

**Judicial Administration Committee**  
Judicial Conference of Indiana

**Minutes**  
**March 10, 2023**

The Judicial Administration Committee of the Judicial Conference of Indiana met remotely via Teams on Friday, March 10, 2023 from 12:00 noon to 1:15 p.m.

1. Members present. Clay Kellerman, Dena A. Martin, Shaun T. Olsen, Timothy J. Ormes, Thomas Pulley, Matthew E. Sarber, and Vicki L. Carmichael, Chair
2. Staff present. Jeffrey Bercovitz, James Diller, Tom Jones, and Jeff Wiese, Indiana Office of Court Services.
3. Guests. Catherine Haines, Stephanie LeMay-Luken, Christopher Nancarrow, Emily VanOsdol, and Heather Welch attended the meeting.
4. Minutes approved. The minutes for the committee on August 12, 2022 were approved.
5. Judicial weighted caseload.
  - Jeff Wiese reviewed Video Hearing Information, (VHI) which is part of Odyssey. It is a notice event in Odyssey. He reported it is not tied to a particular hearing, it will not show whether a scheduled hearing actually occurred, and does not indicate if anyone appeared remotely. Committee members did not believe VHI would be helpful for a weighted caseload study.
  - Members of the committee discussed in person, hybrid and remote hearings. Jeff Wiese distributed information from the National Center for State Courts on in person, hybrid and remote hearings. The committee members agreed that in a judicial weighted caseload study it would be helpful to distinguish between in person, hybrid and remote hearings.
6. Paternity. Staff reported two different questions were recently posed about how to account for redocketing of paternity cases, especially those which did not originate in the court where the case is redocketed. If the case comes in as a “new” case or a “transferred in” case, the new court would get judicial weighted caseload credit. Judicial officers need to be educated about this issue. Paternity cases could be reviewed as part of a new weighted caseload study.
7. Commercial courts. Judge Welch proposed a weighted caseload study for a new commercial courts case type. Committee members discussed conducting this limited study in house, the need to review the commercial courts rule, how cases are assigned to commercial courts, how the cases are flagged in Odyssey, and the need for all commercial courts to be in the study. They agreed to look at this topic in greater detail at the next meeting.

8. New weighted caseload study. Members of the committee discussed factors of a new judicial weighted caseload study for all case types, including the cost, preparation time, participation of judicial officers, data collection, analysis of data, focus groups to discuss preliminary data, adequacy of time survey a draft and a final report. The committee agreed the chair and staff should work on these issues for future discussion.
9. Other. Judge Sarber noted the new pre-eviction diversion program was taking a lot of time.
10. Next meeting date. The committee members agreed to meet again remotely via Teams on Friday, May 12, 2023 from 12:00 p.m. – 2:00 p.m.

Respectfully submitted,

Jeffrey Bercovitz, Director  
Juvenile and Family Law

**Judicial Administration Committee**  
Judicial Conference of Indiana

**Minutes**  
**May 12, 2023**

The Judicial Administration Committee of the Judicial Conference of Indiana met remotely via Teams on Friday, May 12, 2023 from 12:00 noon to 2:00 p.m.

