

**Date: November 17, 2023**

The committee voted by email to cancel the November 17, 2023 due to a lack of availability.

Future Meeting Dates: (all times 08:00 ET via Zoom, unless confirmed otherwise)

2024: 2/09/2024    5/10/2024    8/09/2024    11/09/2024

Date: February 10<sup>th</sup>, 2023

The ADR Committee met remotely through Zoom on Friday February 10<sup>th</sup>, 2023 from approximately 11:00AM-12:00 PM.

- I. Call to
- II. Minutes of Previous Meeting
  - a. The August 12, 2022, minutes are unanimously approved.
- III. Old Business
  - a. Fast Track Facilitation Updates: Reviewed current data.
  - b. MFTCAP Updates: reviewed current data & discussed increase in usage.
- IV. New Business
  - a. ADR Rule Amendments:
    - i. Staff to prepare a letter/notice to the ADR committee summarizing the committee's request to move forward with our amendments. Review and approve next meeting.
  - b. Mediator Registry
    - i. Committee discusses possible updates to registry. Members will come to May meeting with proposed changes and requests.
  - c. ADR Statute change discussion: Review of recommendations being proposed to the legislature. Intent is for this to be included in the 2023 legislative session and to be approved and signed into law by the May meeting.
  - d. ODR updates:
    - i. Indiana Innovation Initiative is considering putting together a new ODR study committee. No official word yet.
  - e. Future topics:
    - i. Local rules differences in ADR procedures and informal law trials.
- V. Review of future meeting dates.
  - a. All meetings are currently scheduled remotely for 11:00 AM (EST)
- VI. Adjourned at 12:00 EST. Next Meeting May 12<sup>th</sup>, 2023 @ 11:00 AM (EST). A virtual invite to follow.

Appendix A-Roster of Current ADR Committee Members

1. Stephen "Sam" Scheele (appointed 2017), Lake Superior
2. Jeff Todd (appointed 2018), Grant Superior
3. Luke Rudisill (appointed 2018), Greene Circuit/Superior
4. Keith Doi (appointed 2018), St. Joseph Superior
5. Davin Smith (appointed 2019), Huntington Circuit
6. Catherine Stafford (appointed 2019), Monroe Circuit
7. Benjamin Vanderpool (appointed 2019), Wabash Superior
8. Jeff Clymer (appointed 2020), Porter Superior
9. Craig Goedde (appointed 2020), Posey Circuit
10. Kara Krothe (appointed 2022), Monroe County
11. Christopher Spataro (appointed 2022), Elkhart County
12. Elaine B. Brown, Indiana Court of Appeals liaison.
13. Joseph Fischer, Office of Court Services liaison/Staff Attorney

Date: May 12, 2023

The ADR Committee met in person and remotely through Video/Telephonic Conferencing on Friday May 12th, 2023 from approximately 11:00AM-12:00 PM ET.

- I. February Meeting Minutes Review
  - A. Minutes approved unanimously and entered into ADR meetings records
    - One small error with date to be fixed by staff of committee.
- II. Old Business.
  - A. MFTCAP/FTF usage updates.
    - Staff gave update regarding the programs. Things continue to go down the same path. Increased foreclosure. Many requests for FTF without any landlord interest in participating.
  - B. Non attorney DR mediators.
    - A number of conversations have taken place on this topic. The Chair and Staff note mixed feedback as to if this is a concern or not. Some mediation groups and bar groups see value in it. Some see it as a problem leading to sometimes less adequate resolutions.
    - Committee decision: Come to the next meeting with an opinion- is this a change the committee should undertake? Should more info gathering be underdone or continue to pursue or leave to individual court choice. Increase or align training? New ADR rule amendment?
    - Effect on parenting coordinators
  - C. Mediator registry
    - Waiting to determine if the desired changes (while incorporating GALs) can be built into the system or will require a full rebuild. Cannot really move forward until GAL guidelines move further along.
- III. New Business.
  - A. ADR rules: Civil Litigation Taskforce & Rules Committee
    - The committee liked the letter. Judge Scheele requests a copy for review. Will likely sign prior to end of term.
    - Committee discusses that ADR rules are “permissible” and meant to open doors, not close them. There is no value in stripping the rules of several tools simply because they are less used.
  - B. ADR Fund Plan: statutory change

