



# Indiana Supreme Court

ANNUAL REPORT | 2016 - 2017





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Steven H. David  
*Justice*

Robert D. Rucker  
*Justice*

Loretta H. Rush  
*Chief Justice*

Geoffrey G. Slaughter  
*Justice*

Mark S. Massa  
*Justice*



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*... and Other Friends of the Court*

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The Justices of the Indiana Supreme Court during Justice Slaughter's investiture ceremony in August 2016.

FROM YOUR

# *Indiana Supreme Court*

On behalf of my colleagues on the Indiana Supreme Court, we thank staff, judicial officers, court employees, and the many other partners in justice who help us fulfill our collective vision of an effective, efficient, and fair system of justice.

Operating Indiana's courts requires the hands and hearts of thousands of women and men in all 92 counties. These partners in justice help us fulfill our mission to modernize the courts, strengthen Hoosier families, and ensure public safety measures that complement reforms to Indiana's criminal code.

#### AMONG THE HIGHLIGHTS OF THE YEAR:

- Honoring Justice Robert D. Rucker's lifetime of service
- The appointment of Christopher M. Goff as the 110<sup>th</sup> Justice
- Two million documents filed through the statewide electronic filing system
- Increased access to online court records
- Oral arguments on the road in Delaware and Lake counties
- Completed an extensive reorganization of judicial office administrative services

It is our pleasure to showcase the outstanding and inspirational work of Indiana's judiciary. The following pages reflect our commitment to innovation and Hoosier values to ensure open access to courts.



**Loretta H. Rush**

*Chief Justice of Indiana*



The portraits of the five members of the Court are arranged in the order they sit on the bench, with Chief Justice Rush in the center. To her right is the most senior member, Justice Rucker, followed to his right by Justice David. The newest member of the Court, Justice Slaughter, sits to the left of the Chief Justice, and to his left is Justice Massa. Following Justice Rucker's retirement, his portrait was moved to an adjacent wall, joining the portraits of more than 100 former Justices. The arrangement of portraits was adjusted following Justice Goff's swearing in ceremony.

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The Supreme Court Courtroom in the Indiana State House is where nearly all oral arguments take place.

# Year *in* Review

Fiscal Year: July 1, 2016 to June 30, 2017

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Barbara Harcourt receives the Distinguished Service Award from NCSC president Mary McQueen in July.



Justice Geoffrey Slaughter enters the Courtroom with his wife during his formal investiture ceremony in August.

**July 1** **E-filing** became mandatory in the appellate courts and Hamilton County. By the end of the fiscal year 53 counties were e-filing.

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**July 7** The Court issued an **order** creating the Indiana Tax Court Advisory Committee to advise and assist the Tax Court on administration, case management, performance standards, and data collection.

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**July 12** 🏠 Barbara Harcourt **received the National Center for State Courts' (NCSC) Distinguished Service Award.** The award is presented annually to those who have made significant contributions to the justice system and who have supported NCSC's mission.

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**July 12** The annual Court and Clerk Employee Conference attracted nearly 390 court employees from 78 counties. Educational topics included e-filing, court reporters, jury administrators, and mental health commitments.

**July 18** Information about appellate judges on the November General Election ballot was released via a website created by the Office of Judicial Administration.

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**July 25** Chief Justice Loretta Rush was appointed as a member of the Conference of Chief Justices' (CCJ) Board of Directors. The CCJ allows for high-level state judicial officers to discuss improvements to judicial administration and make recommendations on matters affecting the judiciary.

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**August 11** 🏠 Justice Geoffrey Slaughter was sworn in as the 109<sup>th</sup> Justice of the Court. A **formal investiture ceremony** in the Supreme Court Courtroom featured remarks from friends and colleagues.

# Year *in* Review

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Lilia Judson proudly displays her Sagamore of the Wabash, which was presented at her October retirement ceremony.



Magistrate David Najjar (Hamilton County) speaks to students as part of Constitution Day outreach in September.

**August 17** The Coalition for Court Access met for the first time in the Supreme Court Courtroom. This 17-member committee is responsible for coordinating all Supreme Court programs that provide civil legal aid to those with limited financial resources.

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**August 31** 60 Indiana educators attended a **court and history program** in collaboration with the Indiana Historical Society.

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**August 31** As part of the reorganization plan implemented by the Supreme Court, the newly combined agency of the Indiana Judicial Center and the Division of State Court Administration was announced as the Indiana Office of Court Services, headed by an executive director and four deputy directors.

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**September 7** The Court issued an **order** adopting Criminal Rule 26, encouraging the use of evidence-based risk assessment tools to inform pretrial release decisions. The Rule states that if an arrestee does not pose a substantial flight risk or danger to the community, the arrestee should be released without bail.

**September 16** The Indiana Judicial Conference recognized three judicial officers for 24 years of service and 16 judicial officers for completing at least 120 hours of education.

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**September 16** 📧 Lilia Judson retired after nearly 40 years with the Court. Judson was at the helm of the Division of State Court Administration for many years and helped provide a smooth transition to the first Chief Administrative Officer, Judge Mary Willis.

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**September 17** 📧 In celebration of Constitution Day, 31 judges and lawyers visited over 2,000 students across the state.

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**September 23** The Court issued an **order** approving the Master List for Jury Pool Assembly, which permits trial courts to use the list to compile jury pools. The list is compiled by Trial Court Technology using records from the Bureau of Motor Vehicles and the Department of Revenue.

# Year *in* Review

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A soon-to-be-licensed attorney smiles during the Indiana bar admission ceremony in October at the Indiana Convention Center.



Justice Massa speaks to special guests including local judges and attorneys at a luncheon following a traveling argument at Ball State in March.

**September 23** The Commission on Improving the Status of Children in Indiana promoted its annual report at [in.gov/children](http://in.gov/children). Chief Justice Rush served on the Commission's executive committee as Chairperson.

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**September 27** A symposium on Commercial Courts and E-Filing in Indiana was held in the Supreme Court Courtroom. As part of the Commercial Court pilot project, businesses can request their dispute be heard in one of six specialized commercial courts around the state. During the first full year of the pilot, 114 cases were filed and 38 of those cases were closed.

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**October 11**  326 applicants who successfully passed the July 2016 bar exam were **admitted during a ceremony**. Another 137 applicants would pass the February 2017 bar exam and be **admitted in May**.

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**October 27**  The Supreme Court held an **oral argument** at Ball State University's Emens Auditorium in Delaware County with nearly 1,000 in attendance, including students, members of local bar associations, special guests, press, and the public.

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**November 10** Justice Steven David chaired the Appellate Judges Education Institute annual summit in Philadelphia. The premiere educational event included federal judges, state appellate judges, appellate lawyers, and staff attorneys from across the country. In addition to serving as chair, Justice David moderated a session on Guantanamo Bay and the Rule of Law.

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**November 23** The Supreme Court published an **online gallery** featuring 20 Indiana trial courts participating in National Adoption Day. Through a Supreme Court order, families and press were allowed the opportunity to photograph and videotape certain adoption proceedings.

# Year *in* Review

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Justice Steven David stands with Sam Osterman, who participated in the Bicentennial Statehood Day Essay Contest, at the Indiana State Museum in December.



Chief Justice Rush presents the State of the Judiciary to lawmakers and special guests in the Indiana House Chamber in January.

**November 29** The Court hosted a Civil Justice Initiative Roundtable chaired by Justice Slaughter and former Chief Justice Brent Dickson with 15 guests discussing procedures and the need for lawyers to provide services in civil cases.

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**December 9** 📖 In celebration of **Statehood Day**, Justice Massa, Justice David, and Chief Justice Rush spoke to students at locations around Indianapolis. In addition, nearly 450 students visited the Supreme Court Courtroom as part of the larger statewide celebration.

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**December 12** Optima, a new statewide **Guardian *ad litem*/Court Appointed Special Advocates (GAL/CASA)** case management system, was fully implemented in 81 counties. Optima promotes consistent data entry and allows real-time access to data such as number of active volunteers, number of children being served, and number of children on the waiting list.

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**December 13** The Supreme Court made the first of three budget presentations to members of the Indiana General Assembly. Among the requests for FY18 and FY19 were funding for technology, specialized courts, guardianship programs, and civil legal aid.

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**January 18** 📖 Chief Justice Rush delivered her third **State of the Judiciary** address, focusing on recognizing the work of the Court's many partners in justice who help create an effective, efficient, and fair justice system.

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**January 26** The Court issued an **order** creating the Office of Admissions and Continuing Education. The Office was formed by merging staff from the Board of Law Examiners and the Commission for Continuing Legal Education.

# Year *in* Review

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Attendees exchange ideas during a community forum on race and gender fairness in the judicial system in February.



A member of the student audience asks a question following a traveling oral argument at the former Gary Roosevelt High School in March.

**February 7** The Court issued an **order** enacting recommendations from the Advisory Task Force on Remote Access to and Privacy of Electronic Court Records. Recommendations increased access as part of a larger initiative to make court documents more easily available to the public. Throughout 2017, a wide range of trial court documents will become available online for free at [mycase.in.gov](http://mycase.in.gov).

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**February 9** The Commission on Improving the Status of Children in Indiana promoted its three-year strategic plan, an **Information Sharing Guide app for iOS** (iPhone and iPad), and announced Senator Erin Houchin as the Commission's Chairperson.

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**February 14** The Commission on Judicial Qualifications issued an **advisory opinion** stating that microblogging, tweeting, or electronically relaying a written message does not constitute broadcasting under Judicial Conduct Rule 2.17. The Commission also recognized that valid policy considerations exist which may necessitate a judge placing reasonable restrictions on these activities.

**February 27** 📅 The first of five **community forums** about the status of race and gender in the judicial system took place in Gary. The public participated in small group discussions, and dialogue was encouraged between members of the community and the Commission on Race and Gender Fairness.

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**March 9** 📅 The Supreme Court held an **oral argument** in Lake County at Justice Robert Rucker's alma mater, the former Gary Roosevelt High School. More than 400 students, members of local bar associations, special guests, press, and the public attended the argument.

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**March 20** Justice David spoke to approximately 400 volunteers attending **CASA Day at the State House**. Attendees were on site to show support for the program, interact with legislators about issues facing children, and draw attention to the need for more volunteers.

# Year *in* Review

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Justice Robert Rucker holds a memento received during his May retirement ceremony in the Supreme Court Courtroom.



Justice Christopher Goff speaks to media and others in the Governor's Office after being announced as the 110<sup>th</sup> Justice of the Court in June.

**March 21** The Judicial Nominating Commission began public interviews of 20 applicants for a **vacancy on the Supreme Court** created by Justice Rucker's pending retirement. 11 finalists were interviewed in April, after which three nominees were sent to the Governor.

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**May 11** The annual Adult Guardianship Symposium brought nearly 200 judges, social workers, legislators, and guardians together to discuss promising practices of adult guardianship statewide and in local communities.

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**May 12** 📧 Justice Rucker retired after serving more than 17 years on the Supreme Court. Rucker also served on the Court of Appeals for more than 8 years. 150 family members, government officials, and special guests attended a **ceremony** in his honor.

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**June 12** 📧 Governor Eric Holcomb **announced his appointment** of Wabash Superior Court Judge Christopher Goff as Indiana's 110<sup>th</sup> Supreme Court Justice.

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**June 30** Morgan County joins the **Guardianship Registry**, bringing the total number of counties on the Registry to 48 with more than 5,300 active cases tracked by the end of the fiscal year.

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**June 30** The Supreme Court closed the fiscal year having heard 59 oral arguments, written 73 majority opinions, and disposed of 879 cases.

# Year *in* Review



Clockwise from top left: Justice Geoffrey Slaughter and former Chief Justice Brent Dickson chair the Civil Justice Initiative Roundtable in the Supreme Court Conference Room in November; The 17-member Coalition for Court Access' inaugural meeting in the Supreme Court Courtroom in August; Educators listen during a 'Speed Learning' session during the teacher workshop at the State House in August; Nearly 200 attendees listen to presentations during the annual Adult Guardianship Symposium at Fort Harrison Garrison Conference Center in May; An applicant for the 110<sup>th</sup> Justice position is interviewed by the Judicial Nominating Commission in the Supreme Court Conference Room in April.

# Justices

The five Justices of the Indiana Supreme Court meet nearly every week to discuss cases and administrative matters. In addition, each Justice spends significant time reading briefs, hearing oral arguments, and writing opinions.



