. 1991 to present

--Corporate Counsel Section – Treasurer (2015 to present)

--Creditor's Rights and Bankruptcy Section – Governing Council (2015 to present)

-Evansville Bar Association. 2007 to present

--Corporate Counsel Section – October 2015 Speaker

- B. List any memberships and offices you have held in civic, charitable, or service organizations, including dates and descriptions of the purposes of the organizations and of your involvement.

-Boy Scouts of America. 2009 – present.

--Troop Committee, BSA Troop 393, St. Wendel, Indiana. I teach merit badges and assist at troop meetings and campouts.

-Evansville Philharmonic Orchestra Board of Directors. 2013-present.

--The Evansville Philharmonic Orchestra (EPO) is a professional orchestra based in Evansville, Indiana. EPO performs classical and pops concert series, maintains two youth orchestras, and does significant outreach to schools

-Civil Air Patrol (Official Auxiliary of the United States Air Force). 2015 – present.

-Senior Member of the River City Cadet Squadron. Provide adult guidance to cadets.

- C. List any memberships you hold in social clubs or organizations. If any restrict its membership on the basis of race, sex, religion, or national origin, please describe your efforts within the organization to eliminate restrictions.

-Tri-State Amateur Radio Society

-Indiana Beekeepers Association

-Indiana Sheep Association

-Philmont Staff Association

- D. Describe your hobbies and other leisure activities.

-Beekeeping

-Farming – sheep, chickens, etc.

-Ham Radio (WB9ZFN)

9. Legal Proceedings

- A. List any lawsuits or legal proceedings in any jurisdiction, including but not limited to bankruptcies, dissolutions, and criminal matters to which you have been a party. Provide dates, case numbers, courts, names of other parties, and, if needed, a brief explanation. (If minor children are involved [i.e. an adoption], use initials only.)

N/A

- B. If you ever have been arrested or cited for any violation of the law other than for routine traffic violations, provide dates, jurisdictions, and an explanation of the event and its resolution.

N/A

- C. If you have been disciplined or cautioned, formally or informally, by the Indiana Supreme Court Disciplinary Commission, by the Indiana Commission on Judicial Qualifications, by the Indiana Supreme Court, or by similar entities in any other jurisdiction, identify each instance by date, case number (if applicable), and describe the circumstances and the nature of the outcome or resolution.

N/A

- D. If you have any outstanding federal, state, or local tax obligations, please itemize and explain.

N/A

10. References

- A. Provide the names of three attorneys who have been your professional adversaries in your practice or who have litigated substantial cases in your court and who would be in positions to comment on your qualifications for appointment to the Indiana Supreme Court (contact information to be included in Part Two of this application).

Jim McDonald

Michael Cochren

Matt Pierce

- B. Provide the names of three professional references other than those listed in Subsection 10A (contact information to be included in Part Two of this application).

Jeff Knight

Scott Evernham

Chris Lee

- C. Provide the names of three personal references other than those listed in Subsection 10A or 10B (contact information to be included in Part Two of this application).

Hon. Suzanne Crouch, Lt. Governor, State of Indiana

Hon. Robert Krieg, Judge, Gibson County Superior Court

Hon. Greg Steuerwald, Chairman, Indiana House of Representatives Judiciary Committee

11. State Police Release Form and Photograph

- A. Complete a State Police release form printed on green paper (you may obtain the release form by contacting the Nominating Commission Office at 317-232-4706). Include the release form with the original application only and not with the copies.
- B. Attach a recent photograph of you to the front of the original application and to each copy of your application. (This allows the Commission members to put a face with a name if you are interviewed in person.)

3-3-2017



Date

Applicant Signature

Thomas W. Washburne

Printed Name