- Discussed messaging & “getting the word out.”
  - Balancing plans. Ensuring all plans remain funded and don’t become GAL fund plan exclusively.
- C. Equity & Access Report: Diversity in ADR Rec’s.  
Volunteers/Ideas/Discussion
- Supplying presentations at Indiana Law Schools
  - Consider promotion of increased diversity in dispute resolution – ABA Resolution 105
  - Support of Diversity in ADR Work Group Committee
- IV. Announcements/Good of the Order
- A. Moving into the next three-year period.
- Staff to inform the committee when a new chair and members are selected by the Chief Justice.
- B. Thanks to Judge Scheele
- V. Future Meeting Dates: (all times 11:00 ET *via* Zoom, unless confirmed otherwise)
- 2023:      08/11/2023      11/17/2023
- 2024:      2/09/2024      5/10/2024      8/09/2024      11/09/2024
- IX. Adjourn
- Roster of Current ADR Committee Members
- A. Stephen “Sam” Scheele (appointed 2017), Lake Superior
- B. Jeff Todd (appointed 2018), Grant Superior
- C. Luke Rudisill (appointed 2018), Greene Circuit/Superior
- D. Keith Doi (appointed 2018), St. Joseph Superior
- E. Davin Smith (appointed 2019), Huntington Circuit
- F. Catherine Stafford (appointed 2019), Monroe Circuit
- G. Benjamin Vanderpool (appointed 2019), Wabash Superior
- H. Jeff Clymer (appointed 2020), Porter Superior
- I. Craig Goedde (appointed 2020), Posey Circuit
- J. Kara Krothe (appointed 2022), Monroe County
- K. Christopher Spataro (appointed 2022), Elkhart County
- L. Elaine B. Brown, Indiana Court of Appeals liaison.
- M. Joseph Fischer, Office of Court Services liaison/Staff Attorney

Date: August 12, 2023,

The ADR Committee met in person and remotely via Zoom on Friday August 12th, 2023 at approximately 11:00AM ET – 10:00AM CT.

- I. Call to Order by Chair Hon. Jeff Clymer on 8/12/2023 @ 11:00 AM
- II. Roll Call
  - A. Present: Hon. Jeff Clymer, Hon. Chris Spataro, Hon. Elaine Brown, Hon. Christina Klineman, Hon. Sarah Glass, Hon. David Avery, Hon. Kara Krothe, Hon. Jeff Todd,
  - B. Staff Attorney: Joseph Fischer
- III. August Meeting Minutes Review
  - A. Minutes presented by staff. One date correction made. Motion to approve minutes made by Jude Stafford, seconded by Judge Brown. Committee votes and approves May minutes unanimously.
- IV. Meeting Topics:
  - A. Welcoming the new chair, Judge Jeff Clymer of Porter County. Welcoming of new members Judge Avery, Judge Glass, and Judge Klineman.
  - B. Date & time of future meetings. For the foreseeable future ADR Committee meetings will be held on the second Friday every three months at 9:00ET/8:00CT
  - C. ADR rules: Civil Litigation Taskforce & Rules Committee
    - Copies of this committee's prior rule recommendations currently pending before the Rules Committee, and the CLT ADR rule recommendations, were re-distributed to the group.
    - Committee opts to hold action for next meeting. All members to review. Final decision on moving forward to be decided upon at the November meeting. Judge Avery to take a "deep dive" and provide additional context.
  - D. Diversity in ADR workgroup update.
    - Subgroup of the Commission on Equity and Access. Staff Joseph Fischer to serve as staff for both. ADR Committee will participate and communicate as needed or requested.
  - E. Mediator registry will begin updating upon the implementation of the GAL Guidelines. This committee will take an active role in

redefining the scope of information on the registry.

- F. Non attorney mediators: Ongoing topic of discussion for many internal groups. Opinions on the cost vs. benefit of non-attorney mediators vary depending on the group & geography. Committee to keep “finger on the pulse” of topic.
- G. Updates regarding ongoing programs:
  - ADR Fund Plan
  - Mortgage Foreclosure Trial Court Assistance Program
  - Landlord Tenant Fast Track Facilitation Program
- V. Meeting adjourns at 12:45PM.
- VI. Meeting Dates: (all times 9:00 ET 8:00 CT *via* Zoom, unless confirmed otherwise)  

<u>2023</u>	11/17/2023			
<u>2024</u>	2/09/2024	5/10/2024	8/09/2024	11/09/2024

Roster of Current ADR Committee Members

1. **Chair:** Jeff Clymer (appointed 2020), Porter Superior
2. Jeff Todd (appointed 2018), Grant Superior
3. Luke Rudisill (appointed 2018), Greene Circuit/Superior
4. Keith Doi (appointed 2018), St. Joseph Superior
5. Davin Smith (appointed 2019), Huntington Circuit
6. Catherine Stafford (appointed 2019), Monroe Circuit
7. Benjamin Vanderpool (appointed 2019), Wabash Superior
8. Craig Goedde (appointed 2020), Posey Circuit
9. Kara Krothe (appointed 2022), Monroe County
10. Christopher Spataro (appointed 2022), Elkhart County
11. David Avery (appointed 2023), Allen County
12. Christina Klineman (appointed 2023), Marion County
13. Sarah Glass (appointed 2023), Marion County
14. Elaine B. Brown, Indiana Court of Appeals liaison.
15. Joseph Fischer, Office of Court Services liaison/Staff Attorney