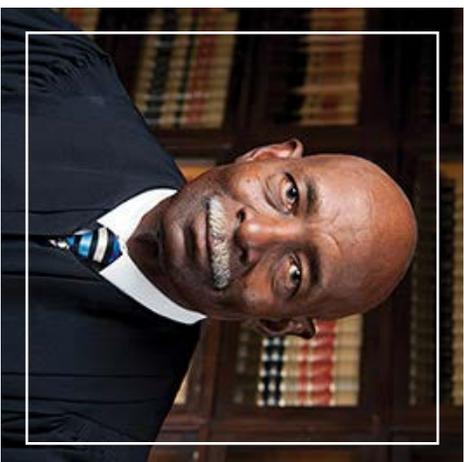
CHIEF JUSTICE  
**LORETTA RUSH**

**BORN** 1958 in Scranton, PA

**HOMETOWN** Grew up in Richmond (Wayne County); 15 years in general practice and 14 years as a trial court judge in Lafayette (Tippecanoe County)

**EDUCATION** Purdue University; Indiana University Maurer School of Law

**APPOINTED** 2014 as Chief Justice; 2012 by Governor Mitch Daniels, Jr.



JUSTICE  
**ROBERT RUCKER**

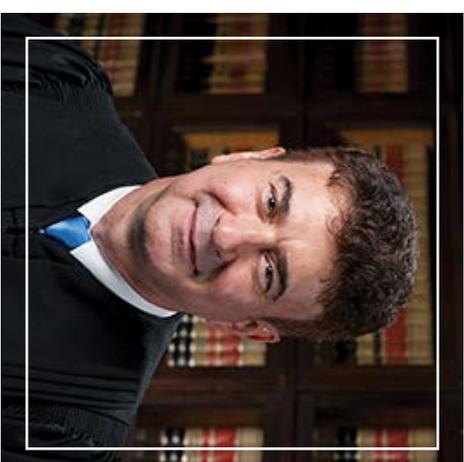
**BORN** 1947 in Canton, GA

**HOMETOWN** Childhood and 12 years in legal practice, including Deputy Prosecutor, in Gary (Lake County)

**EDUCATION & MILITARY SERVICE** Indiana University; Valparaiso University

School of Law; University of Virginia School of Law; decorated combat infantryman in the Vietnam War

**APPOINTED** 1999 by Governor Frank O'Bannon; 1991 to Court of Appeals of Indiana by Governor Evan Bayh



JUSTICE  
**STEVEN DAVID**

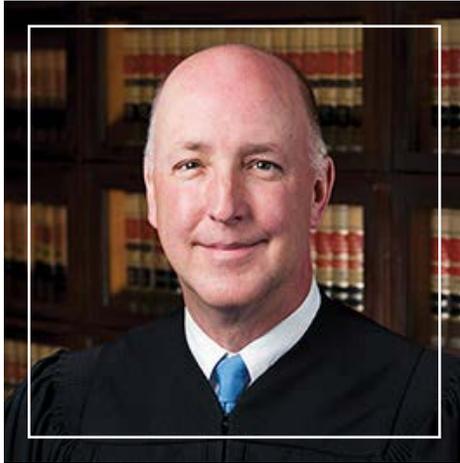
**BORN** 1957 in Fort Wayne, IN (Allen County)

**HOMETOWN** Childhood and private practice in Columbus (Bartholomew County); 6 years in corporate practice and 16 years as a trial court judge (Boone County)

**EDUCATION & MILITARY SERVICE** Murray State University; Indiana University McKinney School of Law; 28 years of Military Service (RET COL U.S. Army)

**APPOINTED** 2010 by Governor Mitch Daniels, Jr.

*To the end that justice be established...*



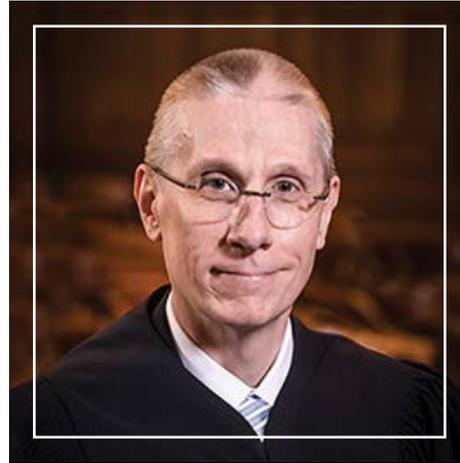
JUSTICE  
**MARK MASSA**

**BORN** 1961 in Milwaukee, WI

**HOMETOWN** Childhood in Milwaukee area; newspaper reporter in Evansville (Vanderburgh County); 20-year legal career in government and private practice; state and federal prosecutor and General Counsel to Governor Mitch Daniels, Jr. (Marion County)

**EDUCATION** Indiana University; Indiana University McKinney School of Law

**APPOINTED** 2012 by Governor Mitch Daniels, Jr.



JUSTICE  
**GEOFFREY  
SLAUGHTER**

**BORN** 1962 in Gary, IN (Lake County)

**HOMETOWN** Childhood in Crown Point (Lake County); 4 years in Chicago private practice; 15 years as a partner at Indianapolis law firm (Marion County)

**EDUCATION** Indiana University; Kelley School of Business; Indiana University Maurer School of Law

**APPOINTED** 2016 by Governor Mike Pence



# Cases

Most cases in Indiana are decided by trial courts. Less than 1% of the cases in the state are appealed to the Supreme Court. During the fiscal year, the Court was asked to decide 885 cases.



**73**  
majority opinions



**14**  
minority opinions



**59**  
oral arguments



**50**  
hours webcasting  
arguments & events

Case Search  
[mycase.in.gov](http://mycase.in.gov)



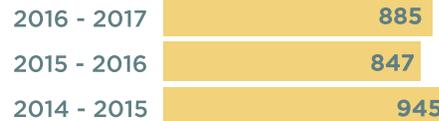
**885**  
cases received



**879**  
cases disposed

## Cases Received

Three-year comparison



## Cases Disposed

Three-year comparison



**28%** reduction in attorney discipline  
cases received over last five years

## Criminal Cases Received



**3%**  
increase compared  
to previous year

## Oral Argument Case Type

**58%** - Criminal    **42%** - Civil

**45** MINUTE AVERAGE  
PER ORAL ARGUMENT

# Case Inventory

An accounting of the number of cases pending at the beginning and end of the year by case types.

	Cases Pending JUL 1, 2016	Cases Received JUL 1, 2016 - JUN 30, 2017	Cases Disposed JUL 1, 2016 - JUN 30, 2017	Cases Pending JUN 30, 2017
Criminal	83	486	484	85
Civil	78	244	246	76
Tax	1	6	5	2
Original Actions	2	45	46	1
Board of Law Examiners	-	2	1	1
Mandate of Funds	-	2	-	2
Attorney Discipline	57	96	93	60
Judicial Discipline	-	4	4	-
<b>Total</b>	<b>221</b>	<b>885</b>	<b>879</b>	<b>227</b>

# Cases Received

All cases received by the Supreme Court during the fiscal year, organized by case type.



## Received in Detail

### Criminal Cases

Petitions for rehearing	3
Direct appeals, death penalty	1
Direct appeals, life without parole	5
Post-conviction appeals, death penalty (including successive requests)	1
Post-conviction appeals, non-capital (including successive requests)	69
All other criminal	407
<b>Total</b>	<b>486</b>

### Civil Cases

Petitions for rehearing	2
Direct appeals	0
All other civil	242
<b>Total</b>	<b>244</b>

### Mandate of Funds

Mandate of funds	2
<b>Total</b>	<b>2</b>

### Attorney Discipline Matters\*

Petitions to show cause for noncooperation	42
Verified complaints for disciplinary action	30
Affidavits of resignation (tendered before filing verified complaint)	3
Petitions for emergency interim suspension	1
Notices of findings of guilt (felony)/ requests for interim suspension	6
Notices of foreign discipline/ requests for reciprocal discipline	2
Petitions for reinstatement	2
Petitions to revoke probation	2
Petitions to terminate probation	4
Contempt of court proceedings	3
Miscellaneous	1
<b>Total</b>	<b>96</b>

\* NOTEWORTHY

*Additional information on attorney discipline is available on pages 42-43.*

# Cases Received

## Tax Cases

Tax Court petitions for review	6
<b>Total</b>	<b>6</b>

## Judicial Discipline Matters

Formal disciplinary charges	4
<b>Total</b>	<b>4</b>

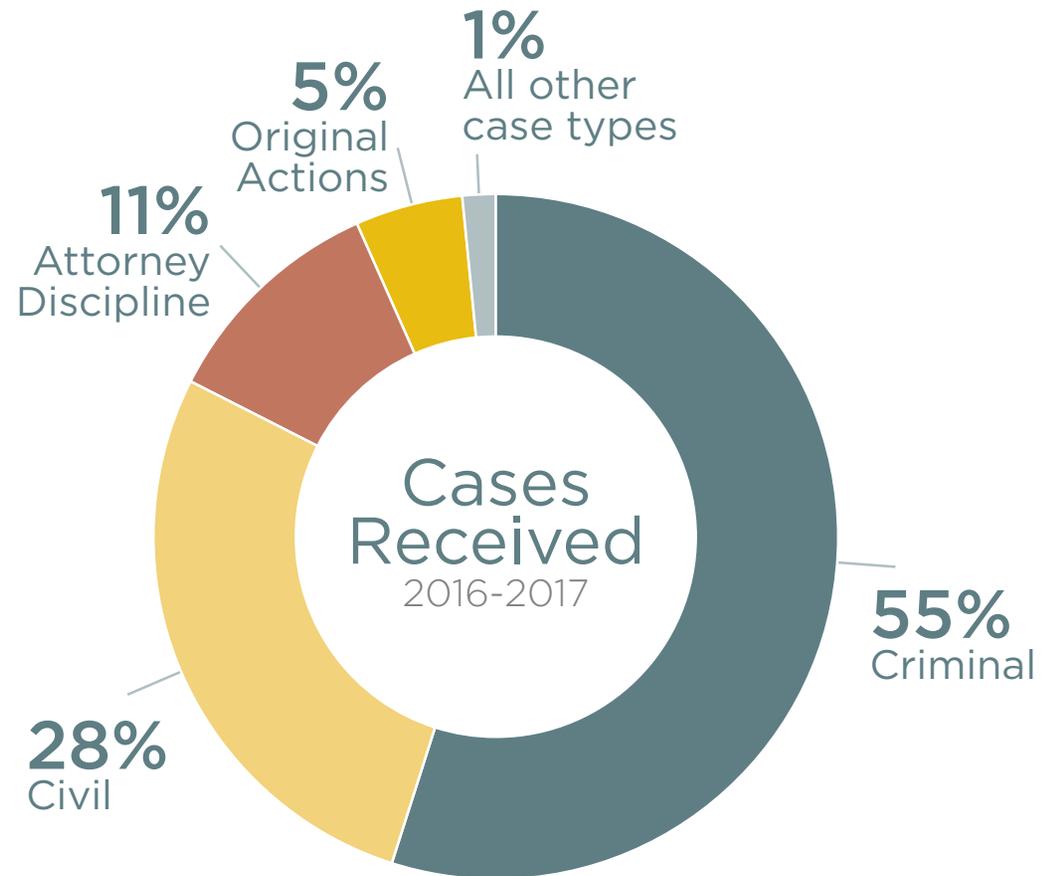
## State Board of Law Examiners

Petitions for review	2
<b>Total</b>	<b>2</b>

## Original Actions

Original actions	45
<b>Total</b>	<b>45</b>

<b>Total Received</b>	<b>885</b>
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# Cases Disposed

All cases considered and disposed by the Supreme Court during the fiscal year, organized by case type.

## Disposed in Detail

### Criminal Cases

Opinions on direct appeals	4
Opinions on petitions to transfer	29
Opinions on rehearing	1
Orders on rehearing	2
Petitions to transfer denied, dismissed, or appeal remanded by order	446
Petitions to transfer granted and remanded by order	1
Other opinions and dispositions	1
<b>Total</b>	<b>484</b>

### Civil Cases

Opinions on petitions to transfer	24
Orders on rehearing	3
Petitions to transfer denied, dismissed, or appeal remanded by order	217
Other opinions and dispositions	2
<b>Total</b>	<b>246</b>

### Attorney Discipline Matters\*

Dismissal on compliance with show cause order	15	Disbarment	4
Terminating noncooperation suspension on compliance with show cause order	1	Accepting resignation	5
Dismissal of show cause proceeding due to other suspension	11	Interim suspension on finding of guilt (felony)	3
Converting noncooperation suspension to indefinite suspension	4	Reciprocal discipline (suspension)	3
Private reprimand	1	Finding or judgment for respondent	1
Public reprimand	6	Granting reinstatement	2
Suspension with automatic reinstatement (after verified complaint)	3	Denying reinstatement	3
Suspension without automatic reinstatement (after verified complaint)	10	Revoking probation	1
Suspension with conditions/probation (after verified complaint)	6	Terminating probation	6
Suspension due to disability determination	2	Finding contempt of court	2
		Miscellaneous dismissing or withdrawing action	3
		Miscellaneous	1
		<b>TOTAL</b>	<b>93</b>