1. Members present. Dena A. Martin, Shaun T. Olsen, Thomas Pulley, Matthew E. Sarber, and Vicki L. Carmichael, Chair
2. Staff present. Jeffrey Bercovitz, James Diller, Tom Jones, and Jeff Wiese, Indiana Office of Court Services.
3. Guests. Catherine Haines, Christopher Nancarrow, and Judge Heather Welch attended the meeting.
4. Minutes approved. The committee minutes for March 10, 2023 were approved.
5. Commercial courts.
  - Committee members agreed to conduct a weighted caseload study of only Commercial Courts. The committee reviewed commercial courts procedures, rules, assignment of cases, underlying case types commercial court cases are drawn from, modeling a commercial court (CO) case type after problem-solving courts, how cases are flagged in Odyssey, and use of all commercial court judicial officers to be in the study.
  - A time log sheet was reviewed by the committee which was used in the 2016 Judicial Weighted Caseload study. Committee members agreed to add a column to indicate whether hearings in court were in person, remote or hybrid; they also agreed to indicate the underlying case before the referral of the case to the commercial court docket.
  - Members of the committee agreed to test a revised time log sheet at the end of July and return time sheets before the August meeting. Staff agreed to the use of “time tracker” in INcite if it could be adopted for use for a weighted caseload time study.
6. Review of weighted caseload. Staff reviewed various aspects of a full judicial weighted caseload study with committee members.
7. Weighted caseload education. Members of the committee discussed topics for a weighted caseload educational session at the Annual Meeting of the Judicial Conference of Indiana in September 2023, including:
  - Importance of weighted caseload if a county wants a new judicial officer
  - How to share judicial resources in a district, including how to determine and allocate the time of a judicial officer who regularly hears cases from another county in the judicial district.
  - Weighted caseload not a zero sum game
  - Whether additional case types are needed and/or consolidation of case types

- Whether weighted caseload affects discretion on how to handle cases, e.g. forcing some judicial officers to take less time to give an advice of rights
- Whether to distinguish between state paid and county paid judicial officers, and how this comparison may help legislators when a county is seeking a new judicial officer
- How Senior Judges are calculated in weighted caseload
- How special judges, transfers in and out, and cases venued out are calculated in weighted caseload for a particular court
- How credit is given to non-case related duties of a judicial officer, e.g. serving on community corrections board, JRAC, etc..
- How to keep accurate records during a statewide time study
- How to note Clerk staff who work in various areas with Court staff to administer cases more efficiently, e.g. dedicated Clerk staff for MH or criminal cases
- Education of judicial officers on how problem solving judicial officer's times are calculated
- Evaluation of times for new case types
- Consideration of how cases should be assigned to the right judicial officers.

8. Other. Committee members agreed the 2016 Weighted Caseload study should be distributed to all members.

9. Next meeting date. The committee members agreed to meet again remotely via Teams on Friday, August 11, 2023 from 12:00 p.m. – 2:00 p.m.

Respectfully submitted,

Jeffrey Bercovitz, Director  
Juvenile and Family Law

**Judicial Administration Committee**  
Judicial Conference of Indiana

**Minutes**  
**August 11, 2023**

The Judicial Administration Committee of the Judicial Conference of Indiana met remotely via Teams on Friday, August 11, 2023 from 12:00 noon to 1:30 p.m.

1. Members present. Jon Brown, Amy Jones, Clay Kellerman, Dena A. Martin, Timothy Ormes, Thomas Pulley, Matthew E. Sarber, and Vicki L. Carmichael, Chair
2. Staff present. Jeffrey Bercovitz, James Diller, Michelle Goodman, Tom Jones, Ashley Moise and Jeff Wiese, Indiana Office of Court Services.
3. Guests. Judge Heather Welch and Emily VanOsdol attended the meeting.
4. Minutes approved. The committee minutes for May 12, 2023 were approved.
5. Weighted caseload education.
  - a. Judge Carmichael reported approval of a full judicial weighted caseload study by the National Center for State Courts (NCSC). All case types will be studied. The November 17 meeting of the committee will be in person with representatives of the NCSC. The October committee meeting is cancelled.
  - b. Members of the committee reviewed a draft PowerPoint explaining the National Center for State Courts methodology for conducting a judicial weighted caseload study, including Indiana's version of weighted caseload and information about requesting a new judicial officer. An educational session on judicial weighted caseload will be held at the Annual Meeting of the Judicial Conference on Thursday, September 14, 2023.
  - c. Committee members discussed the importance of filing cases with the correct case type since case times are so important in determining the need for judicial officers. The Case Type quick reference guide was discussed, including the need to add more fact situations to it for correct filing. Educating attorneys on filing the correct case type was also discussed.
  - d. Committee members discussed questions for the NCSC in weighted caseload including studying:
    - problem solving courts to update their times.
    - whether grandparent visitation should be a separate case type
    - whether commercial courts should be a separate case type
    - whether the times state paid attorneys assisting commercial court judicial officers should be determined and counted in favor of a new commercial court case type
    - whether diverse types of protection orders should have different case types