**\* NOTEWORTHY**

*Additional information on attorney discipline is available on pages 42-43.*

# Cases Disposed

## Tax Cases

Dispositive orders on Tax Court petitions for review	5
<b>Total</b>	<b>5</b>

## Judicial Discipline Matters

Opinions and published orders	4
<b>Total</b>	<b>4</b>

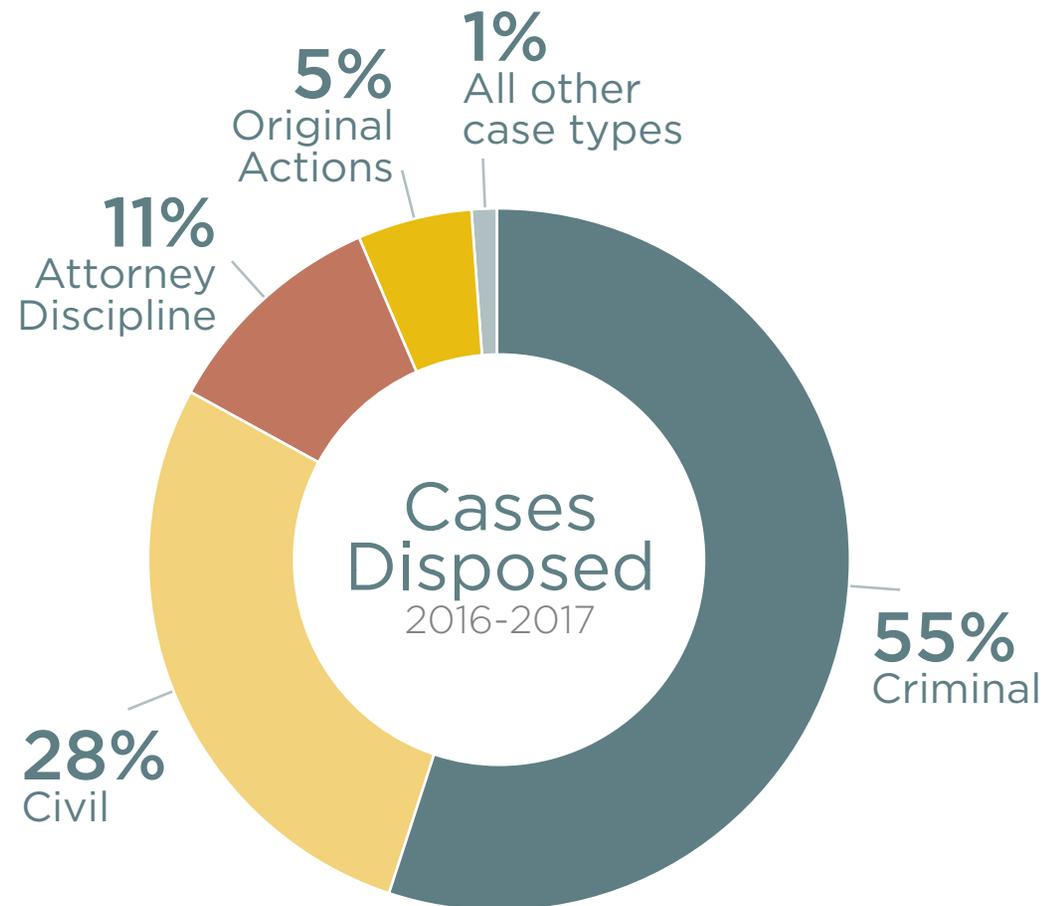
## State Board of Law Examiners

Petitions for review	1
<b>Total</b>	<b>1</b>

## Original Actions

Opinions issued	1
Disposed of without opinion	45
<b>Total</b>	<b>46</b>

**Total Dispositions 879**



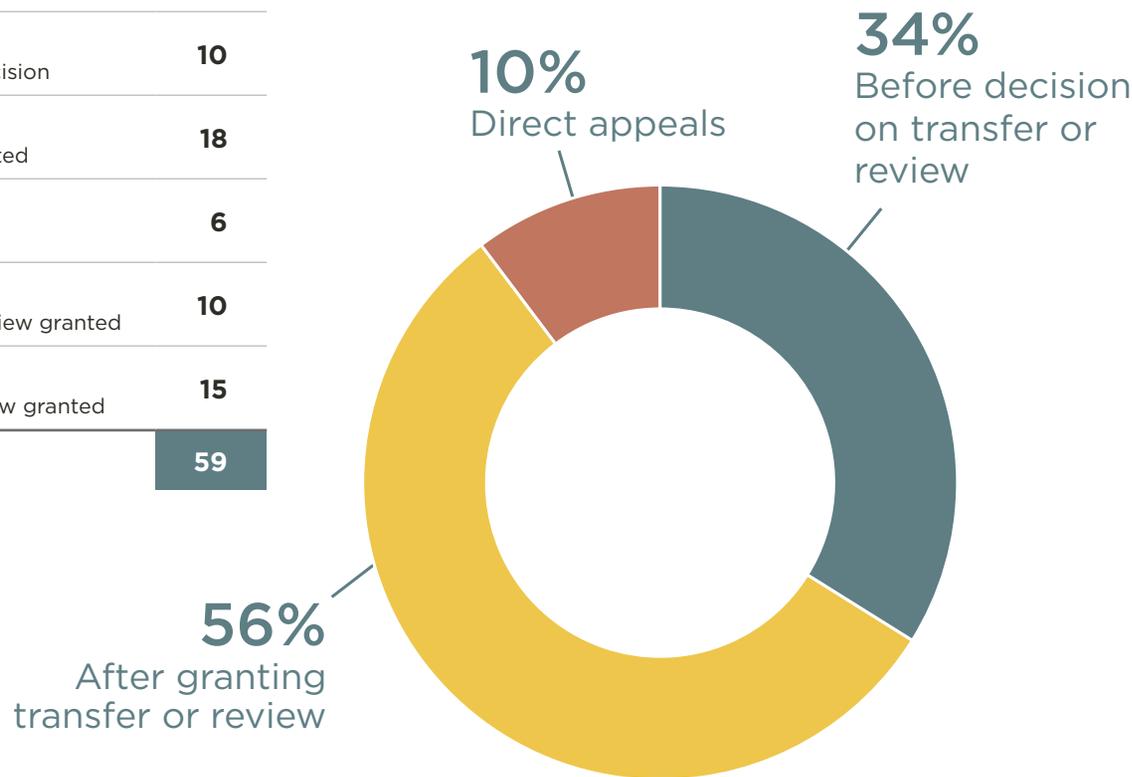
# Cases Heard at Oral Argument

## Oral Arguments Heard

The Supreme Court heard 59 oral arguments during the fiscal year, including one at Ball State University and another at Theodore Roosevelt College & Career Academy, Justice Rucker's high school in Gary.

All arguments were recorded and can be viewed online\*, and all but the Lake County traveling argument were broadcast live on the web. The following details the types of cases presented at oral argument:

Criminal Before transfer decision	<b>10</b>
Criminal After transfer granted	<b>18</b>
Criminal Direct appeals	<b>6</b>
Civil/Tax Before transfer/review granted	<b>10</b>
Civil/Tax After transfer/review granted	<b>15</b>
<b>Total</b>	<b>59</b>



**Related Article**  
On the Road Again...  
PAGE 22

\* Audio only: Traveling Argument in Lake County

## Webcasting Statistics

Supreme Court staff operated the webcasting equipment in the Courtroom. Since 2001, the Court has webcast:

- 757 hours of oral arguments, educational programs, and ceremonies
- 1,039 Supreme Court arguments webcast from the Courtroom

During this fiscal year, 57 Supreme Court arguments, five Court of Appeals arguments, two continuing legal education courses, and three ceremonies were webcast from the Supreme Court Courtroom for a total of 50 hours. Two traveling oral arguments were recorded at off-site locations. \*

**Oral Argument Video**  
[mycourts.in.gov/arguments](http://mycourts.in.gov/arguments)



Justices took photos and spoke with students and educators prior to the March 2017 traveling argument at Theodore Roosevelt College & Career Academy, formerly Gary Roosevelt High School. Roosevelt alumnus Justice Rucker spoke with many students and area leaders before and after the argument.

# Opinions

The Court disposed of 879 cases in fiscal year 2016-2017 and handed down a written majority opinion in 73 of those cases. Justices also wrote 14 non-majority opinions either agreeing or disagreeing with the majority.

**73** MAJORITY OPINIONS  
INCLUDING 26 PER CURIAM OPINIONS

**14** NON-MAJORITY OPINIONS

## Opinions by Author

Majority and Non-Majority opinion counts by author

### Chief Justice Rush



13 Majority | 0 Non-Majority

### Justice Rucker



9 Majority | 4 Non-Majority

### Justice David



11 Majority | 7 Non-Majority

### Justice Massa



9 Majority | 1 Non-Majority

### Justice Slaughter



5 Majority | 2 Non-Majority

Appellate Decisions  
[courts.in.gov/opinions](http://courts.in.gov/opinions)

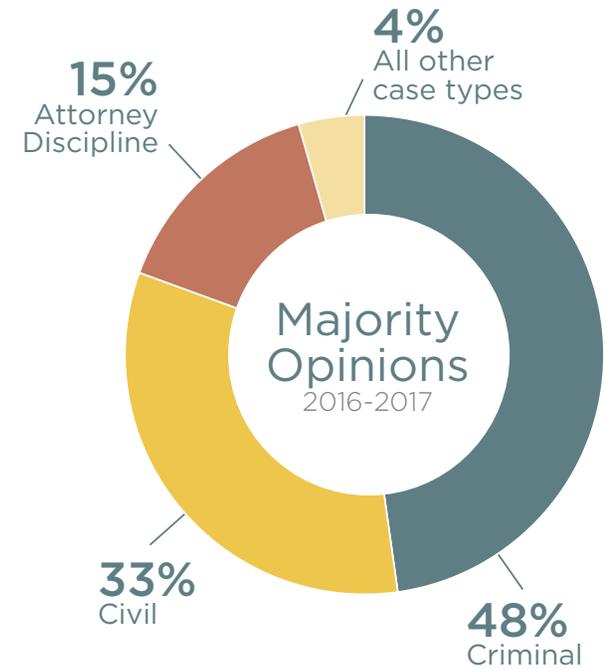
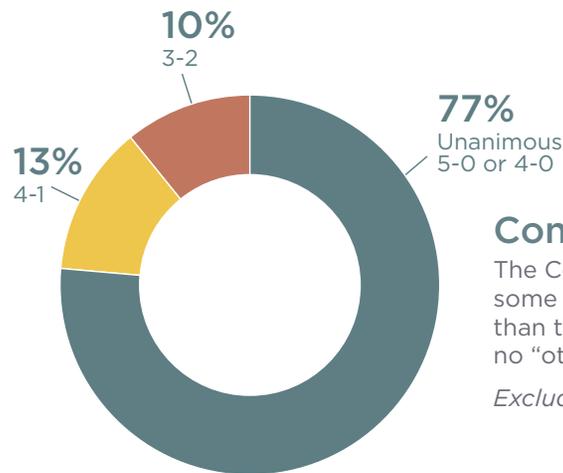
## Majority Opinions

By the numbers



OVER **550**  
pages of majority  
opinions written

**8** PAGE AVERAGE  
PER MAJORITY OPINION



## Consensus of Opinions

The Court is mostly unanimous in its decisions. There are some split decisions and rare “other” cases in which fewer than three justices were in complete agreement. There were no “other” cases during the fiscal year.

*Excludes per curiam opinions.*

# Opinions

## Majority Opinions by Author and Type

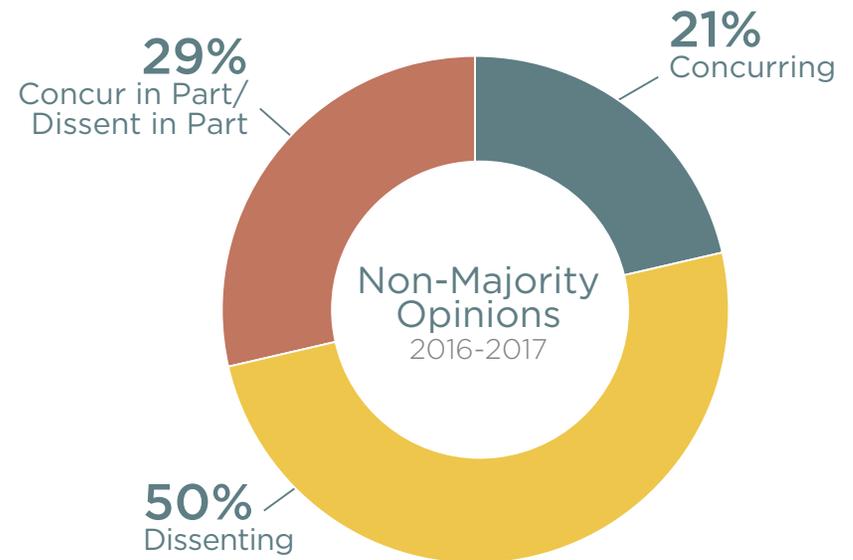
A breakdown of the number of majority opinions authored by each justice for each case type heard by the Supreme Court.

	Rush, C.J.	Rucker, J.	David, J.	Massa, J.	Slaughter, J.	By the Court	Total
Civil Transfer	7	3	4	4	4	2	24
Civil Rehearing	-	-	-	-	-	1	1
Criminal Direct Appeal	1	1	1	1	-	-	4
Criminal Transfer	5	5	6	4	1	8	29
Attorney Discipline	-	-	-	-	-	11	11
Judicial Discipline	-	-	-	-	-	3	3
Original Action	-	-	-	-	-	1	1
<b>Total</b>	<b>13</b>	<b>9</b>	<b>11</b>	<b>9</b>	<b>5</b>	<b>26</b>	<b>73</b>

## Non-Majority Opinions by Author and Type

Non-majority opinions are not dispositive.

	Rush, C.J.	Rucker, J.	David, J.	Massa, J.	Slaughter, J.	Total
Concurring	-	2	-	1	-	3
Dissenting	-	1	5	-	1	7
Concur in Part / Dissent in Part	-	1	2	-	1	4
<b>Total</b>	<b>0</b>	<b>4</b>	<b>7</b>	<b>1</b>	<b>2</b>	<b>14</b>



**12.2 million**  
visits to mycase.in.gov  
during the fiscal year

**2,300**  
new attorney accounts  
created in first month  
of availability

**1,200**  
survey responses from  
users during fiscal year  
offering feedback used  
to improve the site

**49%**  
of users visited  
the mobile-friendly  
mycase.in.gov on a  
phone or tablet

# A MILESTONE FOR PUBLIC ACCESS

The **mycase.in.gov** website, a custom case search application using data stored in the state's Odyssey case management system, has been significantly improved this fiscal year in part to implement recommendations made by the Advisory Task Force on Remote Access to and Privacy of Electronic Court Records and ordered by the Supreme Court.

During the fiscal year, the Task Force continued to study the question of how to make documents available online with current technologies and procedures while preserving confidentiality and balancing privacy concerns. Court filings may contain intimate personal details or information that is confidential by law; others may affect the administration of justice if made readily available online, as in the case of a search warrant or an order suppressing evidence.

To address these concerns, the Task Force developed recommendations about which types of court information and documents should be made available online. The Supreme Court adopted several of the recommendations during the fiscal year, including:

- July 1 - Access to motions filed by attorneys in appellate cases
- March 1 - Access to case financial information, including court costs and fees paid/owed
- March 10 - Access to orders in some civil case types and all non-confidential documents in expungements that are either pending or were denied
- June 3 - Secure access for attorneys to all non-confidential documents in all public case types

The Task Force will continue its work to provide recommendations to the Court as questions regarding court documents and electronic access are considered.

# Grant Funding

## BY PROGRAM AND AMOUNT

*Nearly all Indiana counties received funding for at least one court program during the fiscal year.*

### Adult Guardianship Program

30 Counties | \$879,250

### Court Improvement Program

8 Counties | \$211,567

### Court Interpreter Program

36 Counties | \$250,000

### Family Court Project

18 Counties | \$144,903

### Guardian *ad Litem*/ Court Appointed Special Advocates

81 Counties | \$4,458,000

### Pretrial Grants

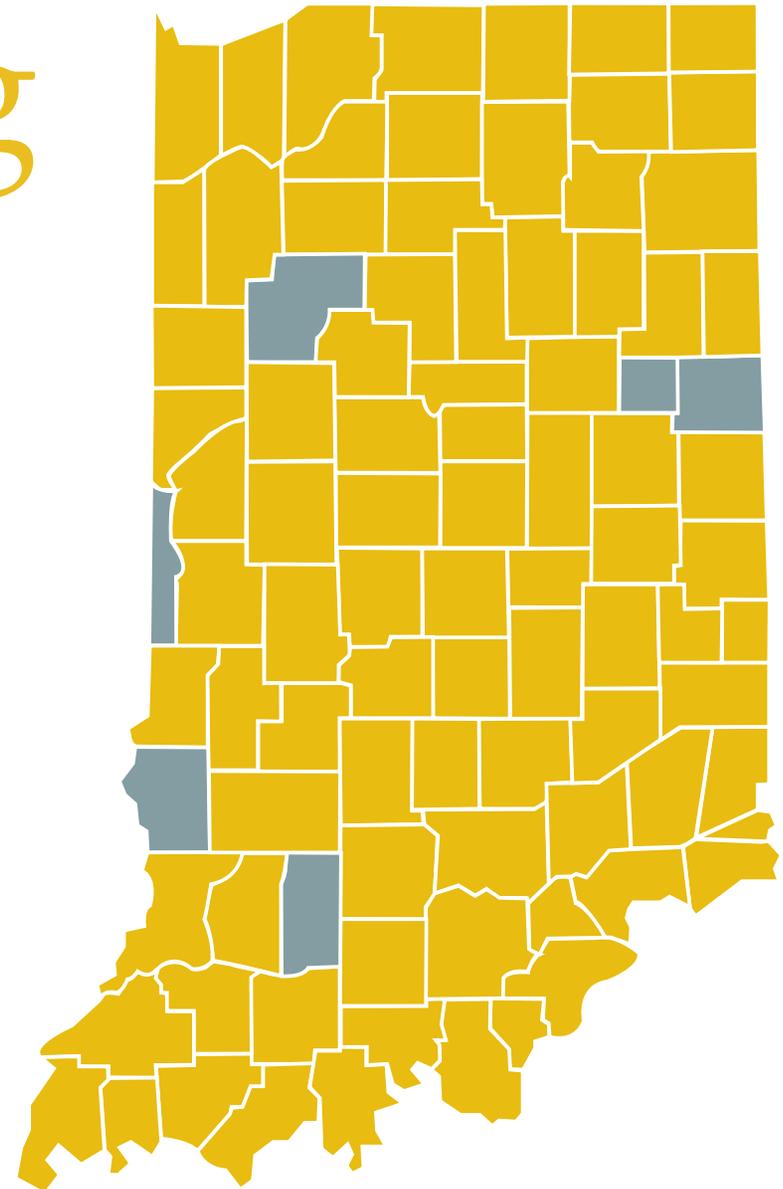
13 Counties | \$1,600,000

### Problem-Solving Courts

34 Counties | \$432,218

### Veterans Courts

10 Counties | \$500,000



# On the Road Again...

## Court brings oral arguments to Delaware and Lake counties



THE SUPREME COURT is committed to providing an opportunity for students to learn about the courts even if they cannot attend oral argument at the State House in Indianapolis. The Court hears traveling oral arguments twice a year to connect with communities around the state and to teach students about the judicial process.

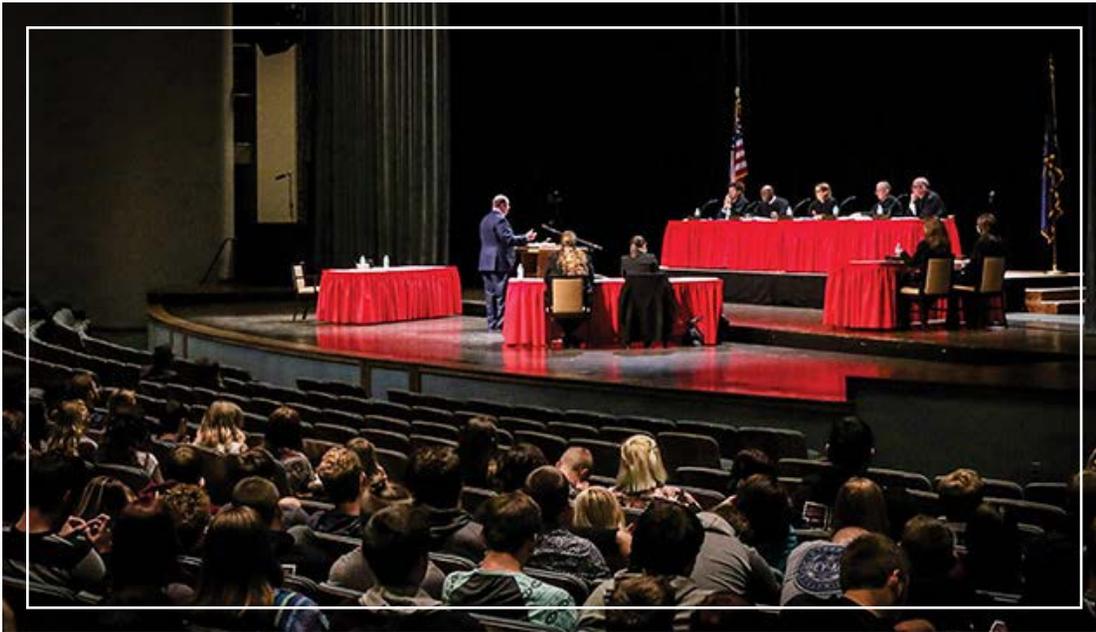
In October 2016, the **Court traveled to Ball State University** in Delaware County to hear argument in *Tresa Megenity v. David Dunn*, a civil case regarding personal injury and negligence. Approximately 1,000 students from 10 local schools filled Emens Auditorium.

---

Tion Traywick, National Honor Society President from Theodore Roosevelt College & Career Academy, smiles after gaveling Court into session.

In honor of Justice Rucker's spring retirement, the **Court traveled to his alma mater** in Lake County in March 2017. Oral argument was held at the Theodore Roosevelt College & Career Academy with over 300 students from nine local schools hearing argument in *Danny Sims v. Andrew Pappas and Melissa Pappas*, a civil negligence case. Junior ROTC and National Honor Society students served as greeters and welcomed alumnus Justice Rucker with enthusiasm.

After both oral arguments, the Court answered questions from the audience, which provided students and community members an opportunity to develop a deeper understanding of the day-to-day operations and overall role of the Court as well as the way cases move through the judicial system.



A lawyer presents his case to the Indiana Supreme Court during a traveling argument at Ball State University in October.



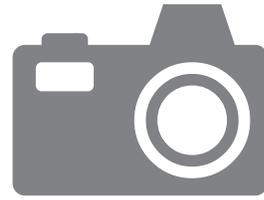
Justice Rucker presents a challenge coin to a National Honor Society student following a traveling argument in Gary.



A member of the student audience asks a question following a traveling argument at Ball State University.



The Indiana Supreme Court listens during a traveling argument at Theodore Roosevelt College & Career Academy in March.



# CAPTURING *the* MOMENT

## Allowing Cameras into Court for National Adoption Day

20 courts in 16 counties across Indiana participated in National Adoption Day in November 2016. The festivities allowed families to mark the occasion with pictures and videos of the adoption proceedings. 160 children joined their forever families at various events across the state.

Yearly since 2012, the Indiana Supreme Court has issued an **order** allowing photos and videos of the uncontested adoption proceedings at National Adoption Day events in county courtrooms. Since then, over 500 children and their new families from 23 counties have participated.

Allen County Superior Court Judge Charles Pratt reflected, “Each child’s story is unique and filled with new opportunities for both the child and parents.”

National Adoption Day events involved the Children’s Bureau, Court Appointed Special

Advocates, the Department of Child Services, and local adoption agencies. Thanks to these partnerships, children received gifts such as blankets, books, and balloons to take back to their new homes.

In addition to celebrating the new families, these proceedings help to raise awareness for the children in the foster care system and the value of adoption. Every year approximately 3,600 adoptions take place in Indiana. Since the beginning of National Adoption Day in 2000, approximately 58,500 children across the country have moved from foster care to join their forever families.

---

**Left, top to bottom:** Judges Jon Webster (Jennings), David Shaheed (Marion) and Magistrate Heather Mollo (Bartholomew) with families and children following adoption proceedings in their respective counties.

**Opposite, clockwise from top left:** Magistrate Andrew Roesener with a family following adoption proceedings in Johnson County; Judge Steven Eichholtz with a family behind the bench in Marion County; Judge Charles Pratt and Magistrate Lori Morgan with a family following an adoption proceeding in Allen County; Judge Thomas Busch congratulates a newly adopted child in Tippecanoe County.