6. Next meeting date. The committee members agreed to meet again in person on Friday, November 17, 2023 from 11:00 a.m. – 3:00 p.m. at the Indiana Office of Court Services

Respectfully submitted,

Jeffrey Bercovitz, Director  
Juvenile and Family Law

**Judicial Administration Committee**  
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**Minutes**  
**November 17, 2023**

The Judicial Administration Committee of the Judicial Conference of Indiana met in person on Friday, November 17, 2023 from 11:00 a.m. to 3:00 p.m. in the Fuse conference room in Indianapolis.

1. Members present. Amy Jones, Clay Kellerman, Dena A. Martin, Shaun T. Olsen, Timothy Ormes, Matthew E. Sarber, Jason Thompson, and Vicki L. Carmichael, Chair
2. Staff present. Jeffrey Bercovitz, James Diller, Mary Kay Hudson, Michelle Goodman, Tom Jones, Ashley Moise and Jeff Wiese, Indiana Office of Court Services.
3. Guests. John Douglas, Amy Kehner, and Suzanne Talarico, National Center for State Courts (NCSC); Judge Stephenie LeMay-Luken, Catherine Haines, Christopher Nancarrow, and Emily VanOsdol attended the meeting.
4. Minutes approved. The committee minutes for August 11, 2023 were approved.
5. Judicial Weighted caseload.
  - a. Suzanne Talarico gave an overview of the judicial weighted caseload study to the committee.
  - b. John Douglas led a discussion with members of the committee and agreed by consensus on who to include and to study all case types and some new case types. The committee discussed case related and non-case related activities and the judge year values from Indiana's 2015-2016 study. Committee members agreed to a pilot study to assess the daily time log, instructions, and website for data entry on two days between Jan. 8,9 and 10 and discuss any questions at their January 12 meeting. Mr. Douglas also showed judge time availability for the year from the 2015-2016 study.

Committee members agreed by consensus:

    - participants in the study should keep time sheets for four weeks, from Mon., February 5 – Fri., March 1, 2024.
    - live training would be provided by the NCSC the week of January 22 – 26, 2024. The training would be via Zoom and during the noon hour and about 45 minutes to one (1) hour. The January 24 training will be held at 12:00 noon Central time.
    - One training would be recorded and placed on the data entry website.
    - NCSC court observations would be in person, and include
      - review of in person, hybrid, and remote hearings
      - hearings with pro se litigants and non-English speaking litigants
      - Clark, Hendricks, Marion, and White counties would be included
      - Lawrence Township Small Claims Court would participate

- to record time with the activity the judicial officer was actively engaged in to prevent confusion if the judicial officer was engaged in two activities at the same time, e.g., working on orders while waiting for a jury to complete deliberations.
- to keep time for all case types, including those added since the last study and to keep time
  - for a new harassment protection order case type, which requires a hearing
  - for a new grandparent visitation case type
  - for a new commercial court case type
  - for a revised eviction case type, distinguishing between commercial and residential evictions
- any last minute decisions on methodology could be made by the chair in consultation with the National Center for State Courts.

Committee members discussed the inconsistent use of the MC case type across the state. Staff indicated work was ongoing for instructions for more consistent use of this case type.

Members of the committee discussed the delineation of “redocked” cases in the domestic relations, paternity, and criminal case types. Redocketed cases are included in post judgment activities. NCSC representatives noted that in the current paternity case type, 60% of the time is included for post judgment matters. The Chair agreed to seek additional information on redocked cases.

6. Future meeting dates. The committee members agreed to meet in 2024 remote and/or in person on January 12 (remote), May 10 (in person), July 12 (remote), August 9 (in person), and October 11, 2024 (remote), all on the second Tuesday of the month.

Respectfully submitted,

Jeffrey Bercovitz, Director  
Juvenile and Family Law