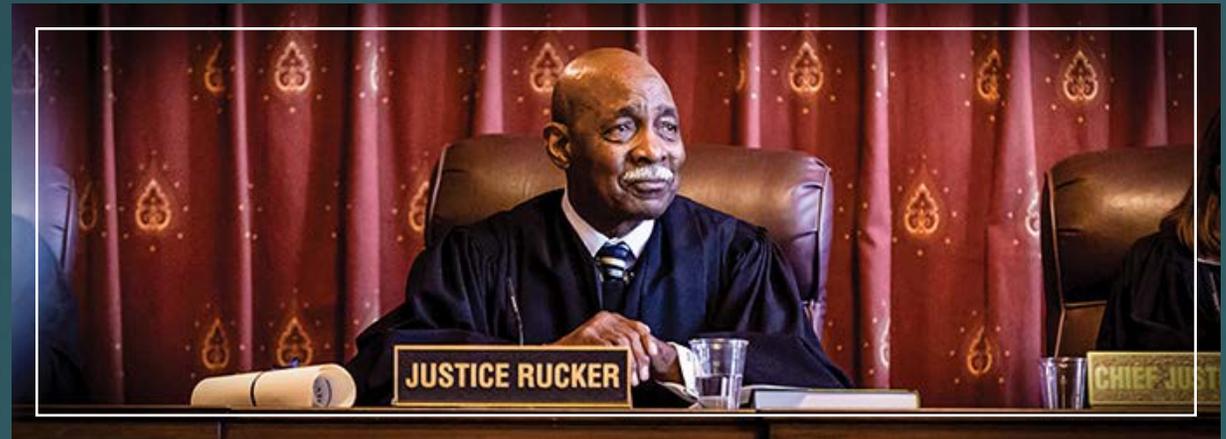
# Lifetime of Service

JUSTICE

*Robert D. Rucker*

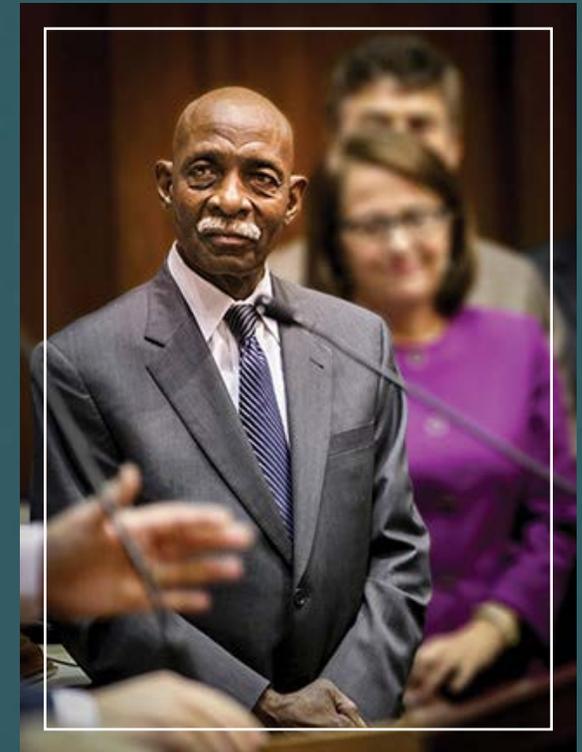
On May 12, 2017, Justice Robert D. Rucker retired from the Supreme Court after serving 26 years on the appellate bench. Justice Rucker was appointed as Indiana's 105<sup>th</sup> Supreme Court Justice in 1999 by Governor Frank O'Bannon. With his appointment to the Court of Appeals of Indiana in 1991, he was the first African American to serve on an Indiana appellate court.

Justice Rucker is one of only a few Indiana members of the American Law Institute and previously served as the Chair of the Judicial Council of the National Bar Association. In 2010, the judicial building in his hometown of Gary was named in his honor—the Justice Robert D. Rucker Superior Courthouse. In 2015, his alma mater of Valparaiso Law School created a lecture series in his name.



During his final weeks on the bench, both the Indiana House and Senate unanimously passed resolutions thanking Justice Rucker and acknowledging his years of dedication to the courts. During his **retirement ceremony**, Governor Eric Holcomb presented Justice Rucker with the Sagamore of the Wabash, a symbol of distinguished service to the State of Indiana.

Chief Justice Loretta Rush praised Justice Rucker's lifetime of court and military service, "Justice Robert Rucker has always had the courage and fortitude to protect the rights of all, regardless of their state in life. He has the ability to stand in the shoes of any person and understand their plight. In a word, he has a tremendous sense of humanity."



**Top:** Justice Rucker smiles during his retirement ceremony. **Above:** Justice Rucker's colleagues look on while he is honored in the Senate.



Justice Rucker meets with members of the Herron High School choir following a special performance of 'My Country, tis of Thee' during his retirement ceremony.



Justice Rucker shakes hands with Governor Holcomb after receiving the Sagamore of the Wabash during his retirement ceremony.



Justice Rucker and several of his former law clerks gather in the Supreme Court Courtroom for a photo following his retirement ceremony.

# Boards & Commissions

The Supreme Court is grateful to the many judges, lawyers, and citizens who volunteer their time to increase the effectiveness of the judiciary and provide guidance to the Court.

The following individuals served on boards, commissions, and committees during the past fiscal year:

---

## **Board of Law Examiners**

Scott B. Ainsworth  
Hon. David R. Bolk  
Hon. Barbara Brugnaux  
Kathryn H. Burroughs  
Jane Ann Himsel  
Prof. Michael J. Jenuwine  
Gary K. Kemper  
Jon Laramore  
Jeffry Lind  
Cathleen M. Shrader  
Shelice R. Tolbert  
Charlotte F.  
Westerhaus-Renfrow  
Michael Yoder

## **Commission for Continuing Legal Education**

Hon. David J. Avery  
Steven M. Badger  
Hon. Jennifer L. DeGroot  
April R. Drake  
Angela L. Freel  
Shontra D. Irving  
Christina J. Miller  
Dr. Howard Mzumara  
Hon. Rudolph R. Pyle  
Hon. Terry C. Shewmaker  
Steven A. Spence  
Catherine Springer  
Hon. Charles K. Todd, Jr.

## **Disciplinary Commission**

Brian K. Carroll  
Nancy L. Cross  
Molly Kitchell  
John L. Krauss  
Trent A. McCain  
Andrielle M. Metzel  
William Anthony Walker  
Kirk White  
Leanna K. Weissmann

## **Judges and Lawyers Assistance Program**

Hon. Tim A. Baker  
Joseph T. Baruffi  
Tonya J. Bond  
Hon. Elaine B. Brown  
Aimee M. Gong  
Hon. Stephen R. Heimann  
Ellen F. Hurley  
Robert William Jonas  
Hon. Gina L. Jones  
Hon. Marc R. Kellams  
Cassandra A. McNair  
Hon. David T. Ready  
J. Mark Robinson  
David D. Sanders  
Inge Van der Cruysse

## Judicial Conference Board of Directors

Hon. S. Brent Almon  
Hon. Craig J. Bobay  
Hon. John E. Broden  
Hon. Vicki L. Carmichael  
Hon. John M.T. Chavis II  
Hon. Marla K. Clark  
Hon. Dean A. Colvin  
Hon. William E. Davis  
Hon. Mary Ellen Diekhoff  
Hon. Darrin M. Dolehanty  
Hon. Cynthia S. Emkes  
Hon. John T. Evans  
Hon. Paul A. Felix  
Hon. Thomas J. Felts  
Hon. Peter R. Foley  
Hon. Kurtis G. Fouts  
Hon. Robert W. Freese

Hon. Christopher M. Goff  
Hon. Michael G. Gotsch  
Hon. Clayton A. Graham  
Hon. Maria D. Granger  
Hon. Steven L. Hostetler  
Hon. Robert E. Hunley II  
Hon. Matthew C. Kincaid  
Hon. Kenton W. Kiracofe  
Hon. Michael J. Kramer  
Hon. Jeryl F. Leach  
Hon. Peggy Quint Lohorn  
Hon. Gretchen S. Lund  
Hon. Richard A. Maughmer  
Hon. Sally A. McLaughlin  
Hon. Gary L. Miller  
Hon. Sheila M. Moss  
Hon. Thomas Newman Jr.  
Hon. Timothy W. Oakes  
Hon. John A. Rader  
Hon. David N. Riggins

Chief Justice Loretta H. Rush  
Hon. Jose D. Salinas  
Hon. Terry C. Shewmaker  
Hon. Michael A. Shurn  
Hon. William G. Sleva  
Hon. Gary L. Smith  
Hon. Gregory A. Smith  
Hon. Timothy P. Spahr  
Hon. Thomas P. Stefaniak Jr.  
Hon. Mark D. Stoner  
Hon. Rhett M. Stuard  
Hon. Wayne S. Trockman  
Hon. Nancy Harris Vaidik  
Hon. Marianne L. Vorhees  
Hon. Joseph P. Weber  
Hon. Mary G. Willis  
Hon. Bob A. Witham  
Hon. James D. Worton

## Judicial Qualifications/ Judicial Nominating Commission

Charlie Berger  
Lee Christie  
John O. Feighner  
Molly Kitchell  
Lynette Long  
Chief Justice Loretta H. Rush  
Dave Tinkey  
Rudy Yakym III  
James Young



**Clockwise from top left:** Chief Justice Loretta Rush listens while keynote speaker Colonel Kriste Kibbey Etue addresses Indiana State Police graduates in October 2016; Justice Rucker presents a challenge coin to a National Honor Society student following a March 2017 traveling argument in Gary; Justice Massa speaks at the Indiana State Library during Statehood Day in December 2016; Justice Slaughter meets cadet Slaughter following a March 2017 traveling argument in Gary; Justice David speaks in the Indiana House Chamber as part of CASA Day in March 2017.

Clockwise from top left: Justice Massa applauds during Justice Slaughter's investiture ceremony in August 2016; Chief Justice Loretta Rush and Governor Eric Holcomb stand with Justice Goff following his appointment as the 110<sup>th</sup> Justice in June 2017; Justice David presents Justice Rucker with a gift from the Court during his May 2017 retirement ceremony; The Indiana Supreme Court listens during a traveling argument at Ball State University in October 2016.



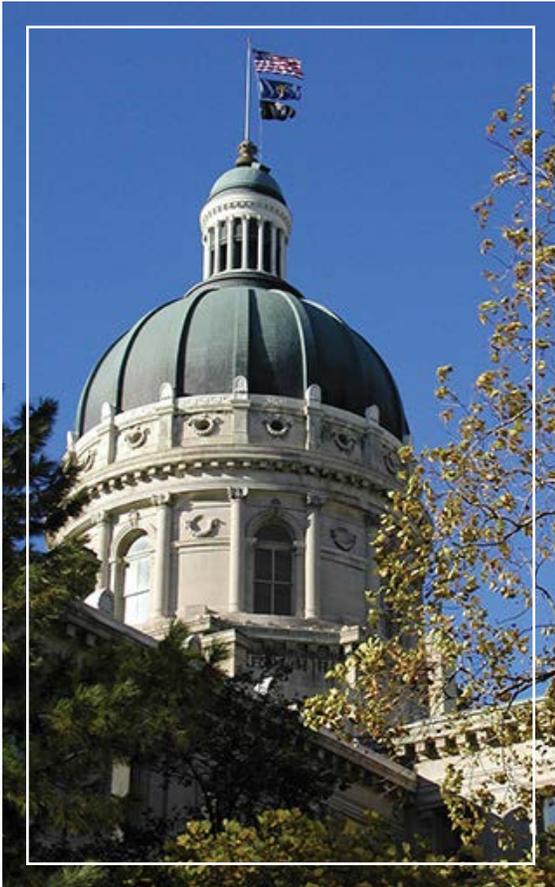


Members of the Indiana Supreme Court and Indiana Court of Appeals sit among federal judges at the bar admission ceremony in October 2016 at the Indiana Convention Center.

# Agency Reports

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<b>34</b>	Office of Judicial Administration
<b>36</b>	Clerk of the Indiana Appellate Courts
<b>37</b>	Fiscal Office
<b>38</b>	Office of Personnel & Operations
<b>39</b>	Supreme Court Services
<b>40</b>	Office of Admissions & Continuing Education
<b>42</b>	Disciplinary Commission
<b>44</b>	Judges and Lawyers Assistance Program
<b>46</b>	Office of Communication, Education and Outreach
<b>48</b>	Court Technology
<b>50</b>	Indiana Office of Court Services
<b>56</b>	Judicial Qualifications/Nominating Commission



The working locations of the Supreme Court and agencies. **Left:** The Indiana State House, which houses the Supreme Court Courtroom, chambers for each Justice, the office of the Clerk of the Indiana Appellate Courts, and the Office of Judicial Administration. **Center:** 30 South Meridian, which houses most of the administrative offices of the Court. **Right:** 320 North Meridian, which houses the Indiana Judges & Lawyers Assistance Program (JLAP), to maintain confidentiality.



## INDIANA SUPREME COURT

# Office of Judicial Administration

**Mary G. Willis**  
Chief Administrative Officer

The **Office of Judicial Administration** consists of nine agencies, the Office of the Clerk of the Indiana Appellate Courts, and the Commission on Judicial Qualifications / Judicial Nominating Commission.

The Office is overseen by the Chief Administrative Officer, who reports directly to the Chief Justice of Indiana and serves as the link between the Chief Justice and the agencies of the Court.

[courts.in.gov](http://courts.in.gov)



**Clerk of the Indiana Appellate Courts**



**Fiscal Office**



**Office of Personnel & Operations**



**Supreme Court Services**



**Attorney Services**

Office of Admissions & Continuing Education | Attorney Disciplinary Commission  
Indiana Judges & Lawyers Assistance Program



**Office of Communication, Education and Outreach**



**Court Technology**  
Trial & Appellate



**Indiana Office of Court Services**



**Judicial Ethics**  
Commission on Judicial Qualifications / Judicial Nominating Commission

The **Office of the Clerk of the Supreme Court, Court of Appeals, and Tax Court**

processes incoming filings and outgoing orders and opinions for Indiana’s appellate courts.

The Clerk’s Office responds to inquiries from attorneys, litigants, and the public; oversees the microfilming of closed cases; and maintains the Roll of Attorneys, which is the roster of attorneys licensed to practice law in Indiana.

[courts.in.gov](http://courts.in.gov)

**Related Information**

Indiana Supreme Court Cases and Opinions Data PAGES 10-19

**Orders processed for the Appellate Courts**

10,812 orders for the Supreme Court, Court of Appeals, and Tax Court



**29,592**

filings processed in 3,698 cases for the three appellate courts



**87**

opinions processed for the Supreme Court



**18,551**

active attorneys in Indiana’s Roll of Attorneys, maintained by the Appellate Clerk’s Office

**HIGHLIGHTS**

During the fiscal year, the Clerk’s Office processed 2,205 opinions and 10,812 orders. The Office worked closely with technology staff to implement electronic filing, which is now required in the appellate courts except for filings that initiate the appeal.

The Office distributed over 7,500 ballots for the election of the District 2 attorney member of the Judicial Nominating/Qualifications Commission and tabulated the results with the Offices of the Attorney General and the Secretary of State.



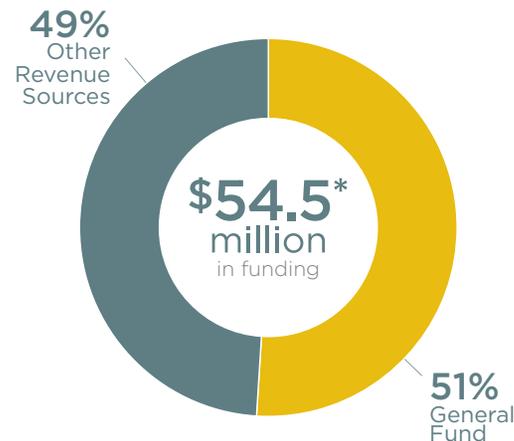
# Fiscal Office

Aaron V. Hood, Chief Financial Officer

The **Fiscal Office** manages the Supreme Court budget and assets, processes financial transactions and invoices, and provides accurate, timely financial information to the Court and other government officials.

## State judiciary constitutes **LESS THAN 1%** of the Indiana State Budget

### Budget Breakdown



\* Excludes funding for payment of local judge and prosecutor salaries totaling \$97.7 million.

### HIGHLIGHTS

During its first full year in operation, the Court's unified Fiscal Office (created utilizing existing staff) worked to standardize financial processes and coordinate more efficiently with other branches of government. Rather than five separate instances of accounting software and two dozen fiscal employees throughout the Court, the central office coordinated fiscal operations for the first time.

The Office conducted sessions to help staff better understand the new processes and enhance collaboration on budget and grant fund management.

## 3 BUDGET PRESENTATIONS

to House Ways & Means, Senate Appropriations, & State Budget Committees resulted in expanded projects and programs for the trial courts



# Office of Personnel & Operations

*Brenda F. Rodeheffer, General Counsel*

The **Office of Personnel & Operations** provides a wide scope of services to Supreme Court staff and agencies, including drafting internal policies, assisting with hiring and disciplinary issues, processing payroll and benefits, reviewing contracts for legality, ensuring legal compliance, security, and continuity of operations for the Court.

The Office also provides employment law counsel and assistance with contracts and payroll for all state judges.

[courts.in.gov](http://courts.in.gov)



## \$108 million

managed in payroll for Supreme Court staff, state judges, and prosecutors



## \$3.8 million

saved over 10 years with new lease for Court agencies



## 276

consultations to judges and court staff managers on employment issues



## 100+

contracts reviewed for legality and form

### HIGHLIGHTS

During the fiscal year, the Office initiated supervisor training, selected a staff performance development program, and made progress on revamping all staff job descriptions to determine the market value of specific positions and work toward achieving better pay equity.

With the administrative office lease expiring, the Office investigated options and provided an evaluation to the Justices to determine the best office location for the next decade. With millions of dollars in savings and a proximity closer to the State House, the Office secured space at Capitol Center North for a 10-year lease beginning in 2018.



# Supreme Court Services

*Jason W. Bennett, Supervisor of Supreme Court Services*

## Supreme Court Services

provides legal research, analysis, and drafting of legal memoranda for the Court; manages the Court's pending cases; and maintains the Court's law library.

[courts.in.gov](http://courts.in.gov)

### Related Information

Indiana Supreme Court Cases and Opinions Data PAGES 10-19

## HIGHLIGHTS

Supreme Court Services provided legal advisory and case management functions for the Chief Justice and other members of the Court. Supreme Court Services administered the Court's weekly conference agenda, oral argument schedule, and case statistical reporting.



**248**

legal memoranda drafted on a variety of topics



**1,579**

orders drafted



**729**

cases overseen, which were presented to the Court for review



**46**

original actions prepared challenging a trial court's jurisdiction



**150**

requests for information fulfilled



**73,475**

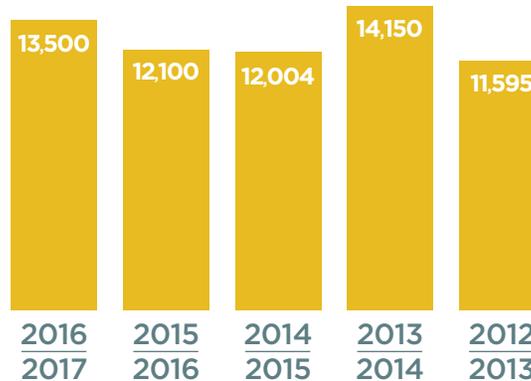
volumes maintained in the Law Library, which served 2,211 patrons

The **Indiana Office of Admissions and Continuing Education (ACE)** provides administrative support to the Board of Law Examiners (BLE) and Commission for Continuing Legal Education (CLE).

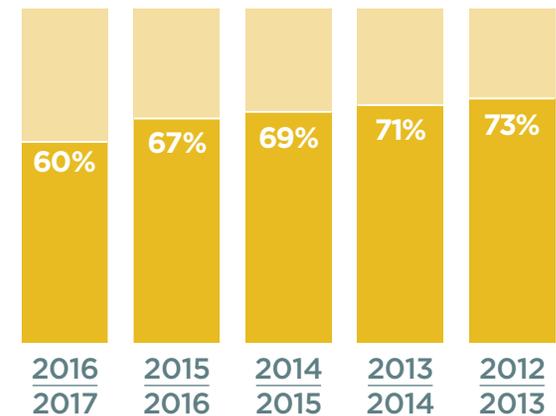
BLE certifies that all individuals admitted to practice law have fulfilled the requirements for admission. CLE oversees the legal education requirements of attorneys, judges and mediators, and maintains a mediator registry.

NEARLY  
**13,500**  
 DISTANCE CREDITS  
 reported by attorneys

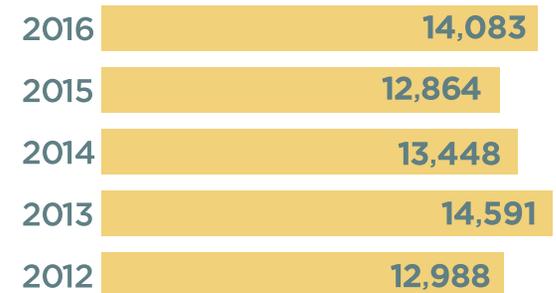
**Distance Credits**  
 Five-year comparison



**Bar Exam Success Rate**  
 Five-year comparison



**CLE Courses Accredited**  
 Five-year comparison



# Merging agencies, helping attorneys

## Test Takers Success Rate



60% of all test takers passed

70% of first-time test takers passed

37% of repeat test takers passed

## Merging agencies

In January 2017, the Supreme Court created the Office of Admissions and Continuing Education, merging the two agencies that support BLE and CLE. Each agency retained its own board and commission for advisory purposes; however, administrative functions are handled from a joint office. The successful transition included an ACE open house in March with staff welcoming board and commission members and the legal community to the combined office.

## Admission on examination

The bar exam is administered twice a year, in February and July. During the fiscal year, 463 out of 771 applicants passed the exam.

In January 2017, a group of judges and lawyers provided suggestions to the BLE on possible changes to the exam. Those suggestions were provided to the Court for review to ensure continued exam excellence.

## Evolution of legal education

When the Supreme Court established the CLE Commission on January 1, 1987, Indiana became the 18<sup>th</sup> state to require that attorneys receive continuing legal education. 30 years later, continuing legal education is evolving again with increased demand for distance education courses. On January 1, 2017, the Court increased the maximum number of distance credits attorneys may earn in an education cycle from six to nine.

Of the roughly 14,000 total educational courses approved by the CLE Commission, nearly 40% were distance education courses. Attorneys reported almost 13,500 distance credits, which is a 280% increase over fiscal year 2005-2006, when the first distance education credits were available.



ATTORNEY SERVICES  
**Disciplinary Commission**  
*G. Michael Witte, Executive Director*

The **Disciplinary Commission** is responsible for investigating attorney misconduct and prosecuting lawyer discipline proceedings. The Commission is primarily a reactive agency that responds to grievances filed by other individuals.

The Commission is not tax supported; it is funded primarily through the annual registration fee paid by Indiana lawyers in good standing.

[courts.in.gov](http://courts.in.gov)

**Related Information**

Discipline Matters Received and Disposed by the Court PAGES 12-15

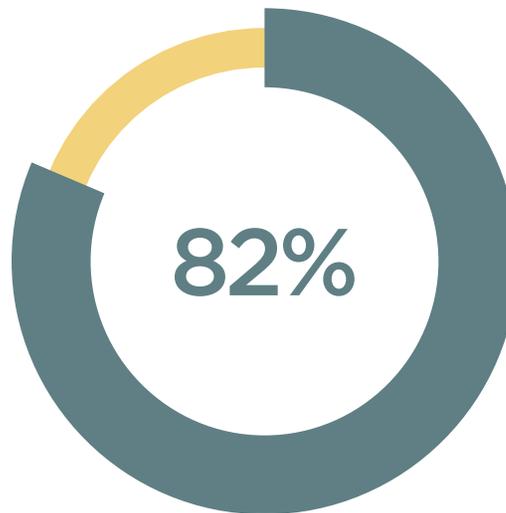


## 30 VERIFIED COMPLAINTS

Misconduct charges filed by the Disciplinary Commission

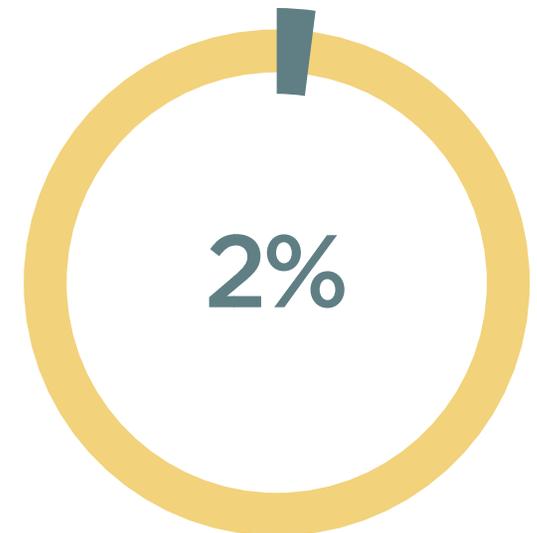
### Dismissed Summarily

Percentage of complaints dismissed as having no valid issue of misconduct



### Extension of Time

Sought by the Disciplinary Commission



# Keeping the legal profession honest

## Changing the rules

Effective January 1, 2017, the Court approved changes to Admission and Discipline Rule 23 that overhaul the lawyer discipline process. Revisions include:

- Authorization to issue caution letters for low-level misconduct
- Acceleration of the screening and charging decision process
- Acceleration of the non-cooperation indefinite suspension timeline
- Mandatory prerequisite conditions for filing a Petition for Reinstatement
- Application of the formal Rules of Evidence to discipline hearings
- A time limit of one year on the length of an investigation, except if the Supreme Court grants an extension of time\*

*\* During the fiscal year, the Commission sought an extension of time to complete an investigation in only 23 cases out of a total of 1,485 grievances.*

## Managing Caseload

At the end of the fiscal year, there were 72 cases under investigation or being screened, including two unauthorized practice of law matters. Additionally, there were 39 cases in some stage of litigation, including seven license reinstatement matters.

## Attorney Discipline Case Highlights

Cases reviewed by the Commission

**1,485** **Complaints submitted**  
(Requests for investigation against attorneys)

**1,212** **Dismissed summarily**  
(no valid issue of misconduct)

**273** **Complaints**  
(investigations)

**93** **Dismissed after investigations**

**7** **Caution/Warning letters sent**

**32** **Sent back**  
(not a commission matter/  
no attorney listed/illegible)

**19** **Dismissed pending reinstatement**  
(attorney is already suspended)

**1** **Dismissed as moot due to death**

**15** **Referred out**  
(to JQC/other states)

**4** **Referred to local bar for investigation**

**102** **Investigations pending**  
(at the end of the fiscal year)



ATTORNEY SERVICES

# Judges and Lawyers Assistance Program

*Terry L. Harrell, Executive Director*

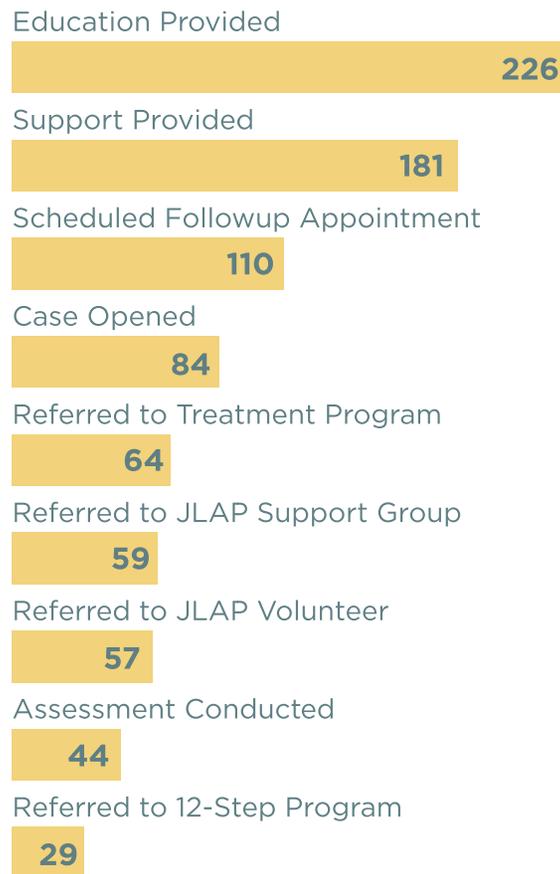
The **Indiana Judges and Lawyers Assistance Program (JLAP)** assists judges, lawyers, and law students with personal issues—addiction, mental health, physical, age-related, and other concerns—that have the potential to reduce their effectiveness.

JLAP works to educate the bench and bar and reduce potential harm caused by impairment. All interactions with JLAP are confidential.

[courts.in.gov](http://courts.in.gov)

## Services provided to callers

(Some callers provided with multiple services)



\* Compared to previous fiscal year

## BY THE NUMBERS



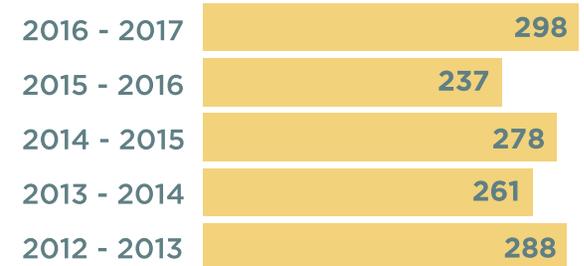
**26%**  
increase in calls  
for assistance\*



**2,870**  
attendees at  
58 presentations

## Calls for Assistance

Five-year comparison



# Confidential *and* Dependable

## Outreach efforts

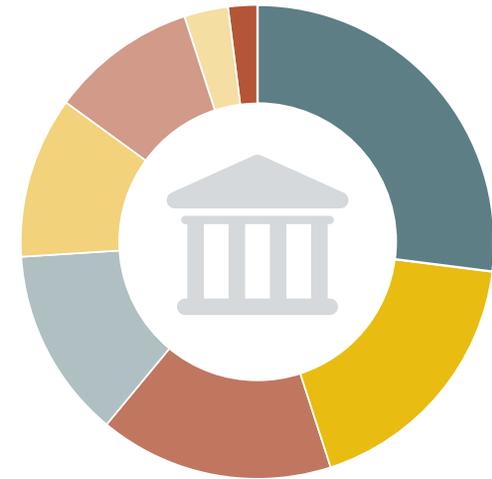
In response to recent studies showing law students and lawyers under 30 years old experience high rates of anxiety, depression, and substance use disorders, JLAP has increased its presence at Indiana's law schools by participating in health fairs, exam stress relief programs, mentoring programs, and more:

- Invited to participate in Valparaiso Law School's Professionalism Program
- Asked to present to Indiana University's Maurer School of Law students
- Installed a permanent display in the Indiana University's Robert H. McKinney School of Law library and collaborated on the production of a video aimed at encouraging students with mental health or substance use issues to seek help

As outreach to newly admitted and young lawyers, JLAP participated in nine Applied Professionalism Courses around the state reaching over 500 young lawyers and participated in the curriculum for leadership development programs sponsored by the Indianapolis Bar Association and the Indiana State Bar Association.

## National spotlight

During the fiscal year, JLAP staff and committee members provided information and education at the Annual Convention of the Federal Magistrate Judges Association, National Conference of Bar Presidents, and the American Bar Association's National Conference on Lawyer Assistance Programs. In addition, JLAP staff presented on three national webinars sponsored by different organizations.



## Attendance

The attendee breakdown shows the wide variety of lawyers reached through presentations.

■ National Organizations.....	27%
■ Applied Professionalism Courses....	18%
■ Law Schools.....	16%
■ Court Agencies.....	13%
■ Judicial Groups.....	11%
■ Bar Associations .....	10%
■ Other .....	3%
■ Volunteer Training .....	2%



# Office of Communication, Education and Outreach

*Kathryn R. Dolan, Chief Public Information Officer*

The **Office of Communication, Education and Outreach (OCEO)** manages media inquiries, public information, and opportunities for educators to engage with the judicial branch.

OCEO oversees the Supreme Court’s website, webcasting, and social media accounts; creates and distributes press releases; and coordinates messaging campaigns on a variety of topics.

[courts.in.gov](http://courts.in.gov)

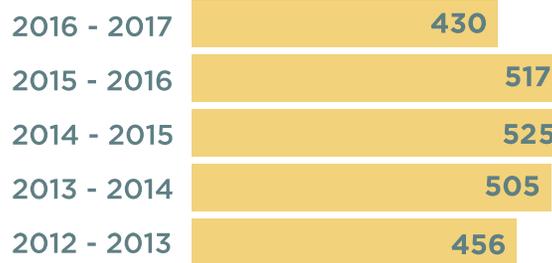


## 430 INQUIRIES ANSWERED

Provided answers to members of the press regarding a variety of court-related topics

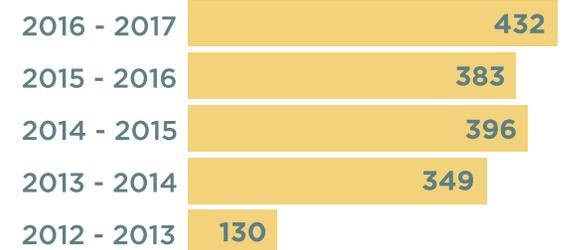
### Media Inquires

Five-year comparison



### Twitter Posts

Five-year comparison



## 432 TWEETS

including opinions, transfer dispositions, Indiana Court Times articles, and announcements



## 69 JUDGES ASSISTED

Provided assistance to trial court judges for everyday media matters and high-profile cases

# OUTREACH *to the* PRESS & PUBLIC



OCEO assisted media in attendance at a press conference for Justice Rucker's retirement announcement.

## Working with the Press

OCEO answered 430 media inquiries during the fiscal year and distributed 36 press releases announcing upcoming events and promoting a better understanding of the judiciary. The Office also assisted print and television journalists and photographers in attendance at oral arguments.

## Teacher Workshop

In August, 60 teachers from across the state attended a one-day workshop designed to inform educators about the courts and improve knowledge of Indiana history and government. Teachers attended an oral argument, conducted research in the Law Library, heard about various Court initiatives, and had the opportunity to visit the Eugene & Marilyn Glick Indiana History Center.

## Traveling Oral Arguments

OCEO coordinated two traveling oral arguments during the fiscal year. Student audiences in Delaware and Lake counties were provided the opportunity to witness a Supreme Court oral argument without traveling to Indianapolis.

## Getting the word out

During the fiscal year, OCEO managed a variety of messaging campaigns to judges, lawyers, court staff, and the public. As the statewide e-filing implementation continued, the Office promoted the ability for lawyers to move away from paper and file documents electronically. The Office distributed weekly messages to trial court judges, a monthly newsletter to Court staff, and published *Indiana Court Times*, a magazine and blog on topics of interest to the judiciary.

### Related Article

On the Road Again...  
PAGE 22



# Court Technology - Trial & Appellate

Mary L. DePrez, Director & Counsel for Trial Court Technology

Robert A. Rath, Director of Appellate Court Technology

Justice Steven David  
Judge Paul Mathias  
Technology Co-Chairs

**Court Technology** provides support to appellate court staff for day-to-day operations; assists the Supreme Court with creating a vision for how technology can improve court operations and access to justice; develops custom applications for data sharing with the public and state agencies; and supports thousands of users across the state with case management, e-filing, and other technology needs.

[courts.in.gov](http://courts.in.gov)

## E-Filing County Implementation Progress

58%

Statewide by the end of 2018

### E-Filing Statistics

as of June 30, 2017

**2.1 MILLION**  
documents e-filed statewide

**372,000**  
criminal cases and citations  
e-filed into Odyssey

**41,000+**  
documents e-filed weekly



# Advancing justice through technology

## Paperless Courts

Implementation of statewide electronic filing progressed dramatically, adding 44 counties to the e-filing system. At the end of the fiscal year, there were 53 counties e-filing, nearly 20,000 registered users, and over 41,000 documents filed each week.

On July 1, 2016, e-filing in the appellate courts became mandatory. During the fiscal year, 37,767 documents of 111,364 total filings in the three appellate courts were e-filed. Four new e-filing providers were added, giving filers nine options: one state-provided free e-filing solution and eight commercial providers.

## The Odyssey Continues

The principal trial court technology project—implementation of the Odyssey case management system—further expanded with 20 new courts using the system. By the end of the fiscal year, a total of 263 courts in 61 counties plus all three appellate courts used Odyssey, accounting for 70% of new cases filed.

## Mycase Improvements

Court technology staff continued work on the [mycase.in.gov](http://mycase.in.gov) beta site for searching trial and appellate cases. For the first time, the public can access documents from both appellate and trial courts and search for commercial court cases, and attorneys can sign in for enhanced access, all with no fees to the end-user.

## Other Projects

In addition to continued maintenance and support of over 30 existing data-sharing applications, trial court technology staff launched several new applications:

- Envisioned as a tool for parents to research potential child care providers, the Child Abuse Registry provides access to information on criminal cases resulting from child abuse and neglect charges.
- The Supervised Release System being piloted in Marion County aggregates critical data in real time for probation, community corrections, and problem-solving courts in a single application.

## Data Sharing Applications FISCAL YEAR DATA



NEARLY  
**900,000**

tickets issued using  
electronic citation system



OVER  
**53,000**

protection orders submitted  
to protection order registry



OVER  
**770**

mental health adjudications  
reported to FBI

### Related Article

A Milestone for Public Access  
PAGE 20



# Indiana Office of Court Services

*Jane A. Seigel, Executive Director*

The **Indiana Office of Court Services (IOCS)** assists the Supreme Court in its role as the head of Indiana’s judicial system by developing education, programs, and projects for all courts to improve the administration of justice.

IOCS also supports the Judicial Conference of Indiana and its Board of Directors, comprised of judicial officers from across Indiana, and provides staff support to multiple committees.

[courts.in.gov](http://courts.in.gov)



OVER  
**250**  
days of educational opportunities



NEARLY  
**670**  
judicial officers  
handled 1.5M new cases



**53**  
certified alcohol & drug programs & 84 certified problem-solving courts



**\$8.4 million**  
in grants given to counties



Related Data  
Grant Funding  
PAGE 21

# ONE OFFICE: FOUR FOCUSES

## STAD/IJC Merger

During the fiscal year, the Court created the Indiana Office of Court Services which is made up of the former Indiana Judicial Center (IJC) and Division of State Court Administration (STAD). The merger created one newly formed office, with four divisions including: Education, Justice Services, Legal Support, and Programming & Projects. IOCS interacts with a diverse population, including:

- judges
- clerks
- probation/community supervision/court security
- problem-solving court teams
- court alcohol and drug programs
- juvenile detention alternative initiative (JDAI) teams
- guardian *ad litem*/court appointed special advocate programs (GAL/CASA)
- adult guardian volunteers
- court interpreters



The Judicial Conference Board of Directors meets during the Annual Judicial Conference in September 2016. The Education Division helped organize sessions and logistics for the event.

The **Education Division** ensures judges and judicial branch staff are offered educational opportunities through one-on-one mentoring, in-person education, online manuals/benchbooks, discussion groups, webinars, and web-based training modules.

The **Justice Services Division** works with probation, problem-solving courts, court alcohol and drug programs, and juvenile justice stakeholders to help criminal offenders successfully transition into the community and offer community-based alternative programs for youth.

The **Legal Support Division** answers legal questions; collects trial court/probation statistics; reviews requests for bulk/compiled data and public records; and assists courts and clerks regarding changes to legislation, procedures, and rules.

The **Programming & Projects Division** manages innovative statewide initiatives that protect Hoosiers in need and promote equal justice and manages grants that benefit trial courts, litigants, and communities.

### Additional Information

Highlights from the four divisions  
PAGES 52-55



The **Education Division** ensures that Indiana’s citizens interact with well-trained judges and judicial branch staff. The Division offered more than 250 days of educational opportunities with more than 9,000 judicial branch personnel and justice system stakeholders attending an IOCS-facilitated training.

## Training

IOCS provided over 527 hours of regional training for GAL/CASA staff and volunteers, judicial officers, probation officers, certified court alcohol and drug staff, problem-solving court staff, JDAI stakeholders, and trial court staff.

The Education Division also held a one-day Court Improvement Program collaborative conference for juvenile justice stakeholders, focusing on helping youth achieve permanency. Over 800 probation officers attended an annual meeting and learned about how unconscious processes impact decision-making when interacting with people. 30 judicial officers from across Indiana took part in a graduate studies program, which focused



OVER  
**9,000**  
in attendance during  
250+ days of education



**144**  
hours of instruction on  
risk assessment tools

Left: Allen County Judge Frances Gull addresses attendees at a New Judges Orientation in January 2017.

on cyber security versus cyber insecurity; free speech and the judicial role; and health care today.

## Risk Assessment

IOCS launched an online recertification process for probation officers and community supervision officers trained to administer the Indiana youth and adult risk assessment tool. IOCS offered 144 hours of instruction on youth and adult risk assessment tools.

## New office holders

45 candidates for judicial office participated in a four-part online e-Candidate School during the 2016 general election process. 49 newly elected or appointed judicial officers attended a two-week orientation program focusing on demeanor and courtroom control skills, interacting with the media, conducting jury trials, and civil case management.



The **Justice Services Division** provides support to adult/juvenile probation departments and works with over 130 problem-solving courts and court alcohol and drug programs. The Division helps counties identify community-based alternatives to secure detention and supports county-level efforts to implement evidence-based practices in sentencing and community supervision.

## Certified Courts and Programs

IOCS certified/recertified eight court alcohol and drug programs and 26 problem-solving courts during the fiscal year. These additions brought the total to 53 certified court alcohol and drug programs and 84 certified problem-solving courts with an additional 13 problem-solving courts in the planning stages. With funding appropriated by the Indiana General Assembly, IOCS awarded \$500,000 in grants to 10 veterans courts, a type of problem-solving court.



**\$500,000**  
in grants awarded to  
10 Veterans Courts



**31**  
counties assisted with  
JDAI related activities

## Interstate Compact

IOCS administers the interstate compact for the transfer of offenders in and out of Indiana and serves as the intermediary for the return of juvenile runaways. During the fiscal year, IOCS supervised or processed more than 5,750 adult cases; over 1,000 juvenile cases; and 80 juveniles as runaways/absconders/escapees.

## EBDM

In September 2016, Indiana was awarded continued technical assistance from the National Institute of Corrections to support the state's participation in the Evidence-Based Decision Making initiative (EBDM). Criminal justice stakeholders and 11 counties worked to improve outcomes in pretrial release and other criminal justice decision points as part of a pilot program. Participating counties included Allen, Bartholomew, Grant, Jefferson, Hamilton, Hendricks, Monroe, St. Joseph, Starke, Porter, and Tipton.

## JDAI

IOCS assisted 31 counties with JDAI-related activities, including more than 180 hours of training and education to more than 1,500 participants on topics such as increasing data literacy, implicit bias, and adolescent brain development. The Department of Correction reported a 42% reduction in youth commitments in part due to JDAI.

The **Legal Support Division** is responsible for court and probation data collection, responding to legal questions from trial courts, and monitoring legislative changes affecting the judicial branch.

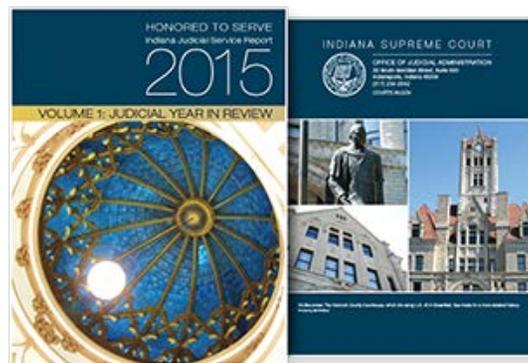
## Assisting Courts

IOCS reviewed 40 requests for bulk data; reviewed 34 public records requests; recommended approval of approximately 85 caseload allocation plans; conducted 25 onsite county visits regarding storage of records; and updated the *Trial Court Administrative Manual* for Judges/Clerks.

Roughly 40% of each week was spent researching and answering questions from judicial officers, circuit clerks, probation officers, court and clerk staff, in addition to internal questions from other court agencies. IOCS compiled and published the online

40%

Time spent each week researching and answering questions from the judiciary



*Indiana Judicial Service Report* containing information regarding the workload and finances of the judicial system. The report included information on nearly 670 judicial officers who handled 1.5 million new cases filed during the 2016 calendar year.

## Caseload Assessment Plan

Nearly every trial court judge participated in a four-week time study conducted by the National Center for State Courts to determine Indiana's weighted caseload. In September 2016, the Judicial Administration Committee published the results of the study, which showed:

- 43 counties need additional judicial officers
- Statewide there is a collective need for about 17 full-time judicial officers

The study recommended modifying administrative rules to allow for sharing of judicial officers across county lines.

**40** BULK DATA REQUESTS

**34** PUBLIC RECORDS REQUESTS

**25** COUNTY VISITS CONDUCTED



# Programming & Projects Division



The **Programming & Projects Division** works to ensure equal access to justice through numerous initiatives focusing on families, children, victims of domestic violence, and others. The Division provided nearly \$6 million in grant funding to counties across the state.

## Protecting Hoosiers in Need

The **State Office of Guardians *Ad Litem* and Court Appointed Special Advocates** awarded grants to 64 certified CASA programs across Indiana, whose 4,034 volunteers served 26,762 abused and neglected children (CY16).

To improve safety, well-being, and permanency outcomes in Children in Need of Services and Termination of Parental Rights cases, the **Court Improvement Program (CIP)** awarded 11 grants to support Alternative Dispute Resolution programs, family dependency drug courts, Adoption Day activities, training, and data collection and analysis. CIP also provided over \$13,000 in scholarships and trained 339 judicial officers and child welfare professionals.



## \$30,000

grant received by the Adult Guardianship Office

As an expert in family violence, civil protection orders, sexual assault, and criminal domestic violence, the **Family Violence Resource Attorney** trained 1,187 judicial officers, advocates, law enforcement personnel, and other professionals.

The **Family Court Project** supported 19 counties assisting 3,500 families in the court system with document preparation, co-parenting counseling, and court-ordered programming.

The **Adult Guardianship Office** awarded grants to 15 volunteer-based programs in 30 counties with nearly 300 volunteers that protect 500 vulnerable adults. The Office also received a \$30,000 national grant to launch a multidisciplinary supported decision-making pilot program that creates a spectrum of guardianship.



## 500+

students helped through ICLEO Summer Institute

## Promoting Equal Justice

In its 20<sup>th</sup> year, more than 500 minority, low-income, and disadvantaged students have benefited from the **Indiana Conference for Legal Education Opportunity's (ICLEO) Summer Institute**. 21 ICLEO fellows participated in 2016, 60 fellows are currently enrolled in Indiana law schools, and 22 graduated in 2017.

The **Court Interpreter Certification Program** promoted equal access to the courts for those with limited English proficiency and those who are deaf or hard-of-hearing. Staff provided court training; maintained a registry of 100+ certified interpreters; assisted with in-person and telephonic interpreter services; and awarded 37 grants to counties to fund interpreter services.



# Indiana Commission on Judicial Qualifications & Indiana Judicial Nominating Commission

*Adrienne L. Meiring, Counsel*

The Indiana Commission on Judicial Qualifications/Judicial Nominating Commission is a seven-member body chaired by the Chief Justice of Indiana.

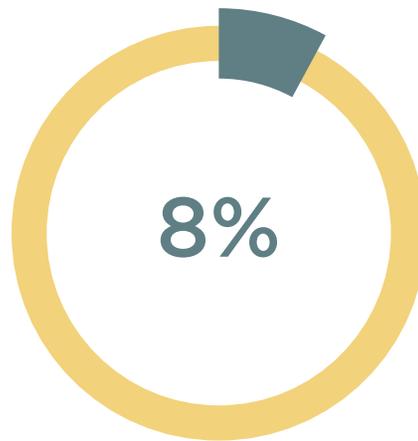
The **Judicial Qualifications Commission (JQC)** provides ethical advice to Indiana trial judges and investigates and prosecutes allegations of judicial ethical misconduct.

The **Judicial Nominating Commission (JNC)** recruits and interviews applicants for appellate court vacancies, selects the Chief Justice, and certifies senior judges.

[courts.in.gov](http://courts.in.gov)

## Investigations v. Grievances

Grievances resulting in a formal investigation



## Senior Judges

100 certifications/recertifications

**17** Certified  
**83** Recertified

## Judicial Discipline Action

Breakdown of 22 cases

- 2** Advisory letters  
(not classified as formal discipline)
- 2** Investigations closed without prejudice  
(after judicial officer resigned/retired)
- 1** Investigation closed  
(after judge agreed to resign/never hold future judicial office)
- 7** Private Cautions  
(formal discipline which must be disclosed)
- 1** Deferred resolution agreement
- 9** Investigations pending  
(at the end of the fiscal year)

# Nominations *and* Qualifications



Justice Christopher Goff shakes hands with Governor Holcomb following the announcement of his appointment as the 110<sup>th</sup> Justice of the Indiana Supreme Court.

## Selection of 110

In January 2017, Justice Robert D. Rucker announced his intent to retire. JNC solicited applications and interviewed 20 applicants in March with 11 finalists being invited back for a second interview in April. The Chief Justice submitted three names to the Governor for consideration (Hon. Vicki Carmichael, Hon. Christopher Goff, and Hon. Matthew Kincaid), and on June 12, Governor Eric Holcomb selected Goff to become the 110<sup>th</sup> Justice of the Indiana Supreme Court. Justice Goff was sworn in on July 24.

## Judicial Discipline

During the fiscal year, JQC considered 418 complaints alleging judicial misconduct. Of those, 385 complaints were dismissed summarily as failing to raise valid issues of ethical misconduct or were dismissed following informal investigation by JQC staff and a determination that no misconduct occurred.

One judge was issued a public reprimand after an arrest for battery against a public safety official and agreed to resign and never seek future judicial office. Two judges were

issued public reprimands following arrests for operating a vehicle while intoxicated. One judge agreed to a commission public admonition for banning the Clerk from the courthouse without sufficient due process, and another judge faced public disciplinary charges for the same situation involving the Clerk. At the end of the fiscal year, the charges were still pending.

In the remaining 28 cases, the Commission required the judge to respond to the allegations or conducted formal inquiries or investigations. Six of these cases were dismissed as not establishing ethical misconduct.

## Advising Judges and Judicial Candidates

Advisory opinions do not carry the weight of law, but they are intended to guide judicial officers in handling common ethical dilemmas.

The JQC issued one advisory opinion during the fiscal year. Advisory Opinion #1-17 addresses the use of Twitter and other microblogging tools in the courtroom as related to the Judicial Conduct Rule 2.17 prohibitions against the broadcast of court proceedings.

# Definitions

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A **certified question** is a request from a federal court to the Indiana Supreme Court asking for the Court's opinion on a specific matter of Indiana law that the federal court is considering in a pending matter.

A **dispositive order** presents the decision of the Court in a case, but does not typically include a detailed explanation of legal reasoning as do opinions. Examples of dispositive orders include orders resolving attorney or judicial discipline cases and orders denying transfer of cases.

In a **mandate of funds** case, the Supreme Court reviews an order by a special judge that requires the county commissioners to fund court operations or other court-related functions. Mandates of funds are typically ordered when a county executive branch does not provide adequate funding to its local judicial branch.

A **majority opinion** in a case is authored by one justice and approved by two or more additional justices who agree with the decision and the legal reasoning for it. A majority opinion may also be *per curiam*, meaning "by the court" and not attributed to a specific author.

A **non-majority opinion** is attached to a majority opinion or dispositive order and may be concurring or dissenting. In a *concurring opinion*, the justice agrees with the majority opinion but adds additional analysis of the issues. In an *opinion concurring in the result*, the justice agrees with the ultimate result, but disagrees with the majority's reasoning. In a *dissenting opinion*, the justice disagrees with the majority opinion and offers different legal reasoning in support of a different result.

An **original action** is a request by a party asking the Supreme Court to order a lower state court to perform an act required by law or to stop acting in a way the law does not allow.

A **petition for rehearing** is a request by a party asking the Supreme Court to reconsider a case it has already decided. If the Court denies the petition, the decision stands. If the Court grants the petition, then it issues a new opinion affirming or altering its decision.

A **petition to transfer** is a request by a party asking the Supreme Court to assume jurisdiction over a case already decided by the Court of Appeals.

A **verified complaint** in an attorney discipline case is the charging document in which the Disciplinary Commission alleges misconduct by the attorney being charged and asks the Supreme Court to impose appropriate discipline for the misconduct.





Indiana Supreme Court  
[courts.in.gov](http://courts.in.gov)